

8<sup>th</sup> April 2024

At a Meeting of Ashdon Parish Council held on Monday 8<sup>th</sup> April 2024 in the Village Hall at 7.30pm.

Present

Councillors: John Moran (Vice Chairman), Jane Gray, Melanie Horrigan, Michelle Lee, Alice Olley, Julia Goodwin

Mr. David Green (Clerk) - part thereof

**1. Apologies for Absence**

Mike Elsey (Chair), Martin Foley (County Councillor)

**2. Public Representations**

i. Lucie Dutton introduced herself as new to the Parish. She explained that she has bought a plot of land in Water End without planning permission. She would like to invite the Parish Council to meet and discuss her proposed planning application for the site.

Cllr Moran thanked her for attending the meeting. He recommended that she use the UDC pre application process as the Parish Council is unable to comment on a planning application until it comes before the Parish Council.

At this point Andrew Green interrupted the meeting and advised that he was recording the meeting. Cllr Moran explained that to turn up on the day and record is not appropriate. Cllr Moran should have read out a notice at the start of the meeting that a recording was being taken. As a courtesy the Parish Council should have been informed. Andrew Green explained that he had advised the Clerk that he would be taking the recording. The Clerk confirmed this and apologised for not notifying the Council of the request for a recording.

ii. Chris Pardue started by saying that in his opinion the last Parish Council meeting was one of the most uncomfortable he had attended. He felt that a conflict of interest should have been declared by a Councillor who he thought was speaking as trustee for the Village Hall Charity. He does not support any transfer of ownership of the Village Hall to the Charity. The Village Hall was given to the villagers, and he is strongly opposed to any transfer to the Charitable Trust. He felt that this should be discussed at the Annual Parish Council meeting and voted upon at that meeting. He did go on to say that the Village Hall seemed to be managed and run effectively by the Charitable Trust. Over the years he felt that the Parish Council had done a good job and if it's not broken why fix it.

Cllr Moran thanked him for his comments and stated that it would be appropriate at the Annual Meeting for the situation surrounding the Village Hall to be explained more fully to the village. He pointed out that the Village Hall trustees are the PC councillors as the Parish Council is the sole trustee of the Charitable Trust. He also confirmed that legal advice has been taken by the Parish Council. There are things that should have been done 15-20 years ago which has put the councillors in a difficult position. The current councillors are trying hard to sort this out.

lii. Stuart Hastie – stated that Ashdon Village Hall has been a registered charitable trust in existence since 1989. So, there is no new transfer of the village hall to the charitable trust that Chris Pardue mentioned. This Parish Council is that charity's sole trustee.

He commented that he was pleased to say that the councillors here tonight, had done a good job in the last 6 months; they have been working positively and tirelessly with the volunteers on the management committee to catch up on the maintenance backlog of the Charity's property (this hall, the WHH offices plus the car park). They have also been trying hard, to put right the previous financial stewardship failings of the council.

He explained that he is the treasurer of the management committee of the VH charity. He used to be trustee of another charity. He also sat on the financial reporting committee of one of the accountants' professional bodies to which The Charity Commission delegates setting the accounting rules for charities.

He said that at the February council meeting, he was pleased to hear that the Clerk was given 7 days to settle what this Council owes to the Charity. The settlement sum had been agreed unanimously by the Councillors, 3 months ago at its January meeting. Sadly, the money has still not made its way to the charity bank account.

Can the councillors please advise us tonight when the charity will finally get its money?

He also observed that, from the Appendix in tonight's agenda, it seems that if the settlement cheque was drawn by the Council, it would surely bounce. A fortnight ago, there was only £10k in the council's current account. However, there was £74k in the council's saver account. Q1. Has notice been given to get the relevant money out of the saver account?

If not, why not?

Q2. How much notice is needed, and will the councillors instruct notice to be given tomorrow?

The same Appendix has a cheque to the charity for recovery of VAT of only £161.25, a long way short of the £1207.50 owed for 3m to 31/10/23. Many small organisations lack the expertise to get VAT right. They outsource the work. He suggested that the council looks to do so in future, as the VH charity has also missed out on recovering countless £k of VAT in years gone by.

Cllr Moran thanked him for his comments. He stated that he could not explain why there has been a delay in making the payment to the Charity when it had been twice unanimously voted by the Councillors for the monies to be released to the Charity. He resolved to speak to the Chair and Clerk to ascertain why there was a continued delay and report back to the other Councillors within 14 days of this meeting.

iv. John Brooker- He stated that he was here as a member of the Press. Cllr Moran thanked him for this clarification. He had 2 questions: -

Q1 – Is it true that the precept had been set without a budget? Cllr Moran explained that there had indeed been issues with the budget as drafted. The precept request had been submitted to UDC.

Q2-is it true that one councillor is 'somewhat of a loose cannon' – she has been spending money without the consent of the Council. Cllr Moran expressed disappointment at the language used. He confirmed that the statement was incorrect and ill founded.

### **3. Short Address by Councillor Foley on County Council matters**

There was no report from Councillor Foley.

**4. Short Address by Councillor Moran on District Council matters.**

Cllr Moran as District Council provided the following information: -

- i. The Local Plan is moving to Reg 19. All Reg 18 consultation comments have been published online. The Cabinet meets on the 18<sup>th</sup> April to discuss progress on the Plan. Until then he is unable to provide any further information as matters remain confidential.
- li The maintenance group has been dissolved- a replacement will be discussed at the Cabinet meeting on 18<sup>th</sup> April
- lii There is a meeting on the 18<sup>th</sup> April by Zoom to discuss new Council Housing on the All Saints site in Church End owned by UDC
- iv. He sits on the Stansted Advisory Panel and confirmed that an application had been made by Manchester Airport Group to increase the number of night flights.
- v. The next District Council meeting is 23<sup>rd</sup> April and members of the public are allowed to attend.

**5. Declaration of Interests.** Cllr Moran stated that all councillors are also trustees of the Village Hall Charity. Legally all Parish Councillors have this trustee duty as the Parish Council is the sole trustee of the Village Hall Charity.

Cllr Olley declared a non-pecuniary interest in the two Fairview planning applications and the Rose and Crown application.

**SHORT STATEMENT ON BEHALF OF THE CHAIRMAN**

The Clerk read out a statement on behalf of the Chair.

The Chair is tendering his resignation as Chair and member of the Ashdon Parish Council. He feels that standards of conduct have deteriorated, correspondence is hostile and decisions questionable. This is having a detrimental impact on the service to the village, and he felt that his situation was no longer tenable.

Cllr Moran expressed on behalf of all the Council his thanks to the service that Cllr Elsey has provided the village over many years.

**SHORT STATEMENT ON BEHALF OF THE CLERK**

The Clerk then read out his own statement:

Over the recent past and the last 12 months and despite the best efforts of the Chair, discord within the Parish Council has grown exponentially. As Clerk I need to ensure that the Council acts lawfully and in the interest of rate payers. I feel that the Councillors have violated standing orders, financial regulations, and Code of Conduct. It is with deep regret and sorrow that I resign as Clerk with immediate effect.

[The Clerk left the meeting]

Cllr Gray stated that she was very sad that the Clerk had resigned. Cllr Moran stated that it is always appropriate to say thank you for work done. The Councillors would take this action away and consider how to find a way to commend the Clerk for his many years of service to the village. It is right that this should be commemorated appropriately.

Andrew Green – from the public – stated that the Council should consider the good work done over 45 years and look at ways to mark the Clerk's service – he has served the village well.

Cllr Moran asked if a councillor member could take notes of the meeting. Cllr Horrigan said that she would take the notes.

**6. Minutes of the Meeting held on 19<sup>th</sup> February 2024.**

Various aspects of the minutes of the last meeting had been questioned by various Councillors. Cllr Moran confirmed that he was unaware of any agreement between the Chair and Clerk in this regard. It was agreed that a revised set of minutes taking on board the points raised would be circulated (Cllr Moran). Cllr Olley pointed out that a meeting would need to be convened to sign them off.

**7. Matters Arising from the above Minutes**

i Playing Fields: -

Rectory Lane – Cllr Lee has taken the measurements of the climbing wall and proposed a place where this wall could be positioned. It is 14 metres long and needs a 4ft clearance. Issues with slope, impact on ambiance and view and impact on neighbouring properties were discussed. It was agreed that the Council needs to talk to RoSPA before this could be progressed further. The RoSPA inspection is in May. It was also agreed that the Councillors should meet at both Rectory Lane and All Saints to determine the Councils' plans for these two very valuable spaces to the village. (Cllr Moran to organise dates by e-mail)

Pre-inspection and maintenance of play equipment prior to the RoSPA inspection in May:

The Clerk was obtaining quotations for a pre-RoSPA maintenance check on the equipment – (Cllr Moran to investigate.)

Cllr Lee commented on the need to clean the play equipment at Church Field and need to look at one of baby swings.

Cllr Lee also commented on fact that bins at Church Field playing field were not being emptied – Cllr Moran to follow-up with the District Councillor responsible. Cllr Moran also suggested that Cllr Lee visit the site with him to discuss matters in more detail. (Cllr Moran and Cllr Lee)

There was a further interruption from Andrew Green asking for the meeting to be halted as there was no Clerk present. Cllr Moran stated that he becomes interim Chair until the next annual meeting in May. In May a process to elect a new Chair and Vice-Chair will take place. He has asked Cllr Horrigan to take notes of the meeting, and this is what she is doing.

ii. Highways: Traffic Management and Speeding

a. Condition of the gulleys in Radwinter Road, Crown Hill and Water End:

The councillors were unaware of any update from Cllr Foley on this matter.

b. Speeding and Highway matters:

Councillors were unaware if Cllr Elsey had progressed meeting with Highways to agree location of speed warning signs. Cllr Moran to progress this with Highways. (Cllr Moran)

Cllr Lee reported that the police would be present for the Speedwatch checks in May. She called for further volunteers to come forward.

iii. Village Hall and White Horse House.

Cllr Olley said that there was not much to add given what had happened in this meeting.

Cllr Gray confirmed that legal paperwork had now been retrieved from the Solicitor and distributed to the Councillors which clarified the legal ownership of the properties. The Councillors thanked Cllr Gray for retrieving and circulating this documentation.

iv. Community Led Housing.

Cllr Moran had already stated that a meeting is to take place on 18<sup>th</sup> April (see item 4 above)

v. Neighbourhood Watch.

Cllr Lee confirmed that there was nothing to report which is good news.

vi. Allotments.

Cllr Moran to speak to past Chair to ascertain position regarding allotments negotiations. (Cllr Moran)

vii. Village Handyman.

Cllrs Moran and Lee to have a meeting to investigate the issues around the feasibility of employing a Village Handyman and report back to the Council. (Cllr Moran and Cllr Lee)

viii. Ashdon Emergency Plan

Cllr Moran will look at draft prepared by Clerk and report back. He confirmed that this is a highly confidential document. (Cllr Moran)

ix. Up to date quotes requested to check on all HR, H&S, and necessary contracts.

Cllr Gray stated that the title of the agenda item is somewhat misleading as the Councillors voted to engage Worknest at the February PC meeting. She confirmed we now have a good Worknest team in place. The Worknest Health & Safety annual audit visit has been arranged for 14<sup>th</sup> June.

x. Replacement Seat at the Cemetery.

Now in place

xi. Members surgeries

At the last meeting it had been agreed that these should take place in the Village Hall at a Wednesday coffee morning. Cllr Gray requested that the Councillors do not do

'lone-working'. It was felt that to work in pairs would help with notetaking etc. Cllr Moran to progress rota. (Cllr Moran)

## **10. Correspondence.**

Several matters were raised concerning e-mails forwarded by the Clerk:

i. Essex passenger transport – request for database update. Cllr Gray is currently transport representative. It was agreed that Cllr Moran would adopt this role (Cllr Horrigan to reply to e-mail of 23<sup>rd</sup> March confirming this database update)

ii. Stansted Airport Consultation – It was agreed that additional night flights over our rural parish should not be supported. The Council would respond strongly resisting the removal of the current Government restrictions on night flights- i.e. strongly support option 3 – Government night controls remain. The disturbance of sleep in this rural Parish caused by night flights is already a problem raised by many Parishioners. (Cllr Gray to respond on behalf on the Council)

iii. Training of Councillors – Cllr Horrigan asked if Councillors had received her e-mail of 28<sup>th</sup> February regarding need to collectively agree training courses to achieve maximum benefit and value for the Council. It was agreed that this should be made an agenda item for the May meeting once a new Chair is elected.

iv. RCCE membership -e-mail from RCCE of 3<sup>rd</sup> April. Cllr Horrigan pointed out the new category of membership – where a Parish Council is a sole trustee of a Village Hall - RCCE have suggested that such Parish Councils apply for a combined membership. It was agreed that a combined membership should be applied for.

Meeting was interrupted by Mr Pardue questioning how the meeting could continue without a Clerk. Mr Green again commented that the meeting needed to be minuted and that Cllr Horrigan is not a Clerk. Cllr Moran confirmed that he had asked Cllr Horrigan to take notes of the meeting so minutes could be prepared.

v. RCCE Warbler Newsletter -3<sup>rd</sup> April e-mail – included information on a BEE Good School Competition – Cllr Horrigan wondered if this would be of interest to the school. It was agreed that she would forward to the school in case they had not seen details of the competition. (Cllr Horrigan)

vi. NALC- County update – 3<sup>rd</sup> April e-mail – included information on Local Council Award Scheme. This comes with a framework to support all local councils to improve and develop to meet their full potential through a process of continued improvement. Cllr Horrigan wondered if the Council would be interested in signing up to such a scheme as it would provide a good structure to review and update some of our procedures. It was agreed that this should be taken forward when a new Chair is in place in May.

vii. Assets of Community Value- Cllr Gray has heard back from UDC on the application for the Rose and Crown and the Allotments. These applications are being validated. Cllr Gray also highlighted that the Windmill Assets of Community value is coming up for renewal in April. Cllr Gray to obtain a copy of the previous submitted application and liaise with Cllr Moran on the windmill application. (Cllr Gray and Cllr Moran)

## **11. New Items.**

i. Dog fouling

Since the last meeting Cllr Olley reported that she had visited the cemetery and believes that it is possibly an issue with one or two people. Most dog owners are responsible and respectful of this sensitive area. She also commented that since the last meeting there has now been a big notice placed in the Village magazine. There is also a sign in the churchyard but maybe this needs to be moved to a better place. She has not seen any evidence of dog fouling in her more recent visits. She has nothing to report on fly tipping other than one wreath which has been placed in the compost but clearly wasn't biodegradable. Cllr Olley suggested that the situation be monitored and kept under review.

- ii. Cemetery generally- Cllr Moran commented that the rules and regulations regarding the cemetery need to be reviewed and understood.

Cllr Gray pointed out that the Clerk had been dealing with the cemetery records in addition to his Clerk role. It was not clear whether he has resigned from this as well. Cllr Gray said that she has stepped into this role when the Clerk was on holiday and could cover in the short term if needed. Cllr Moran thanked her for this.

- iii. Spring litter pick

The date for the next Spring litter pick was set for Sunday 19<sup>th</sup> May.

Cllr Lee agreed to organise publicity and high vis -jackets and picks (Cllr Lee)

- iv. Recording of Parish Council Meetings

Cllr Olley had asked for this item to be put on the agenda given issues with the difficulties in agreeing the minutes of the previous meeting. It was agreed that in future a recorded backup would be a good idea to ensure that minutes are a 'true and fair' reflection of the meeting. Cllr Goodwin reminded councillors that recordings need to be disposed of. It was felt that an audio version of the meetings would be a good way for the meetings to be delivered to a wider audience which has to be a good thing.

## 12. New Planning Applications

Cllr Horrigan commented that since the 18<sup>th</sup> March Parish Council meeting had been cancelled some of the planning applications listed below had already been approved without the opportunity for the Parish Council to comment.

- i. UTT/24/0014/DOC. Application to discharge condition 8 (biodiversity enhancement layout) attached to UTT/23/0895/FUL  
Barn at Spriggs Farm

**Decision notice already issued.**

- ii. UTT/24/0479/HHF & UTT/24/0480/LB - Removal of existing modern single storey addition. Erection of single storey link extension. Internal alterations to later single storey parlour range. Minor landscaping works and associated operational development.  
Juniper House, Crown Hill

Applies to Grade II listed building in Conservation Area. Place Services already made comments on windows and doors and asked for a schedule of the type and colour of materials used in external finishes.

Parish Council had no further comments in addition to those made by Place Services

### **No Objections**

- iii. UTT/24/0412/TCA Take down failed limb of 1 no. mature prunus.  
Tudor Barn, Radwinter Road.

### **Already approved and work done**

- iv. UTT/24/0354/CLP Single storey side extension  
Fairview, Church Hill Crown

### **Approved on 27<sup>th</sup> March by UDC as permitted development.**

- v. UTT/21/0413/TCA- Reduce crowns on 1 no plum and 1 no apple tree by 1-2 metres  
all round  
Tudor Barn, Radwinter Road

### **Already approved and work done**

- vi. UTT/24/0428/DOC - Application to discharge condition 3 (materials) 4 (construction method statement), 5 (biodiversity enhancement layout), 6 (electric vehicle charging point), 7 (lighting scheme), 8 (vehicle parking layout), 9 (mitigation and enhancement measures) attached to UTT/22/2872/FUL  
Rose and Crown

Places Service have responded asking for details of external finishes which is the correct approach for a building set in curtilage of a listed building in the Conservation Area.

Cllr Moran agreed to speak to the applicant regarding the schedule and timeline for this building as it is an important matter for the village. (Cllr Moran)

- vii UTT/24/0345/HHF – Proposed single storey rear extension following demolition of existing conservatory.  
Fairview, Church Hill

Concern was expressed why so many piecemeal applications had been made for this site when no building work had commenced. The eventual mass of this building could potentially be larger than the building of the planning application refused by UDC. Place Services have made a comment on bat migration.

Concern was expressed on how much vegetation had been removed in this sensitive high elevated site next to the important settlement gap and the Church End Conservation Area. A condition of any application should be that this vegetation is reinstated. Cllr Lee commented that this has already been requested by the Parish Council in a comment on one of the earlier applications on this site, but UDC had not acted on this.

### **Cllr Moran to call the application into the UDC planning committee.**

## **13. Planning Applications Determined**



- i. UTT/23/3183/LB. Removal of single storey lean -to structure adjacent to east gable of barn (no works planned to listed building directly)  
Barn at Waltons, Steventon End, Ashdon.

**Refused**

**14. Finance**

- i. Accounts for payment

Cllr Moran asked Councillors if they had any comments on monies passed for payment.

Cllr Horrigan queried why there were two payments to the internal auditor. It was asked what time of the year the internal auditor was appointed – the Councillors did not know the answer to this but agreed it should be looked at as part of the year end procedures. Cllr Gray asked if the Clerk was paid 6 months in advance or 6 months in arrears.

- ii. To resolve the Budget for the fiscal year 2024/5.

Cllr Moran stated that the Councillors need to have conversations to progress this and have a budget that the Councillors can work with.

- iii. To review the scale of fees and charges at the Cemetery (previously circulated)

Councillors had reviewed the schedule of charges provided by the Clerk in advance of this meeting.

The following comments were made: -

1. From the 2024/25 budget prepared by the Clerk the cemetery is loss making- projected income of £700 against projected costs of £2000.
2. Cllr Horrigan also raised some Health & Safety matters – who digs the graves? Who is responsible for the headstone topple testing? She had looked at the Institute of Cemetery and Crematorium management website and the NALC good councillor information on cemetery management. She asked if it was clear to other Councillors what the role and responsibility of the Parish Council is regarding the cemetery?

It was agreed that a briefing paper would be prepared for the councillors (Cllr Moran). Over the next few weeks– June/July it was agreed that the Council would look at this responsibility and perform in the best interest of both the departed and those who live in Ashdon. Matt Lester offered some insight, and it was agreed that a further conversation with the Church Warden was a good idea.

**iv. Notice of Audit 2023/24**

It was agreed that a year-end timetable needed to be prepared in order to meet the AGAR filing deadline of 1 July 2024.

**16. Items for the Next Agenda**

- i. Personal directory

Cllr Lee suggested that a directory of useful contact information be drawn up for the Councillors. Since becoming a Councillor she has often found it difficult to know who to contact on particular matters.

It was felt by all that this was a good idea. Cllr Moran commented that it could form part of the vision for the future management of the Parish Council and a way forward.

## Appendix i

### PARISH COUNCIL MEETING MONDAY 8<sup>th</sup> APRIL 2024 19<sup>th</sup> FEBRUARY to 8<sup>th</sup> APRIL 2024

Monies Received.	£
Mrs McKinley. Seat at cemetery	298.75
Interest BPA 4/12/23 – 3/3/24	277.48
Interest BPA 4/12/23 – 3/3/24	4.05
 Monies passed for Payment	
Ashdon School PTA. Fun Run	250.00 Ch.No. 102938
Ashdon Village Hall Charitable Trust. VAT repayment.	161.25 Ch.No. 102939
NPower Electricity February Account	72.67 Ch.No. 102940
D. Green. Telephone/Broadband	22.32 Ch.No. 102941
D. Green. Ink cartridges	48.79 Ch.No. 102942
Worknest. Combined Core – Year 1	3165.60 Ch.No. 102943
Worknest. Insurance	173.00 Ch.No. 102944
D. Green. 6. Months salary	3016.00 Ch.No. 102945
HMRC. PAYE. Clerks salary	754.00 Ch.No. 102946
Anne Mangham. Internal audit fee to 31/3/22	190.00 Ch.No. 102947
Anne Mangham Internal audit fee to 31/3/23	190.00 Ch.No. 102948
John Thorn. Microsoft invoices (Nov, Dec, Jan, Feb)	86.88 Ch.No. 102949
Ashdon V.H. Charitable Trust. Hire of hall 12/19 Feb. meetings	36.00 Ch.No. 102950
EALC Affiliation Fees 2024/25	285.16 Ch.No. 102951
RCCE. Annual membership Renewal 2024/25	59.70 Ch.No. 102952
D. Green. Ink cartridges (14/1/24)	48.79 Ch.No. 102953
MD Landscapes (Anglia) Ltd. Grass cutting March	733.08 Ch.No. 102954
NPower. Electricity March Account	74.78 Ch.No. 102955
D. Green. Telephone/Broadband	24.00 Ch.No. 102956
 Balances at Bank on 8 <sup>th</sup> April 2024:-	
Current Account:-	£10,602.00
Saver Account:-	£1,086.88
Saver Account:-	£74,475.88