



# Chailey Parish Council

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## Draft minutes subject to confirmation

**A Meeting of Full Council was held on Tuesday 20<sup>th</sup> October 2009 in the Reading Room, Chailey Green, commencing at 7.49 pm.**

**Present:** P. Olbrich (Chairman)

Cllrs P. Carpenter, D. Cowan, J-P Ellis, M Evans, K. Gould, S Hampton, J. Millam & L. Waller.

**Public present:** Ms Laughlin, representing ESCC Transport (part of meeting)

**In attendance:** R. Seccombe (Clerk)

*For apologies see item 12.*

**1. Declarations of interest:** None.

**2. Items not on the agenda which the Chair of the meeting is of the opinion should be considered as a matter of urgency:**

The Chairman informed Members that plots of land are currently for sale off Markstakes Lane and invited Members to consider whether any of the plots would be suitable for either outdoor play facilities or additional parish allotments. A plan of the plots was circulated together with area and guide price details. Members commented that additional information was required on a range of issues including planning consents, access (including access by Emergency vehicles), parking, health and safety, sources of funding, initial capital expenditure and recurring maintenance costs. Members did not want to be rushed into a decision without adequate information and noted that an extraordinary meeting of council could be called if necessary to discuss the matter further.

Clarification was required about the terms of repayment of any deposit on the land.

The initial information supplied by the vendor was examined and the suitability of different plots discussed including a plot with direct road access and one accessible by footpath and by a ROW. LDC Planning had confirmed that 'Countryside Policy' regulations apply to the land and that when assessing potential uses of the land, access and the impact on residents and the wider countryside would need to be carefully examined. Neither allotments nor a play area would be objectionable 'in principle' subject to review of technical planning issues. The possibility of removal of permitted development rights by an Article 4 direction was mentioned by councillors.

Discussions would need to be held with LDC Parks, LDC Planning, ESCC Highways & ROW, representatives of user groups and Sussex Police. Cllr Waller provided an illustration of potential financing from the Public Works Loan Board and the impact it would have on the Precept.

Members noted that an alternative plot of land in S. Chailey had previously been reviewed as a playground site but had been ruled out after consultation with planning officials and Sussex Police. Members agreed that further information should be obtained about the Markstakes plots and the matter discussed again within council.

8.00pm Cllr Millam left the meeting due to a prior commitment.

*Item 7 was taken out of sequence following the arrival of Ms Laughlin representing ESCC Transport.*

**7. To consider ESCC public transport provision:**

Initials:

Date:

The Chairman welcomed Ms Laughlin of ESCC Passenger Transport to the meeting. Members had previously been supplied with the sections of the ESCC Bus Strategy consultation on 'Supported Services' and 'Community Transport'. Members had also received details of subsidised Rider services operating within the village and details of community transport (CT) schemes currently in operation.

Ms Laughlin explained the objective of the current study, namely to identify 20 CT pilot projects in East Sussex, including the 10 parishes involved in the RASP (Rural access to services programme) project run by AirS (Action in rural Sussex). A £200k funding package is available across the county and assistance will be provided for local schemes of varying size and cost. Funding will be provided for improved bus stop information. The aim is to maximise use of available off peak transport resources and to match supply and demand.

Members commented on the following difficulties of the existing supported services:

- varying delays in the wait time for connecting services at the N. Chailey crossroads for passengers travelling from S. Chailey to Haywards Heath on services 121 and 31;
- poor provision of service to Burgess Hill;
- problems with reliability; lack of evening services and timing of weekend services;
- some overloading of service 121 at peak times;
- more stops needed to reduce length of walk to/from stops (possibility of 'Hail & Ride' categorisation of route 121 is to be considered by ESCC Transport with drivers merely being obliged to identify a 'safe place to stop')
- perceived lack of co-ordination between passenger transport services across West and East Sussex border.

Members discussed CT provision. Ms Laughlin was informed that the parish had previously been provided with a flexible 'Dial A Ride' taxi bus services which was withdrawn when the associated grant finding ceased. The service, operated by RDH, ran during the day and evenings and was helpful for those with difficulty accessing scheduled services. Members commented that a CT service to and from Chailey to the station in Haywards Heath would be popular in view of the high parking charges, and quoted the example of the Bolnore village 'shuttle bus' service. Members mentioned the lack of combined ticketing of bus/train/taxi providers as a cause of reduced uptake of public transport. The Bluebird CT service was mentioned as an example of a successful CT service operating across the county boundaries. A further meeting will be held to discuss potential CT projects.

The Chairman asked Ms Laughlin to provide an update on the provision of pupil bus transport from South Chailey to St Peter's School, Chailey Green. An inspection run on the morning bus revealed that only 8 pupils were travelling to schools on the 121 service from S. Chailey and another 12 pupils with passes were not travelling by bus. The target is for 33% of pupils to travel to school by public transport. The official assessment was that the journey time was 'acceptable' and that the transport provided was 'suitable'. Reluctance to use the service bus was not due to mixing of older children going to Chailey School and younger children going to the primary school since most of the younger children get on the bus at the Mill Lane junction where the older children alight. ESCC Children's Services is to be approached to consider provision of a passenger assistant to escort children on the public bus. Ms Laughlin was thanked for attending.

**3. Matters arising for information: None.**

**4. BT consultation on red telephone boxes in Chailey parish.**

**Members had previously been provided with an agenda paper with details of residents' comments with regard to the consultation.**

Residents' comments had been sought via publicity on the parish notice board & website and in Chailey News, The Mid Sussex Times and Sussex Express. Public response was restricted to support for continued provision of telephone services at the payphone outside the old post office, Haywards Heath Road. The Clerk informed Members that Ofcom had provided the following information: that there is no specific frequency for re-painting of boxes under the BT Universal Service Obligations; that 70% of payphones have to accept coins (in Chailey parish coins are accepted in 2 of the 5 payphones) and with reference to the Chailey Green payphone that only the items included in the Grade II 'listing' have to be retained – this does not include service and related equipment. The three payphones under threat of termination of services were discussed in turn.

Initials:

Date:

- Payphone outside the old Post Office, Haywards Heath Rd BN8 4EY - the district council has the power to object to removal of a payphone if there is no alternative payphone within 400 metres. The nearest alternative payphone at the junction of Warren Cottages and Station Rd (BN8 4HQ) is well over 400 metres distant. Chailey Parish Council is to formally request that LDC objects to the removal of services. The rationale for this request is as follows: the payphone may be required for emergency calls arising from road accidents and accidents involving users of the recreation & sports ground and involving pedestrian and equestrian users of the nearby common land. Use of mobile phones as an alternative may not always be possible due to poor reception and battery/'talktime remaining' problems. The reduction in use of the Haywards Heath Rd payphone reported by BT is in part attributed by residents to the removal of coin acceptance from this payphone. BT has been asked to review 'coin acceptance' at this location and a request for re-painting of the box has been made.
- Payphone at Chailey Green - Members noted that BT intends to disconnect the telephone service in due course however, as a Grade II listed box, the box itself will be retained and maintained by BT. No sponsorship of this box is to be undertaken by the parish council
- Payphone near Swan House, South Road, S. Chailey – Members commented that the box was an established item of street furniture of the area and the following resolution was proposed:

**Council resolution (No. 09/143):** to 'adopt' the payphone near Swan House from BT for a sum of £1 and to use the box for display of community information. Chailey PC will take over the electricity supply account for this box.

**Council decision:** Accepted on a majority (5 in support, 3 in objection)

BT will disconnect telephone services to the box in due course. The Clerk was requested to obtain the appropriate 'adoption' forms.

## **5. Chailey Parish Survey Report 2009.**

Members were provided with the Chailey Parish Survey 'Key Findings' Report and 'Questionnaire & Responses' appendix. Cllr Waller presented a listing of priorities for discussion. Locations for footpaths and cycle ways were discussed linking North and South Chailey. Further discussions would be required with ESCC Highways to check what was feasible in terms of cost, access, safety, landowner consent and user demand. Members agreed that the Parish Action Plan should be up-dated. Members supported Cllr Carpenter's recommendation that the council should acknowledge the considerable work undertaken by Cllr Waller and the Clerk in organising the Survey.

## **6. New Heritage Developer Contributions update.**

Members reviewed information about developer contributions arising from the s.106 agreement, as amended, for LW/06/0700 Chailey New Heritage, Banks Road, North Chailey. Members were informed that a sum of £137,600 including interest has been received by LDC from the developer for spending on accessibility improvements. The council's SLR reps will liaise with Highways about the application of the funds. Confirmation will be sought as to whether the sum includes the footpath along Warrs Hill Rd and enquiries will be made about the proposed footpath linking Red House Common and Lane End Common and about public access to Chailey Clump. The possibility of linking North and South Chailey by footpath/cycle way will be discussed with Highways. A sum of £201,067 for education including interest has been invoiced and is awaited by LDC. With regard to outdoor play provision, the developer is reported to be designing a playspace in conjunction with LDC Parks, incorporating climbing stones, tunnels and sand pits. LDC is to contact the developer with regard to the overdue works on the Chapel and enforcement action may be required.

*Item 7 was taken out of sequence after item 2.*

## **8. Parish maintenance matters and review of quotations received: trees and flapppole.**

Initials:

Date:

Members were informed that risk assessments and method statements had been received from the tree surgeons shortlisted on 6<sup>th</sup> October 2009. A further site visit had been carried out with one of the contractors to confirm the areas of proposed vegetative clearance and fly-tipping clearance. The costings and capability of the firms were discussed and Members approved the following resolution:

**Council resolution (No. 09/144):** to commission tree surgery works at a cost of no more than £1,654 (exc VAT) subject to confirmation of £10m public liability cover, confirmation of a current waste carriers licence and acceptance of specific safety conditions to be included in the order for works.

**Council decision:** Accepted

Members were informed that the suppliers of quotations for provision of a replacement flagpole had indicated that they do not have the required public liability cover and waste carriers licence. Both the original suppliers said that if the pole was to be put in a concrete base it would be advisable to dispense with the wooden tabernacle base altogether. Members considered the use of a deep post hole (with erection of the pole only when required for flag flying) rather than concreting in of the pole. Members asked the Clerk to obtain costings for separate purchase of the flagpole and installation of it in a concrete base by a local contractor.

#### **9. Feedback from the SALC Councillors' Information Update; SALC Clerk's Network Day & SALC meeting with the Chief Constable.**

Cllr Waller agreed to provide feedback from the SALC Councillors' Information Day to Members at a later date. Members were informed about feedback from SALC about the future pressures on the Sussex policing budget and the possibility of restrictions on future PCSO availability. The Clerk reported on guidance on Precept setting provided at the Clerks' Network Day. Parishes were informed that with future tax capping on higher tiers of local authorities it was likely that county and district councils may discontinue some discretionary spending and that parishes may need to fill any gaps in local service provision. However, in the present economic climate parishes should exert financial restraint when budget setting. The basis for any increases in Precept should be communicated clearly to the local community.

#### **10. Pre budget review 2010/2011, including review of grazing rentals, allotments rentals & Reading Room hire charges.**

Members discussed the current level of grazing & allotment rentals and Reading Room hire charges. Allotment hire charges were compared with rentals charged by Lewes District Council (at £4 per square rod per year) at their allotment plots in Newick, Ringmer and Barcombe. The current Chailey charge at £17 per plot pa is at a significant discount to the district rate and it was agreed to make a step change to £30 per plot pa from April 2010.

The following resolution was proposed:

**Council resolution (No. 09/145):**

to leave grazing rentals unchanged in 2010/2011 at £500 for Burnt House Field and £250 for Three Acre Field;

to increase the allotment rental to £30 per plot in 2010/2011;

to leave Reading Room Hire rates unchanged at the current hire tariff.

**Council decision:** Accepted.

#### **11. To review the treatment and reporting of absences from council meetings.**

At the P&E meeting held on 6<sup>th</sup> October 2009 Members agreed to defer discussion of reporting of absences to the next Full Council meeting (see item 14 on 6.10.09). An agenda paper prepared by Cllr Evans with commentary and a proposed motion had previously been circulated.

Members were provided with extracts from NALC guidance on absence reporting as included in Legal Topic Notes 5&8 which include the following recommendations:

- The names of those councillors present at a meeting of the council must be recorded.
- The minutes must record the council's approval for absence (in order to avoid an inadvertent casual vacancy arising through a councillor's failure to attend a meeting for six months).
- Councils are recommended to adopt a practice whereby a councillor always gives a reason when he/she proposes to be absent from a meeting and the minutes of that meeting record both the reason and whether or not the council approves it.

Initials:

Date:

Cllr Evans stated that he wished to discuss with Members the use of the expression 'was not present' as agreed by Members on 15<sup>th</sup> September 2009 when a Member was absent without having supplied an apology for absence. He read aloud the second paragraph of the agenda paper in its entirety and stated that in his view to use the expression 'was not present' was 'discriminatory' and may appear as a disciplinary measure; that the regulations resulted in an 'inappropriate complication' and that there should be a 'sense of proportion' since the council does not have a particular problem with absence without apologies.

Cllr Evans proposed the following resolution:

'to request the chair of meetings to record members' absence as has been the practice, under Apologies for Absence, taking into account as appropriate, any inadvertent failure to contact the chair in advance of the meeting'.

There being no seconder for the resolution, Members proceeded to discuss the wording of an alternative resolution. Members agreed that they did not want reasons for apologies to be recorded in the minutes and hence be in the public domain since they may be 'personal'. Those Members who had been present at the meeting on 15<sup>th</sup> September stated that no personal criticism was intended by the use of the expression 'was not present'. On a procedural point, the Clerk commented that minutes should reflect what is known, said and decided by the conclusion of the meeting and also that the giving of apologies helps the council to assess whether a quorum is likely to be achieved (this being particularly important in April and early May when attendance is traditionally low). Cllr Ellis commented that his sole concern was that the treatment should be clear and consistent. The Chairman proposed the following resolution and Members decided to take a vote thereon by show of hands:

**Council resolution (No. 09/146):**

to record attendance or absence in the minutes under the following captions: 'Present'; 'Apologies'; 'Absent'. The reason for apologies is not to be recorded in the minutes and use of the term 'Apologies' implies acceptance of the reason. Apologies can be conveyed to the meeting by notifying the Clerk, the Chairman or another Member before the commencement of the meeting. Any late arrivals and departures will be noted in the minutes if they arise.

**Council decision:** Accepted, on a majority vote by show of hands (8 in support and 1 in objection).

**12. Apologies:** Cllrs. M. Downey & J. Tillard.

**13. Council resolution (No. 09/147):** to agree and sign as a true record the Minutes of the of Full Council held on 15<sup>th</sup> September 2009.

**Council decision:** Accepted.

**14. Reports from Council Representatives on Village Organisations:**

Cllr Evans, Representative to the Chailey Common LNR Management Committee, reported back on the latest CC LNR MC meeting. Members of CC LNR MC had expressed concern that the LDC representative had been absent at recent meetings (LDC is 'occupier' of the land under the Scheme of Regulation). It was noted at CC LMR MC that an appeal had been made against the required removal of the White Cottage house name pillars on common land adjacent to the A272. Members noted that the Leyden House brick name sign previously erected on common land was discussed within Chailey Parish Council on 6<sup>th</sup> October (see item 6 – 6.10.09). The CC LNR MC meeting had examined the approach to encroachment recommended by Natural England which focuses particularly on ecologically sensitive areas of land designated as SSSI.

**15. Finance Report to Council including half yearly accounts to 30<sup>th</sup> September 2009 and actual vs budget variance analysis.**

Members were circulated with details of bank balances as at 30<sup>th</sup> September 2009 and bank credit ratings as at 20<sup>th</sup> October 2009. Ledger bank balances as at 30<sup>th</sup> September 2009 amounted to £5,715.49 (current account) and £58,150.91 (deposit account). The second Precept installment of £21,500.00 was received in September 2009. Details of receipts and payments including the Clerk's salary and expenses were provided for inspection by Members (September 2009 listing). The net operating cash surplus before capital expenditure for the 6 months to 30<sup>th</sup> September 2009 was reported at £24,223.09. Capital expenditure incurred in the year to date amounts to £16,220.28. Members were provided with half year accounts to 30<sup>th</sup>

Initials:

Date:

September 2009 and a variance analysis of actual vs budget (pro rata) for the same period.

Actual net recurring expenditure for 6 mths to 30.9.09 £24,223

Budget net recurring expenditure for 6 mths to 30.9.09 (pro rata) £21,500

Net adverse variance for 6 months to 30.9.09 £ 2,723

The adverse variance against budget is caused by the timing of major payments during the course of the year (particularly insurance [£1,826 half year adverse variance] and grants under the council's small grants scheme [£1,606 half year adverse variance] which are defrayed in the first half of the financial year) and by the shortfall in investment income [£1,783 half year adverse variance] offset by other favourable net variances. A detailed variance analysis identifying the major revenue and expenditure variances was provided to Members. The variance analysis process was explained with reference to the timing of the parish maintenance cost category which showed a net favourable variance of £979:

- Items incurred in first half of year: street furniture insurance
- Items incurred evenly over the financial year: mowing and grounds maintenance, shelter cleaning and general repairs.
- Items to be incurred in the second half of the financial year: tree surgery work

The Clerk/RFO proposed placing a sum of £25k on deposit for a term of six months at a fixed rate to obtain a better interest rate. The Member for Finance agreed that the drawdown of funds for the sports pavilion was highly unlikely to be made within the forthcoming six months and that in view of the current low levels of interest received on the instant access 'deposit' account it would be better to forego some penalty interest if the deposit had to be withdrawn than to leave the funds on instant access. The Clerk was asked to obtain the necessary forms.

**16. CONFIDENTIAL (personnel matters) To consider implementation of the new NALC recommendation on changed phasing of clerks' annual leave increments.**

Minutes for this item appear in Appendix 1 which will be classified as 'CONFIDENTIAL'. The resultant resolution is reported below:

**Council resolution (No. 09/148):** to adopt the NALC standard national agreement on Clerks' leave entitlement phasing, backdated to 1<sup>st</sup> April 2009.

**Council decision:** Accepted.

**17. CONFIDENTIAL (legal matters):**

- **South Common & Little Exceat**
- **Roeheath Village Green & Woodside**
- **Lane End Common & River Farm**
- **Parking and access on common land**

Minutes for this item appear in Appendix 2 which will be classified as 'CONFIDENTIAL'

**18. Correspondence for noting:** Noted.

**19. Risk Implications, including updated Parish Emergency Plan 2009.** Flagpole replacement and tree surgery works had previously been discussed under item 8. Consideration of the Parish Emergency Plan was deferred.

**20. Implications to Crime and Disorder Act 1998 Section 17:** None.

**21. Any Other Business:**

The following matters were noted:

- Representatives of developers will attend P&E on 3.11.09 for pre application discussions re a proposed affordable housing development at Oxbottom Lane;
- Cllr Ellis reported that incidents of petty theft were on the increase in the area;
- Cllr Waller reported that as a member of the Vale of Sussex Society she would be attending a meeting with ESCC on 17<sup>th</sup> November 2009 about devolved budgets.

**22. Date of next Full Council meeting:** confirmed as 17<sup>th</sup> November 2009

The meeting closed at 10.12 pm.

Initials:

Date:

**Signed:**

**Chairman**

**Date:**

**Initials:**

**Date:**