



**Minutes of the Meeting held on Wednesday 27th January 2010 at 7.45pm
in the Parish Office**

Present: Cllrs S Berlyn (Chairman) A Pemberton
 D Bolwell D Powell
 H Clacy M Telling
 D Hawkins J Thomson
 A Keeler D Whiteing
 J Langley

In attendance: Mrs M Saunders, Clerk
 Mrs M Dyer, Assistant Clerk

132 Apologies for absence

Apologies were received and accepted from Cllrs M Wood and S Freeman

133 Declarations of Interest

Members were reminded that they must declare any personal or prejudicial interests they had in any items of business on the meeting's agenda. They were reminded that they would need to repeat their declaration at the appropriate point in the meeting and leave the room if the interest was a prejudicial one. Unforeseen interests must similarly be declared at the appropriate time.

No interests were declared

134 Public Question Time

No members of the public were present

135 Minutes

RESOLVED: that the minutes of the meeting held on 25th November 2009 be approved and signed as a correct record.

136 Council Membership

136.1 Vacancy: CV and personal statement for Mr Tony Drewitt-Barlow.

Deferred to next meeting

136.2 Resignation of Cllr Allen

Councillors expressed their regrets at his resignation and acknowledged his hard work and contribution to planning matters and the parish plan. As Mr. Allen's tenure as a Councillor was under 10 years the Members proposed to contribute personally to a gift to thank Mr Allen for his contribution to the Parish Council and the Village. Members were advised that the required Public Notice will now be posted.

137 Parish Plan Review

Cllr Pemberton updated Members on the recent course he had attended and progress/actions to date. Members were given a sheet detailing actions to date and next stages/timings – it was felt that the number of questions for the resident's

element should be no more than 20. The questionnaire for businesses will be discussed at a later stage. Cllr Pemberton advised Members that he was also investigating the possibility of including the questionnaire on the web site. Cllr Berlyn requested that the group be thanked for their work to date. Members were reminded that a budget of £1,500 had been earmarked for this project under the Power of Well Being.

RESOLVED: that the Volunteers on the Parish Plan Review 2010 group be thanked for their work on this project.

138 Reports from Village Organisations

Cllr Clacy reported a pothole in Cherry Garden Lane and that regarding Tyndales Farm Quarry the next round of minerals consultations by Essex County Council had been delayed until June 2010. Clerk to ascertain reason for delay.

RESOLVED: that the Clerk ascertains the reason for the delay regarding the quarry.

139 Leases – Tennis Club

Members were advised that another member of the Tennis Club is now dealing with the lease and that a plan of the site has been forwarded to the Club as requested. Regarding the lease the Tennis Club have made the following requests: that the Tennis Club only pay for their solicitor and that the term of the lease runs for longer than the 10 years suggested by DPC, as the Tennis Club invests in assets that last longer than 10 years and that the Tennis Club did not wish to incur further solicitors costs after 10 years. The Clerk reminded the Members that the longest lease on Dawson Memorial Field was for 15 years now; the Field is registered with the Land Registry and has a covenant for sporting activities. Cllr Hawkins proposed that the Tennis Club lease is for 15 years and that each side pays its own legal fees; this was seconded by Cllr Telling. This was unanimously agreed by Members.

RESOLVED: that the lease with the Tennis Club is for 15 years and DPC and the Tennis Club each pay their own legal costs in respect of this lease.

140 Publicity

141.1 Danbury Times

Cllrs Clacy and Telling offered to assist Cllr Wood, due to the resignation of Cllr Allen from DPC

141.2 Speaker for Annual Parish Meeting

Members discussed possible/applicable speakers from external organisations and that Cllr Pemberton should speak about the Parish Plan at the APM.

RESOLVED: that Clerk approach organisations, as discussed in order of preference indicated by Members, to supply a speaker for the APM and that Cllr Pemberton should speak about the Parish Plan.

142 Emergency Planning/ Pandemic Flu Planning

Cllr Pemberton advised that there was nothing to report and that this could now be removed from the agenda.

143 Parish Alarm System

Cllrs Keeler and Pemberton offered to be added to the telephone alarm system.

RESOLVED: that Cllrs Keeler and Pemberton be added to the telephone alarm system. Clerk to make the necessary amendments.

144 Reports from Council Committees

In addition to the minutes circulated, the following reports were received:

144.1 Resources

Cllr Whiteing, Chairman of Resources Committee, advised that the bad debt policy had been ratified.

RESOLVED: that the information be noted

144.2 Environment

Cllr Keeler advised that surfacing of footpaths will each be dealt with individually; Colmans Lane (FP14) is included on the programme of works for the next financial year; with regards to FP17 Cllr Keeler suggested that Members walk this footpath and discuss at a future meeting.

RESOLVED: that the information be noted and that Members walk FP17 and report their findings for discussion at a future meeting.

145 Charters

With regards to the report supplied to Members relating to the Charter Meeting held in December with CBC, Members requested that the Clerk follow up issues detailed below relating to Part 1 and Part 2 of the Charter.

RESOLVED: that the Clerk ascertain from CBC how Part 1 was received at Cabinet and in relation to Part 2 that the following questions from the Parish Council's consultation list be put to CBC:

- a) What grant services do CBC have and which grant services are available to Parish Councils?
- b) Can DPC tap into CBC's IT support service?
- c) Can the Parish Council tap into CBC's intranet?
- d) Can DPC use the CBC reprographics department?
- e) Dog Wardens, parking and planning - can these areas be explored
- f) Costs if applicable to any of the above

146 Public Conveniences in Danbury

Members were advised that The Clerk has written to Essex County Council to ask if they would be prepared to permit their staff to open and close the public conveniences. Response not yet received. Following discussion it was agreed that the Clerk would ascertain from other Councils with public conveniences services/costs involved for review at the next PC meeting.

RESOLVED: that

- a) the Clerk consults other Councils to ascertain details of their service provider, details of the services and costs.
- b) the Clerk no longer pursues requesting the Rangers to open and close the toilets

147 Revision of Standing Order 63

This item had been carried over from the previous PC meeting. During discussions Cllr Langley made the point that, whilst representing the Council, Members should adopt the same approach indicated in this standing order during any coffee or meal breaks etc. Following discussion it was agreed to revise this Standing Order as below. Proposed by Cllr Powell, Seconded by John Langley, Cllr Hawkins abstained, all other Councillors agreed.

RESOLVED: that Standing Order is revised to read:

63 a The Council must always act as a corporate body. Members including the Chairman of Council, have no individual authority.

Unauthorised Activities

63 b No member of the Council or of any committee or sub-committee shall in the name of or on behalf of the Council:-

- i) Inspect any lands or premises which the Council has a right or duty to inspect; or
- ii) Issue orders, instructions or directions.

Unless authorised to do so by the Council or the relevant committee or sub-committee.

63 c On occasions where members are authorised to represent the Council they must express only the agreed view of the Council and must as soon as reasonably practicable report back any matters raised to the Clerk and the Council where appropriate

63 d Where members engage in informal conversation with an individual or group they must take care to differentiate clearly between views which are the agreed policy of the Council and those which are their own personal views.

148 Parish Office/Meeting Room

This item was deferred to the next meeting.

149 Name of the Parish Council

This item was deferred to the next meeting.

150 Code of Conduct

Members were advised that the Clerk and the Chairman had met with the new Monitoring Officer, June Clare, and Catherine Ashurst, Assistant Monitoring Officer, from Chelmsford Borough Council, who advised that rules regarding Dispensations had changed and that in future individual councillors, in relation to membership of the Sports & Social Centre, will have to apply for their own dispensation for the Sports & Social Centre

RESOLVED: that the information be noted by Members.

Members had all been supplied with copies of an Article from Local Council Review Winter 2009 'Keeping to the Code' and a document regarding Predisposition, Predetermination or Bias and the Code.

RESOLVED: that the information contained within the two papers be noted by Members

151 Sustainable Communities Act Amendment Bill (See attached)

Members were advised that The Parish Council has been requested to lobby their local MP to support this bill, which is supported by the SLCC and NALC. Members to consider the request.

RESOLVED: that Members noted the request.

152 NALC Awards

Members were advised that NALC has combined 2009 and 2010 Awards and that an extension of time until the 31st March, 2010 has been granted to accept any additional entries. Members were also advised that The Parish Council's entry for Council Worker of the Year has been carried forward. Members were reminded of the other categories, namely, Council of the Year, Clerk of the Year, Councillor of the Year and Much Improved Council of the Year. Members decided not to enter any of these categories.

RESOLVED: that the information be noted by Members, but that no further categories be entered by the Council.

153 Request from Cllr Powell

Councillors considered a request from Cllr Powell that all the trees the Council own are dealt with by the Environment Committee instead of Facilities as at present. Following discussion Cllr Berlyn proposed that 'trees' remain within Facilities; this was seconded by Cllr Hawkins, one Member was against the proposal, two Members abstained, six further members supported the proposal.

RESOLVED: that trees owned by the Council remain the responsibility of the Facilities Committee

154 Dates of forthcoming Meetings

Wednesday 31st March 2010 and Annual Parish Council on Wednesday 6th May 2010

155 Matters for Report (For information only)

Members were advised that due to adverse weather conditions BTCV was unable to carry out weed clearance work to the Pond at Eves Corner on 14th and 15th January as planned and that work is now scheduled for Monday 1st and Monday 8th February 2010. With reference to the Mayor's Community Evening, Members were advised that Danbury's nomination had been accepted by the Mayor, but that the event was still to take place.

156 Exclusion of Press and Public

In accordance with S.1 of the Public Bodies (Admission to Meetings) Act 1960 to resolve that in view of the nature of the business to be discussed it is of the opinion of the Council advisable to withdraw the Press and the Public.

157 Royal British Legion

Members had been supplied with a copy of the report from the meeting held on 18th January 2010 with representatives from RBL when the new lease and works to the building were discussed.

RESOLVED: that the Clerk should progress to a draft lease for submission to the RBL.

158 Drainage/ Car Parking Project

Members had been supplied with a report from the Working Group meeting held on 20th January 2010, this was discussed for considerable time in detail. Cllr Hawkins proposed that the working party recommendation be progressed, this was seconded by Cllr Langley, one Councillor objected, two Councillors abstained, six further Councillors agreed with the proposal.

RESOLVED: that

- a) the Parish Council appointed C H Grounds Maintenance as the preferred contractor
- b) the Parish Council gave permission to Total Turf Solutions to improve the price within the specification namely i) to use a different make of bollard, ii) to reduce the amount of kerbing and iii) to negotiate on the base
- c) Total Turf Solutions advised at the working group meeting held on the 21st January, 2010 that savings could be made
- d) the Parish Council were in no way committed at this stage
- e) the hedging in the bottom car park to be filled in
- f) the bollards in the bottom car park be removed and a conduit installed for a later date for lighting
- g) the kerbing from the hedge line be removed in the top car park
- h) Total Turf Solutions bring back firm prices to the Parish Council
- i) it should be noted that some areas of the specification such as the drainage could not be changed
- j) the resolution was compiled from two meetings with representatives of Total Turf Solutions - notes supplied to all members
- k) due to the size of the project when the figures were available to bring back to Parish Council and to hold an Extraordinary Parish Council to make decisions

Cllr Berlyn, Chairman of the Council, announced that he wished all the monies left in the Chairman's Fund at the end of the year be placed in the car park and drainage fund.

Business having been concluded, the Chairman closed the meeting at 10.30 pm

Signed: Cllr S Berlyn, Chairman

Date: