

**MORETON, BOBINGWORTH AND THE LAVERS
PARISH COUNCIL**

Clerk: Mrs Gurdip Paddan

Email: mb1parishcouncil@gmail.com

Dear Councillor

You are hereby summoned to attend the RECONVENED MEETING of the Moreton, Bobbingworth and the Lavers Parish Council (adjourned on 13 September 2022 following the death of Her Majesty Queen Elizabeth II), which will be held on Wednesday, 28 September 2022 at 7.30pm in Magdalen Laver Village Hall.



G Paddan
Parish Clerk and RFO
21 September 2022

Members of the public and press are invited to attend this meeting. This meeting may be recorded for the purposes of ensuring accurate minutes. Members of the public should be aware that should they choose to speak, their voice will be picked up by this recording.

AGENDA

1. **APOLOGIES FOR ABSENCE**
To RECEIVE any apologies for absence.
2. **OTHER ABSENCES**
To NOTE any absences for which no apology has been received.
3. **DECLARATIONS OF INTEREST RECEIVE**
To receive any Declarations of Interest by Members. A Member with a personal interest in a matter must consider whether it is a Disclosable Pecuniary, Non-Pecuniary or Other Pecuniary Interest, and declare it accordingly. A Member who is unsure as to how to declare their interest should seek independent advice.
4. **CO-OPTION**
A notice of the vacancy had been advertised and Members are advised that there has been no interest to date. If an application is received, the Clerk will inform Members accordingly.
5. **CONFIRMATION OF MINUTES**
To APPROVE as a correct record the Minutes of the meeting held on 12 July 2022.
6. **PARISHIONERS' FORUM**
To RECEIVE questions from members of the public. In accordance with an agreed procedure, the time allocated for public questions may be limited to 10 minutes or such other period determined by the Chairman of the Meeting.
7. **REPORTS**
To RECEIVE any verbal reports from Councillors, which may include those who are representatives on Committees, Working Groups, Outside Bodies or who have attended other meeting. Councillors are asked to note that no decisions can be taken under this agenda item.

- a) Chairman's Report
- b) Vice Chairman's Report
- c) District and County Councillor Reports – if any
- d) Parish Councillor Reports – Cllr Ewen attended the 20's Plenty seminar, on 28 July, which was well attended. He will be reporting fully at the meeting. The seminar covered countrywide initiative and campaign to introduce a speed limit of 20mph in certain rural areas. From the presentation (copy attached – APPENDIX A) that there is an opportunity for the speed reduction to be requested from ECC for Moreton village. The rationale being to improve safety for both traffic and residents as well as encouraging increased exercise in the form of walking and cycling. Data has been gathered to show the effect on safety from the reduced speed limit. Another part of the process is for the Parish Council to pass a motion in support of the speed limit reduction to 20mph. At the PC meeting on 13th September, Cllr Crosbie will be making this request. Cllr Ewen has received the full support from Cllr Ian Hadley and Cllr Jaymey McIvor for this initiative and they have also offered any help that may be required. This is another important part of the process. Other areas within the Parish can be considered and included.
- e) Police report – circulated (APPENDIX B)

8. CHRISTMAS TREE

This item is referred from the previous meeting held on 12 July 2022 (Minute PC.183) Members to receive an update from Cllr Crosbie.

9. TREE PLANTING AND VIRTUAL PLAQUES

Members to receive an update from Cllr Stuart on planting trees within the Parish to mark the Platinum Jubilee. This item has been referred from the previous meeting (Minute PC.184). It is part of the Queen's Green Canopy initiative, which has been created to mark Her Majesty's Platinum Jubilee.

10. LIST OF AREAS THAT REQUIRE MAINTENANCE and MAINTENANCE OF SIGNPOSTS

This item relating to area maintenance was discussed at the last meeting and it was agreed to include signposts. A number of signposts have been identified. Members to discuss maintenance of areas and signposts and agree a way forward. Update on signposts from Cllr Cooper. Area/signposts identified - High Laver Church Crossroad/Workers Road, Junction Watery Lane, Abbess Road and junction at Gainsthorpe Road and Moreton Road.

11. JUBILEE EVENT – CHELSEA PENSIONER TRAVEL EXPENSE REIMBURSEMENT

Members to receive an update from Cllr Hall.

12. BIOGEN AIR POLLUTION

Members to consider the issue of foul smell emanating from Biogen Ashlyns Farm – Composting site. Local residents are complaining of the smell, which has been getting worse for a long period and impacting on their lives.

13. INTERNAL AUDIT AND APPOINTMENT OF EXTERNAL AUDITOR

a) Internal Auditor's report for 2021/22 – this has been circulated to Members (APPENDIX C).

Actions from the Internal Auditor's report:

- i. Asset Register – total to be inserted. The Asset register will be updated and circulated to Members for consideration at the November meeting.
- ii. Reserves Policy – Internal Auditor's note: The general reserves held by the Council (£21913.00) are higher than the figure recommended by PKF Littlejohn, the External Auditor, of 50% of income. The Council's Locum Clerk did advise the Council of this on 21st September 2021. The Council should consider introducing a Reserves Policy.
- iii. Bank balances – bank statement comparison report to be presented.
- iv. Policies had been published on the website but did not have the date adopted for the previous year. Policies on the Website have now been updated with the reviewed/adopted date.
- v. Grants to be shown as a S137 payment, this has been put into place for 2022/23.
- vi. Insurance Policy to be reviewed – comment from 2020/21 Audit that the sum insured for the noticeboards and the grit bins seemed low and should be reviewed.

- b) PKF Littlejohn LLP, External Auditor has advised that 2021/22 reporting year is the last year of their current five-year contract with Smaller Authorities' Audit Appointments. (SAAA). If they are appointed as our external auditor for the subsequent five-year contract for years 2022/23 to 2026/27, the timetable will be broadly similar to that for 2021/22. If they are not appointed as our external auditor, the successor auditor will contact the Parish Council directly to notify us of their timetable.
- c) Option to opt out of the SAAA central external auditor appointment arrangements. This communication is to advise that whilst all smaller authorities are opted into the central procurement of external auditors by default, any authorities who does not wish to be part of the SAAA arrangements must formally notify SAAA that they wish to opt out within **8 weeks** of this communication but no later than **28 October 2022**. If notification of your decision to opt out is not received within this 8-week period, then your authority will be regarded as opted-in for the next five-year period beginning on 1 April 2022 and ending on 31 March 2027.

14. CLERKS COMMUNICATIONS AND CORRESPONDENCE REPORT

To RECEIVE the oral report of the Clerk on matters which may be of current interest to Members and which require a formal update, and to RECEIVE such correspondence and communication as the Clerk may place before the Council. Items under this agenda item are for NOTING only:

1. Email received from Mr Danny Simmonds, RPS, Consulting UK & Ireland, ascertaining the date the Council would be considering the Tilegate application. The Clerk responded that Members had already considered this application and comments had been submitted to meet the deadline.
2. Email from Mary Morris advising on the decision on Schedule 1 application through Dog and Pickle (former Nags Head) car park. The information has been circulated to Members.
3. Speed checks – As agreed at the last meeting, the Clerk wrote to the Police and a response was received from PC W Shepherd stating that someone from the Team would be going out to check speeds at the said area.
4. Email received in respect of having regular updates in the parish magazines on what is going on within forthcoming meeting and meeting dates.
5. Play in the Park – Feedback received from EFDC Officer: 'Six attendees, 2 children with 4 adults. Comment was made on how if they had known about the event, that they believe more people would have attended, especially as free events are few and far between (needed). I wonder if there is a way to better target those who would benefit and attend? As the number were low, I improvised a mix of both walks, which all six attended. They did participate in a little sport at the beginning and end of that'.
6. ECC, EALC, EFDC and RCCE information received has been forwarded to Members regularly.

15. FUNDING AVAILABLE FROM EALC

Members for consider potential project(s) community related before applying for funding. This item was deferred – Minute PC.188.

16. PARISH DEFIBRILLATORS

Update on the following:

- a) Regular Maintenance of defibrillators – Two quotes have been received.
- b) A volunteer required for Bobbingworth defibrillator.
- c) Further training to be confirmed early 2023, as the trainer is not available this year.
- d) Cllr Cooper to update Members on the Zoll repaired device.

17. RIDE FOR LONDON – 2023

Members to consider comments received from residents and the announced of the 'Ride for London 2023'. The nonexistence of widespread consultation by ECC. Cllr Martin to report on this item.

18. PLANNING

- a) To NOTE the following planning applications below which have been responded to by way of the Clerk's delegated powers following email consultation with Councillors:

EPF/1037/22	Greens Farm Little Laver Road Moreton CM5 0JE	Demolition of existing extension. Construction of single-storey extension with glass link.
No Objection		
EPF/1041/22	Greens Farm Little Laver Road Moreton CM5 0JE	Grade II listed building application for demolition of existing extension. Construction of single-storey extension with glass link.
No Objection		
EPF/0950/22	Weald Lodge, Magdalen Laver CM16 6AU	Replacement amenity building.
No Objection		
EPF/1103/22	Prestopets, Kents Lane, North Weald Bassett CM16 6AX	The siting of three porta-cabins for office use.
No Objection		
EPF/1355/22	Tilegate Farm Tilegate Road Magdalen Laver CM	Application for variation of condition 2 of EPF/3231/21. (Demolition of existing industrial and storage workshops and equestrian buildings and replacement with three residential units plus annex and outbuilding together with reconfiguring of access road and landscaping).
<p>Moreton, Bobbingworth and the Lavers Parish Council do acknowledge that the above application to modify and reposition both the Annexe and Garage/Tractor buildings, now conforms to the original planning permission EPF/1052/17 with the exception of one house which is already constructed on green belt land.</p> <p>However, we do have concerns which we have detailed below and object for the following 3 reasons:</p> <ul style="list-style-type: none"> • Harm to the setting of Grade 11 Listed Buildings the two, now identically proportioned buildings, (Annexe and Garage/Tractor) will have a harmful impact on the setting of the two neighbouring Grade 11 Listed Buildings, Tilegate Farm and Tilegate Barn. In the previously granted 2017 permission only the Annexe was within the vicinity of the two neighbouring Grade 11 Listed Buildings the smaller garage/tractor building was at least double the distance away and therefore less harmful to the setting of the two Grade 11 Listed Buildings. Whist we appreciate that the buildings are in a less damaging orientation to reduce the impact, we feel that this will still be damaging to the setting of the 2 neighbouring Grade 11 Listed Buildings. Within planning policy, the important contribution that setting makes to the heritage sets is acknowledged by Part 16 of the NPPF, paragraph 190 - conserving and enhancing the historic environment. • Highway Safety Issue in the Cover letter from Danny Simmonds he states “<i>The change in the siting of the two buildings is to allow for a more open feel to the north of the site, whilst allowing the courtyard area between the two buildings to link to the secondary access to the site</i>” We repeat our previous comments, the secondary access to the site was the subject of Planning Application EPF/1223/2000 which was refused due the access being a Highway Safety Issue. Planning permission was subsequently granted for EPF/0637/01 with a new access on Workers Road, but subject to the following conditions, in brief • Condition 2. <i>Prior to the commencement of the development, details of the proposed surface materials for the access road shall be submitted to and approved by the Local</i> 		

Planning Authority. Reason : To ensure that a satisfactory surface treatment is provide in the interests of highway safety and visual amenity.

- **Condition 3** *The existing access on to the road shall be closed as soon as the new access hereby approved becomes operational.*

Reason: In the interests of highway safety.

- We are not aware of any new full planning permission that has been granted to re-open this **dangerous previously closed access**.
- There is now a Traffic Curved mirror which has been erected opposite this access, we believe on the Essex CC Highways grass verge, but it appears that there is not a planning application submitted to EFDC for the erection of this mirror. The Highway authority do not normally allow the use of a mirror on the verge of the road and generally do not support their use.
- **Contamination** We brought to the attention of EFDC in our previous objection to EPF/3231/21. the issue of lorry loads of contaminated waste which have been imported on to this site, We would draw your attention to EFDC Planning Policies POLICY RP4-CONTAMINATED LAND and NPPF Framework Ground conditions and pollution 183. & 184 Georgina Blakemore CEO of EFDC when writing to a parishioner in September 2020 stated *“Following the submission of photos showing earthwork , the importing of potentially contaminated material to form bunding on this and the houses site has been reported to Essex County Council, to which they have responded that they have no jurisdiction over this as a waste authority but may require a permit from the Environment Agency.”* We do not believe a Permit from the Environment Agency has ever been submitted to EFDC and nothing has been done by EFDC to deal with this Potentially Contaminated Housing Development Site In an earlier letter to the same parishioner she writes *“Since these planning applications were decided, the process on contamination has already changed such that a phase 1 contamination report is submitted up front with the planning application rather than deal with it later by a condition attached to the planning permission”* However this current Section 73 Application, for new permission to be granted , does not have a “phase 1 contamination report being submitted upfront with the planning application” We feel that this should be in place for this application in order to deal with the potential contamination on the Housing Development Site.
- We request that all **Permitted Development Rights** be removed. The houses have been built and awaiting another storey. The Permitted Development Rights have been misrepresented by the applicant.

EPF/1572/22	Little Mushrooms Pedlars End Moreton CM5 0LW	Single storey font extension.
No objection		
EPF/0952/22	8 Pedlars End Moreton CM5 0LR	First floor side extension.
No Objection		
EPF/1508/22	Barn Mead Ashlyns Lane Bobbingworth CM5 0NB	Addition of first floor, internal re-configuration and external alterations.
No Objection		

b) Councillors are asked to NOTE the following Planning decision by EFDC:

EPF/0711/19	Malting Farm, Church Road Moreton CM5 0JY	Application for Approval of Details Reserved by Conditions 9 & 10 for EPF/2633/18. 9 assessment of contamination risks' and 10 'remediation verification report' (Removal of cattery buildings, pens and runs, concrete hardstanding, erection of two dwelling	Disposed
EPF/0051/20	Malting Farm, Church Road Moreton CM5 0JY	Approval of Details Reserved by Condition 8 'Contaminated land' of EPF/0181/18 (Outline planning application for removal of outbuildings and existing dwelling. Erection of three detached dwellings. Formation of new highway access and ancillary works).	Disposed
EPF/0874/22	High Laver House Harlow Road High Laver CM50DR	Application for a Lawful Development Certificate for a Proposed construction of garaging and garden equipment store.	Lawful
EPF/0941/22	2 Moreton Gate Pedlars End Moreton CM5 0GP	Proposed rear single storey extension, 1st floor extension, floor extension, construction of a new dormer window, new rear access and internal alterations.	Approved with Conditions
EPF/3120/21	Molmans Tilegate Road Magdalen Laver CM5 0EH	Proposed three bay garages.	Refused
EPF/3137/21	Molmans Tilegate Road Magdalen Laver CM5 0EH	Application for Grade II Listed Building consent for a proposed three bay garage.	Refused

c) To NOTE the following planning application(s) for which EFDC does not normally accept comment:

EPF/1534/22	High Laver House, Harlow Road, High Laver, Ongar, CM5 0DR	Prior approval Part 1 Class A.1(ea): Larger home extension
EPF/1208/22	Little Roothings Little Laver Road Moreton CM5 0JE	Lawful Development Certificate for proposed rear (ground and first floor) extension.
EPF/1659/22	Watermans End Cottage, Watery Lane Little Laver CM17 0RQ	Approval of Details Reserved by Condition 3 'Written scheme of archaeological investigation' for EPF/1658/21(Renovation of existing barn and partial conversion to provide ancillary.
EPF/1699/22	Maltings Farm, Maltings Hill, Moreton	Approval of Details Reserved by Conditions 7 'Flood Risk Assessment' 8 'Foul and surface water' and 12 'Construction method statement' for EPF/1656/20

	CM5 OJY	(Reserved matters application to EPF/0181/18 for removal of outbuildings and existing dwelling. Erection of three detached dwellings. Formation of new highway access and ancillary works).
EPF/1719/22	Maltings Farm, Maltings Hill, Moreton CM5 OJY	Application for Approval of Details Reserved by Condition 3 'Types and colours of external finishes' for EPF/1656/20 (Reserved matters application to EPF/0181/18 for removal of outbuildings and existing dwelling. Erection of three detached dwellings. Formation of new highway access and ancillary works).
EPF/1760/22	Moonrakers School Lane High Laver CM5 OEF	Application for a Lawful Development certificate for existing residential use of 'The Shed' and 'The Stable Annexe'.

EPF/1811/22	Leather Bottle, Watery Lane, Little Laver, CM17 0RQ	Application for a Lawful Development certificate for existing use of a biomass boiler in the workshop for Ofgem. The biomass boiler replaced an existing woodchip boiler in 2013 in the same building. A building has been at the site since early 1980's, the present building was put up in the 1990's replacing previous building due to fire.
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- d) To NOTE the following planning applications that are still to be considered by the Council to meet deadlines (these applications will be dealt with by the way of delegated powers to the Clerk):

EPF/1844/22	Land at Blake Hall Stony Lane, Ongar CM5 0DG	TPO/EPF/105/10 (Ref: T8) T1: Oak - Reduce, as specified.
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- e) To NOTE suspected breach and any appeals

Appeal EPF/2446/21	Bush Hall Farm The Maltings Threshers Bush Matching CM17 0NS	Proposed single storey garden room.
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19. FINANCIAL MATTERS

- a) To APPROVE the following payments:

Payment	To	For	Total
BACS	A Rogers	July Payroll	£22.00
BACS	G Paddan	July Salary	£768.00
BACS	HMRC	July NI & Tax	£222.40
BACS	M Hall	Jubilee Event	£60.00
BACS	A Wood	Internal Audit	£125.00
BACS	A Rogers	August Payroll	£22.00
BACS	G Paddan	August Salary	£939.86
BACS	HMRC	August NI & Tax	£326.66
BACS	Community Spirit	S137 Grant (see (c) below)	£3,000.00

- b) To NOTE the Bank Balances as at 6 September 2022:

Unity Current Account	£3,749.80
Unity Deposit Account	£33,610.62

c) The Council agreed the S137 Grant to Community Spirit (Minute PC.171) for the maintenance of areas within the Parishes. The work is being undertaken and payment will be made to Community Spirit upon receipt of invoices; sum of £3,000.

20. DATE OF NEXT MEETING

8 November 2022 at Moreton Village Hall.

21. In the event that the Agenda contains Exempt (pink) pages or an item which needs to be discussed confidentially, to CONSIDER the following motion to be proposed by the Chairman:

‘That the public and the press be excluded from the meeting, The Council believing that publicity would be prejudicial to the public interest by reason of the confidential nature of the business about to be discussed (Public Bodies (Admissions to Meetings Act 1960 and Part 1 of Schedule 12A to the Local Government Act 1972).’

There is currently no confidential item to be considered)
