

Bradwell with Pattiswick Parish Council
Minutes of the Parish Council Meeting
Held on Monday 9th March 2015 7:30pm

Present: Councillors
Cllr. M Harden (Chairman)
Cllr. M Keepence
Cllr. R Hockley-Byam (Vice Chairman)
Cllr. D Tyrie
Cllr. B Coutts

Also in attendance Diane Jacob (Clerk)
3 members of the public

15.047 Welcome and Apologies for Absence

Received from Cllr Speakman & Cllr Wright

15.048 Declaration of Interests.

Received from Cllr. M Keepence re 15.062 Cllr.D Tyrie re15.056

15.049 Public Participation

A point was raised that the Parish Council had not sought the views of the public regarding the proposed memorial.

15.050 District Councillors to address the members if present

Cllr. Abbot attended the meeting. He advised BDC have granted permission for the waste site, thus waste can be transported from anywhere in the country to this facility. He reported being contacted by a resident regarding light intrusion and the lack of natural screening between the Swan and residential properties. Due to boundary changes Cllr. Abbot will no longer attend the PC meetings in his role as District Councillor. The Council thanked him for his good work.

15.051 Confirm the Minutes of the Parish Council meeting of the 9th February 2015 – date

amended, minutes accepted – proposed Cllr. Harden seconded Cllr. Keepence.

Confirm the Minutes of the Extraordinary Parish Council meeting of the 3rd March 2015.

Minutes accepted. Proposed Cllr. Hockley-Byam, seconded Cllr. Coutts.

15.052 Chairman's Report – Received.

Legal advice has been sought from the N.A.L.C. The required Letter of Indemnity was provided to the chairman of the VHMC as agreed.

15.053 Clerk's Report – Received.

15.054 Village Hall Representatives Report – Received.

Work has commenced on the Village Hall. Cllr Tyrie stated work should cease due to the lack of the promised Letters of Indemnity. The PC have concerns over the PC's liabilities. Further legal guidance is being sought due to totally opposing advice having been received by the PC which contradicts the advice offered by the VHMC legal advisors.

15.055 Appearance of Bradwell

Essex Highways department have requested an itemized list and location map identifying where the PC would like to carry out planting work prior to approval being given. Cllr. Speakman's report is awaited regarding the repair work to the verge in Church Road. BT to reinstate the verge outside of Bridge Cottage on the 16.03.15. The "Street" name sign requires attention, it is in a poor state of repair. Clerk to handle.

15.056 Memorial Update

Response to the member of the public query was the matter had been on the Agenda and members of the public are welcome to make their views known in the public forum of the meeting. The PC have been advised the cost to obtain permission to site a bench in the Churchyard would be in the region of £200.00. The clerk will write to the Church Warden asking for further consideration. Depending on the response this matter will be on the Agenda for further discussion and decision. Permission to plant a tree on Church Road could take up to six weeks.

15.057 Planning Matters

15/00146/FUL – Approved by the PC subject to consultation with the residents neighbouring property.

15/00144/FUL – PC to comment on the need to reduce light intrusion to neighbouring properties and plant shrubs to provide screening. Parking was discussed.

15.058. 1 – Gateway Consortium: Nothing to report.

2 – Other Roads:–

The Chairman commented that the condition of Hollies Road is despicable. The PC will put ECC on notice regarding the poor condition of the road, the major potholes and water problem. Cllr. Harden to consult with a resident regarding the question of continuing flooding issues affecting their property.

Poor condition of the A120 to be commented via www.fixmystreet.com.

3 – Playing Field: fair condition although the grass does need its spring cut.

4 – Footpaths:–

The Clerk reported the required footpath work has been done. The footpaths officer is to check footpath 7.

5 – Bradwell Pit: Nothing to report.

15.059 Financial Matters

Financial Statements for February / March 2015 to be approved.

Cheque 100936 has not been signed – pending receipts from the Clerk.

All items approved with the exception of the Invoice for Bradwell Village Hall Building Work.

This item is deferred pending further advice and legal advice.

Proposed Cllr Tyrrie, seconded Cllr Hockley-Byam.

15.060 Parish Council Meeting & Annual Parish Meeting May 2015

The E.A.L.C advise leaving the PC meeting until 14 days following the election date. The PC accept this advice.

The AGM & May PC meeting is to take place on the 18.05.2015.

Proposed Cllr. Tyrrie, seconded Cllr. Harden.

15.061 To Exclude the Public & Press

The public were rightly advised and excluded.

Proposed Cllr. Harden, seconded Cllr. Coutts

15.062 Village Hall Lease

The Chairman reported the legal advice received from the N.A.L.C. Further questions need to be put to the N.A.L.C. by Cllr. Harden.

Cllr. Harden advised there are two issues of concern under the Charities Act which require investigation.

Cllr. Tyrrie put questions to Cllr. Keepence.

Are the VHMC's Agenda's published? Are the VHMC's Minutes published?

Where are the VHMC accounts published? Cllr Keepence advised they are not published.

Cllr Keepence stated he couldn't always make all of the meetings which were often called at short Notice. Cllr Harden stated the lease is being breached if ad-hoc meetings are called by the VHMC without 7 clear days notice being given. This could be considered a breach of trust.

Cllr Tyrie asked if the Insurance for the Village Hall had been renewed. Cllr Keepence was unable to advise on this. Cllr Keepence was unaware of any record of this.

Cllr Tyrie what is the VHMC current cash balance? Cllr Keepence advised it is £10,000.00 approx held in a bank deposit account and it was raised over the last 20 years.

Cllr Tyrie asked if there was any representative from the Over Sixties on the VHMC – response no.

Cllr Tyrie asked if the principal fund raising member of the public TD is formally employed by the VHMC response he is a volunteer. Will payment be made for his services, response no.

Cllr Tyrie asked if a formal contract has been issued to the builder? Cllr Keepence advised it had. The sum of the contract is believed to be £147,000.00

Cllr Tyrie asked how the tenders were obtained and what documentation was sent out to the various builders approached. Cllr Keepence didn't have any knowledge on this point.

Cllr Tyrie asked if the tenders were opened at a meeting of the VHMC. Cllr Keepence advised they were not. He stated the decision to appoint the builder was a "mob handed" choice due to the first job going so badly against the builder it was always the VHMC's intention to appoint Mr Haken.

Cllr Tyrie proposed a letter should be sent to the Charities Commission & Church representatives, seconded by Cllr. Harden.

Cllr Harden to write to VHMC to confirm the legal advice has been received and further advice will be sought.

The PC would like to see all documentation held by the VHMC relating to the whole project, this has been requested by the Clerk.

Cllr Tyrie suggested the PC should enquire about indemnity insurance – the Clerk is to make enquiries.

The PC has requested the dilapidation report, copies of the relevant agenda's and minutes of the last three VHMC meetings.

Cllr Tyrie asked what financial safeguards are the VHMC intending to put in place. Cllr Keepence was unable to advise on this.

C.I.F. have advised the money held on account £4369.09 is to be returned to them.

E.A.L.C to advise the PC if the Precept funds previously obtained can be used for the purpose of the VHMC project.

Clerk to check if any payment made to the VHMC should be made against a paid invoice.

15.063 Next Parish Council Meeting 13.04.2015

Meeting closed 9:39PM

Signed..... Date 9th March 2015

Minutes taken by Cllr D Tyrie