

MANEA PARISH COUNCIL

MINUTES OF MEETING

19 JANUARY 2009 – 7.00 pm.

Present: Councillor Emery, Chairman; Councillors Archer, Barnes, Buckton, Mrs Desborough, Jolley, Mrs Palmby and Risbridger.

Apologies: Councillor Cole.

The minutes of the meeting of 15 December 2008 were confirmed and signed.

M49/08 Matters arising from minutes of last meeting

(1) Open spaces (minute M39/08 (1))

Station Road – the Clerk reported that he had written to Councillor Harper, the Leader of Fenland District Council (FDC), in the manner agreed at minute M39/08 (1), and had received a response dated 9 January 2009.

The Clerk read the letter received from Councillor Harper, in which he apologised for the fact that the Chief Executive of Fenland District Council had not responded to the letter dated 29 November 2008 from the Clerk.

Councillor Harper also offered to attend a future meeting of Manea Parish Council to discuss Manea issues.

In addition, the Clerk reported receipt of a letter from the Legal Services Manager at Fenland District Council, responding to the issues raised by the Parish Council in September 2008. The Clerk read the letter, which detailed the legal issues in relation to the Parish Council's possible acquisition of the area of open space in Station Road, Manea.

The Legal Services Manager of Fenland District Council makes the point that, so far as he can establish, the open space is required to be adopted pursuant to a Section 106 Planning Agreement. However, the site is not at the standard whereby the District Council would adopt it. Any adoption by the Parish Council would require an amendment to the Section 106 Agreement.

The Legal Services Manager advises that, in the absence of the formal agreement and substantive instructions, he is not in a position to take this forward at the present time. To enable this matter to progress in the manner desired by the Parish Council, it would be necessary for:

- formal agreement of the Parish Council to accept ownership of the site, subject to the legal formalities and the site being acceptable;
- appropriate steps to be undertaken by the Parish Council to establish the title and to arrange relevant searches for the site prior to the completion of a suitable legal agreement to transfer ownership from the developer;
- the Parish Council to ensure that a separate variation agreement for the Section 106 Agreement is entered into by the District Council;
- the Parish Council to arrange for any Stamp Duty Land Tax obligations to be settled and to register the ownership with the land registry once the transfer of ownership has been undertaken.

It would be necessary for the developer and the Parish Council to agree terms and to formally approach the District Council with a proposal to vary the Section 106 Agreement.

Members noted that the Legal Services Team at Fenland District Council would be prepared to undertake the necessary legal work on behalf of the Parish Council in this matter and the cost that would be levied upon the Parish Council for such work.

Members decided that

- (1) a further letter be sent to Councillor Harper, stating that:
 - the Parish Council is pleased that his involvement in this matter resulted in some action from officers of Fenland District Council (FDC). The Parish Council is, however, concerned by the comment Councillor Harper makes in his letter that “the Parish Council’s letter was passed to someone to organise a response but unfortunately this did not happen”; the members ask whether Councillor Harper considers this level of service to be acceptable?
 - Parish Council members are disappointed that it was necessary for him to apologise on behalf of FDC’s Chief Executive; they would have appreciated a personal apology from Mr Pilsbury.
 - the Parish Council looks forward to hearing from the Chief Executive regarding proposals for engagement between the Corporate Management Team at FDC and Manea Parish Council.
 - the Parish Council will be pleased to welcome Councillor Harper to its next meeting;
- (2) there be further correspondence with the Parks and Open Spaces Manager and the Legal Services Manager at Fenland District Council regarding the manner in which the Parish Council’s adoption of this open space area can be progressed further (for example, what works would be necessary to achieve the site’s adoptable standard and who would undertake the necessary maintenance works to prevent the site becoming an eyesore in the village, in the knowledge that the developers are in administration);
- (3) a letter or e-mail be sent to the company which is dealing with the administrative affairs of Hazelmere Homes, seeking its co-operation in revising the Section 106 Agreement relating to this piece of open space.

(2) Highway and drainage issues (minute M39/08 (2))

School bus stop, High Street – Councillor Archer reported on his discussions with an officer of the County Council’s Education Transport Section regarding the possible re-location of the existing pick up point. The conclusion reached from those discussions is that it is not possible to identify a suitable alternative pickup point. He reported also that the Principal of the Cromwell Community College has spoken with the pupils who use the pickup point in the village regarding the need to behave properly whilst awaiting arrival of the school bus.

Members decided that the current position be noted and the situation be monitored, to be discussed again if the need arises.

(3) 32 High Street, Manea (minute M39/08 (5))

The Clerk reported the response from Rod Marshall of the County Council’s Highways Division.

The response states that the Local Highway Authority’s responsibilities cease at the back edge of the footway and that the narrow strip between the back of the footway and the boundary wall of 32 High Street appears to be in private ownership, either belonging to number 32 or the developers of the land.

Mr Marshall states that he intends to arrange for the hedge to be cut back off the footway and to write to the owner of 32 High Street to inform him of the situation and to request that he keeps the growth of his hedge to within the boundary of the property.

Members decided that the situation be noted.

(4) Castle Care, Acorn Lane, Manea

Further to minute M46/08, the Clerk reported on the contents of an e-mail that he had received from the Developments Service at Fenland District Council (FDC) concerning the latest position regarding 4-6 Acorn Lane.

In addition to giving a reminder of the existence of a planning application for the change of use of 6 Acorn Lane to an Independent School, the letter states that officers of FDC have explained to the site operators that an application for the change of use of 4 Acorn Lane is necessary. Following several follow up calls by FDC, it appears that the proprietors of the business, whilst not agreeing with FDC's conclusion that a change of use had occurred, did agree to make a combined application for the change of use for both properties. As this has not happened, officers of FDC will be reporting the matter to the Council's Planning Committee on 11 February 2009 requesting authority to commence enforcement proceedings.

The letter did point out, however, that, in principle, both the change of use of 4 Acorn Lane to a care home and the use of 6 Acorn Lane as an independent school are likely to receive a positive recommendation from officers, given that, in planning terms, they would not raise significant issues regarding traffic generation and are considered to be of an appropriate nature and scale.

The letter goes on to state that, with regard to the planning application for the change of use of 6 Acorn Lane, Cambridgeshire CC Highways has raised no objections, advising that: "the proposal does not generate any additional vehicle movements above what is already existing. Acorn Lane is an un-adopted road. The junction onto High Street will not be affected by the proposals. Therefore, no highway comments".

The letter also gives a commitment to keep Manea Parish Council updated as and when further developments occur at 4 and 6 Acorn Lane.

Members decided that the current position be noted.

M50/08 Fenland Road Safety Campaign

Further to minute M19/08 (2), Mr G Chappell, Campaign Organiser, gave a presentation to members on this campaign.

Mr Chappell explained the background to the campaign and the various documents that he has produced to enlist support for the objective of the campaign (including the Aims and Objectives document circulated to members at minute M19/08 (2)).

Mr Chappell explained that he is not happy with the stance taken by Cambridgeshire County Council, as the Local Highway Authority, in terms of taking seriously this issue; it appears to him that the County Council does not embrace its responsibility to protect the travelling public when using the Fenland roads which run alongside rivers. He claims that the County Council considers that the accidents which result in vehicles entering rivers are caused by driver error and their travelling at excessive speeds. He added that the County Council does not consider that the provision of roadside barriers would prevent vehicles entering these rivers.

Mr Chappell stated that he has researched road death statistics and Local Highway Authority actions. He informed members that his ambition is to achieve the provision of protective barriers along the entire length of the highway adjacent to the Forty Foot river and along certain parts of the Sixteen Foot river.

Mr Chappell explained how, in his opinion, the technical issues relating to the erection of roadside barriers could be addressed. He informed members that he would be meeting with County Councillors, Harper, Mrs Tuck and Yeulett, together with Mr M Kemp (the Director of Highways and Access) at the County Council) on 22 January 2009 to discuss his campaign.

Mr Chappell responded to members' questions regarding the campaign.

Members decided

- (1) to support the campaign in terms of the principle of seeking to increase the level of safety/protection for the users of the Fenland roads which run alongside rivers. The Parish Council does not, however, consider that it is qualified to make any suggestions to the County Council as to what would be the most effective means of achieving the necessary level of additional safety/protection for the travelling public;
- (2) that County Councillors Harper, Mrs Tuck and Yeulett be informed, prior to their meeting with Mr Chappell, of the Parish Council's position on this matter.

M51/08 Cambridgeshire ACRE and the Cambridgeshire Playing Fields Association Network

Further to minute M47/08 (1), members considered the appropriateness of obtaining membership of these organisations. It was felt that, given the potential benefit of such memberships and the low cost of such, that the matter should be pursued for at least one year, at the conclusion of which a decision could be taken as to whether or not membership should be renewed.

Members decided that the Parish Council should take membership of Cambridgeshire ACRE and the Cambridgeshire Playing Fields Association Network at a combined membership cost of £35.00.

M52/08 Allotments

Further to minute M41/08, members considered the latest position in relation to the proposal to seek planning permission for approximately four acres of land at The Twenties for new garden allotments.

Councillor Barnes informed members that he had now obtained two maps of the area, which clarify the exact amount of land at The Twenties. It is clear that the area of land available is less than four acres.

Members decided that

- (1) a planning application be submitted for three acres of land (when the necessary plans, maps etc have been obtained by Councillor Archer);
- (2) the draft agreement produced by the Clerk be amended as agreed and issued to the Manea Allotment Association and that an invoice in the sum of £540 (on the basis of a charge of £180 per acre, per annum) be issued to the Allotment Association at the same time as the invoices are issued to the agricultural allotment holders;
- (3) the remaining 0.6 acres approximately continue to be rented to C Barnes (the current tenant of the whole 3.6 acres) at a pro-rata rental rate.

(Councillor Archer declared his personal interest in this item of business, by virtue of being a member of the Allotments Association)

M53/08 Playing Field

- (1) Safety surfacing – Further to minute M42/08 (1), the Chairman reported that he had undertaken a further spraying of the safety surfacing but could not be sure of its effectiveness given the damp weather conditions. He added that the gates to the play area are still locked and the “out of use” sign has been erected at the site.

Members decided that

- (1) the current situation be noted;
- (2) a quotation be obtained from Mason and Sons for the cost of power washing the current surfacing;
- (3) information be sought from Wicksteed Leisure Ltd in relation to the different types of safety surfacing that are available and the likely cost of replacing the current safety surfacing;
- (2) Proposed Skateboard Park – Further to minute M42/08, the Chairman reported on the inspection by a number of the Parish Council members regarding possible locations within the playing field for the proposed skateboard facility.

It was noted that the area identified as the most suitable would require revisions to the current playing field entrance arrangements and removal of the S M Guy Memorial Gates (which could be utilised as a feature in an alternative location).

Members decided that the area described by the Chairman be selected as the site for the proposed skateboard park.

- (3) Lighting repairs – Further to minute M31/08 (4), the Clerk reported the quotation provided by Mr Yardy for repair works to the lighting. Members noted the cost of undertaking the works necessary to accord with their suggestions.

Members decided that, given the cost of the proposed works and the current position within the financial year, that they would not proceed with these works at this time. They will, however, consider this matter again later in the calendar year.

M54/08 Manea Pit

Councillor Barnes, as Chairman of the Sub-Committee, reported on the improvement works undertaken on 29 and 30 December 2008 (minute SC12/08 (3) refers).

Councillor Barnes informed members that the works were undertaken by a work party consisting of some members of the Parish Council, a number of members of the Sub-Committee and other local volunteers. He made the point that not only did the work party achieve its objective of laying the footpath within the time scale proposed but the exercise generated a strong sense of community spirit and, consequently, it is felt that there will be no shortage of volunteers to assist with future works.

Councillor Barnes also updated members on the latest position regarding submission of the application for grant aid.

Members decided that

- (1) the current situation be noted;

(2) details of the level of income from the sale of fishing tickets and Carp Syndicate memberships be reported by the Clerk to the next Parish Council meeting.

M55/08 Planning applications

Members considered the following planning applications and decided to submit to Fenland District Council the comments set out (in italics) below:

- (1) Change of use of dwelling (C3) to Independent School at 6 Acorn Lane, Manea – F/YR08/1084/F (Castle Care Group Ltd)

Object to the application, for the following reasons:

- (1) the siting is inappropriate for such a facility; in a residential area within a rural village.*
- (2) if approved, the proposal would have a detrimental impact upon nearby residents in terms of noise and disturbance from the potential occupiers*
- (3) the access road is unsuitable in its current condition to accommodate this intensified use*
- (4) the proposal does not demonstrate the provision of recreational facilities for the pupils who would be educated at the premises.*

Furthermore, the Parish Council considers that, because of the usage linkage between numbers 4 and 6 Acorn Lane, planning applications for both changes of use should be considered together by the Local Planning Authority. Parish Council members feel that approval of this application at this time in isolation would condone the unauthorised use of number 4 Acorn Lane.

It was agreed also that a member of the Parish Council would attend the meeting of the Fenland District Council Planning Committee to speak, in accordance with the public participation procedure, in relation to this objection.

(Councillor Emery declared his personal and prejudicial interest in this planning application, by virtue of his wife's employment by the applicant company, and retired from the meeting for the duration of the discussion and voting thereon. Councillor Mrs Palmby took the Chair)

- (2) Erection of part single, part two-storey extension to rear and conversion of outbuilding to living accommodation at 22 Station Road, Manea - F/YR08/1086/F

Raise no objection to the proposal.

M56/08 Finance

The Clerk reported on the Parish Council's income and expenditure since the last meeting, as follows:

Income

Fenland DC	Second instalment of Concurrent Functions grant	£1,955.00
Manea United FC	Use of playing field in October, November and December 2008 (12 x £40)	£480.00
Total Income		£2,435.00

Expenditure

Mrs J Payne	Refund of cost of 4 keys for Church Room	£16.00
Mrs A Ryman	Wages and expenses	£170.09
S Emery	Refund of fee for signing declaration re. Car Park	£7.00
David Richards	Printing of 100 fishing permits	£25.38
Manea Village Hall Committee	Hire of meeting room on 15/12	£7.50
T R Savage	Pruning of trees and cutting conifers at playing field	£862.50
D A Pest Control	Control of moles at playing field and cemetery	£50.00
T Jordan	Salary (less income tax of £69.86), Broadband and other expenses	£326.30
M Short	Second half-year Caretaking wages	£380.00
Mrs M Beeken	Electricity costs for village Christmas tree	£25.00
Total Expenditure		£1,869.77

Members decided

- (1) upon a proposal from Councillor Emery, seconded by Councillor Mrs Desborough, that the income of £2,435.00 be noted and that the payments totalling £1,869.77 be authorised;
- (2) a letter be sent to the Secretary on the Manea United Strikers Club requesting details of the playing field use by the village football teams (other than MUFC) for both home games and training purposes, so that an invoice for the income due can be sent;
- (3) that details of the Parish Council's overall financial position be reported by the Clerk to the next Parish Council meeting.

M57/08 Correspondence

- (1) Communities in Control: Real People; Real Power – DCLG consultation on a code of recommended practice on local authority publicity.

The Clerk informed members that the consultation invites comments on the future of the Code of Recommended Practice for Local Authority Publicity and invites views on the code as an instrument for protecting public money whilst councils to issue effective publicity. The consultation closes on 12 March 2009.

Members decided that the consultation document be circulated among Parish Councillors in advance of the next meeting, to enable them to reach conclusions at that meeting as to the collective response, if one is felt necessary, from the Parish Council to the consultation exercise.

- (2) Land adjacent to 3 Jolley Close, Manea.

The Clerk reported receipt of a letter from solicitors acting on behalf of the occupier of 3 Jolley Close, who wishes to acquire the piece of land adjacent to that property (which was stopped-up recently by the County Council).

Parish Council members are of the view that the land is in the ownership of the County Council but requested the Clerk to verify this with the former Clerk to the Parish Council and then respond to the resident's solicitors.

Members decided accordingly.

(3) Fens LeAP LEADER+ Programme 2002/08: Helping Rural Communities Help Themselves.

Members decided that this document be circulated among Parish Council members (commencing with Councillor Mrs Desborough), for noting of its contents.

(4) Freedom of Information (FOI) Act 2000 Publication Scheme.

The Clerk reported on the need for the Council to review its FOI Publication Scheme, given that the approval for all existing schemes ceased on 31 December 2008. The Information Commissioner has produced a model scheme which can be adopted by local authorities.

Members decided that the Parish Council's Publication Scheme (adopted in October 2002) be revised to accord with the new model and be presented to the next meeting of the Parish Council for adoption.

(5) Dog fouling in Glebe Close/Westfield Road, Manea.

The Clerk reported an e-mail from a local resident regarding problems of dog fouling around the Glebe Close and Westfield Road areas of the village.

Members decided that

- (1) A letter or e-mail be sent to the Environmental Protection Manager at Fenland District Council requesting that that the District Council takes whatever action it can to address this problem; for example, patrols by the Dog Warden, providing additional publicity and signs etc;
- (2) Councillor Archer would undertake discussions with the District Council regarding the provision of additional dog waste bins in the locality.

(6) Rural Services Network.

The Clerk reported receipt of an invitation for Manea Parish Council to obtain membership of the Rural Services Network.

Members decided that the invitation be declined.

(7) Safer Routes to School.

Further to minute M/2608, the Clerk reported a response from the Chairman of Manea School Governors.

Members were informed that the Chairman of the Governors and the Head teacher intend to invite representatives of the Parish Council to a meeting to discuss the school's plans, including the Safer Routes to School initiative.

Members decided to note the current position and place on record the fact that it is keen to foster a strong working relationship with the school.

M58/08 Parish Council Internal Auditor

The Clerk reported that he has been informed by Mr B Cundell, the Council's Internal Auditor, that he no longer wishes to provide this service for the Parish Council. The Clerk pointed out the difficulties that this is likely to cause for the Parish Council, given the closeness of the end of the financial year and the consequent need for auditing of the accounts.

Members decided that the Chairman would discuss this matter with Mr Cundell.

(The Chairman agreed to this item of business being discussed as a matter of urgency to avoid undue delay to determination of this matter)

M59/08 Manea Sewage Treatment Works

Further to minute M26/08, at which the Clerk reported on the letter from Anglian Water dated 21 November 2008 (in which the company not only responded to members' concerns about the capacity of the sewage treatment works but also mentioned an improvement and upgrading proposal), Councillor Risbridger recommended to members that the Parish Council now asks the following questions:

- a) What is the number of properties that can be handled efficiently with the current set up of the Manea Sewage Works?
- b) What will be the number of properties that can be efficiently handled after the major improvement and upgrades likely to commence in 12-18 months?
- c) What are Anglian Water's estimates of numbers of normal tanker movements per day, per week or per month?

Councillor Risbridger suggested that the Parish Council needs the answers to a) and b) so that it can control the number of properties planned for Manea, especially now that Manea is a "Key Village".

Councillor Risbridger suggested that the Parish Council needs the answer to c) so that it can monitor normal tanker movements from the abnormal tanker movements, to assess the efficiency or not of the Manea Sewage Treatment Works.

Councillor Risbridger stated that he has noticed 2/3 tankers per hour every day from 7.30am to 5.00pm since Christmas. His conclusion is that, as the tankers are removing sewerage from the Manea Sewage treatment works, the answer to question a) is that the number of properties has already been exceeded. The sewage is too high in Ammonia and is being taken to Chatteris Sewage treatment works for disposal.

Councillor Risbridger suggested that the Parish Council should also request Anglian Water to sweep East Street and High Street at least weekly to remove all the mud brought out of Beart's Farm and deposited on Manea roads by the company's tankers and to then empty the silted up surface water drains. After sweeping East Street, it will then be possible to check the damage to the East Street road surface caused by this constant movement of the heavy Anglian Water traffic.

Members decided that a letter be sent to Anglian Water, posing the questions and the requesting the clean up works suggested by Councillor Risbridger.

(The Chairman agreed to this item of business being discussed as a matter of urgency to avoid undue delay to determination of this matter)

M60/08 Presentation by Leader of Fenland District Council

Councillor Archer informed members of a request from Councillor Harper, Leader of Fenland District Council to give a presentation to the next meeting of the Parish Council on the District Council's proposals for managing change in Fenland.

(The Chairman agreed to this item of business being discussed as a matter of urgency given the nature of the request)

M61/08 Highway issues

The Chairman raised the need for the "keep clear" white lining across the entrance to the property known as Strawberry Patch (located next door to the Londis shop) on East Street to be re-painted and for the hedge opposite the Council houses on West field Road to be cut back.

Members decided that the County Council be requested to arrange the necessary works.

M62/08 Next meeting

Members were reminded that the next meeting is scheduled for 16 February 2009, commencing at 7.00 pm, in the Village Hall.

Meeting finished at 9.35 pm

Signature:.....(Council Chairman).

Date:.....