



Fittleworth Parish Council

Minutes of the Parish Council Meeting held on 11th December 2017 at 7.00pm in the Pavillion Building.

Present: Chris Welfare (CW) Chair, Mike Allin (MA), David Brittain (DB),
Alison Welterveden (AW), Mick Foote (MF), Robin Dunstan (RD)

In attendance: Louise Collis (Clerk)

Members of public: Brian Baskerville

	Action by
<p>1. Apologies for absence: Tony Broughton (TB), Chris O’Callaghan (CO) & Janet Duncton (JD)</p> <p>TB is absent through illness and the Parish Council send their best wishes to Tony for a speedy recovery.</p>	
<p>2. Minutes of the last meeting and matters arising</p> <p>The minutes of the previous meeting held on 20th November 2017 were approved as a correct record and signed by CW. The Minutes were PROPOSED by MA and SECONDED by AW.</p>	
<p>3. District / County Councillor reports</p> <p>No reports submitted</p>	
<p>4. Public Questions</p> <p>Mr Brian Baskerville, from School Close, informed the meeting that the development at the end of School Close had started. The contractors carrying out the Groundworks have been using 40 tonne lorries. Up to 6 to 8 lorries enter the Close each day and the verges are being badly cut up due to the lorries having to mount the verges to maneuver around residents who park their cars in awkward places resulting in restricted access for the lorries. Mr Baskerville also reported the road just before the Close is starting to lift due to excessive use by heavy lorries.</p> <p>Prior to the commencement of the work on the new site, a Parish Council meeting had been attended by an action group from School Close, led by Nigel Farr, and including Sarah Barstow, a former Councillor. It was suggested to the group that it would be prudent to produce a photographic record of the state of School Close, specifically verges and roads. This record should be agreed by both a representative of the residents and the developer prior to the work starting. It was recommended that Mr Baskerville contact Mr Farr or Mrs Barstow to see if such a document was produced and agreed by both parties. The developer can then be approached by the residents to open discussions to get the damage rectified.</p>	
<p>5. Declaration by Council members of personal or prejudicial interest –</p> <p>There were none.</p>	

6. Update on on-going matters not covered elsewhere

a) Meetings

i) **7th December NE and NW Forum (Joint Community Forum (run by CDC), held at Lodsworth Village Hall** . Key points from the meeting.

1. Signs. Roads signs was considered a topic to be raised at County Local Committee level
2. The ambulance service was thought to be deteriorating i.e. That attendance at RTAs was taking up to 50 minutes and therefore the Police had to give first responses
3. Broadband and mobile telephone coverage were still hopeless in some areas.
4. Planning Applications & the Role of Parish Councils, presentation by Tony Whitty. Points he wanted to stress included the fact that no officer makes a decision alone, but each was discussed with other officers or the planning committee.
 - i) He wanted to make it clear any Member, not just the local Member, could refer a decision to the Planning Committee by the Red Card system. On reflection he thought that his reference in the presentation to an application being significantly contrary to policy in the Local Plan (in relation to a reason for a Committee decision and not by officers) should just be "contrary ", not significantly contrary.
 - ii) He recommended that Parish Councils be clear about objecting or not in their response to CDC/SDNP.
 - iii) Are Local views material planning considerations? They can be raised as background information as this was a primary function of PCs.
 - iv) The pre-submission draft of SDNP Local Plan carries some weight, but less than the saved CDC 1999 Local Plan policies
 - v) If a Parish Council objects and the plans are amended, there is no automatic reference back to the Parish Council, but it was recommended that one should refer to the case officer if one is particularly concerned. One might also request the District Councillor to object.
 - vi) Not all pre-planning applications are on the website as it is not expected that PCs be consulted in the NP. One can ask that alerts be sent to the Clerk.
5. Enforcement Proceedings, a presentation by Shona Archer, Planning Enforcement Manager, Re Adhering to permitted uses and conditions.
 - i) As part of the Enforcement strategy, complaints can be lodged online.
 - ii) Prioritisation scale i.e. High for Listed Buildings, TPOs, encampments (responses within 2working Days), Medium - serious loss of amenity, works in Conservation Areas (responses within 10 W/Days), and Low -minor householder development.
 - iii) How long does the LPA have to enforce planning law in the case of continuing breaches? The Presentation sets this out i.e. 4 years in case of building operations, engineering operations, use of a building as a dwelling house. 10 years in the case of changes of use, failure to comply with planning conditions
 - iv) The Presentation sets out the 9 different ways of bringing proceedings or action i.e. A great range of ways of tackling breaches.
 - v) LPAs should use these steps in a proportionate manner, and cannot harass people. LPAs have a discretion to take Enforcement action or not. It is a matter of expediency. Consider NPPF para 207- must have confidence (?).
 - vi) Some Statistics. Out of 621 complaints, 59 Enforcement Notices were issued. In not all complaints are there breaches. Some cases rumble on at a low level as information is gathered, remedial applications are prepared or negotiation takes place
 - vii) There are no time limits in the case of Listed Buildings legislation breaches, which may still be the subject of a successful application. However the person in breach may still be liable for prosecution for the original breach. .

Clerk to request alerts

The Clerk is to request a copy of the presentations. A slide on the hierarchy tree of CDC Planning will be circulated to the councillors once received.

Clerk

The date of the next meeting has yet to be settled.

<p>b) Standing Orders Review</p> <p>The Clerk has reviewed the minutes from November 2016. The item was on the agenda from November 2016 until March 2017. CW and DB were in the process of reviewing the Standing Orders of both Petworth Town Council and the NALC suggested Standing Orders and amending them were appropriate. The last reference in the minutes is in March 2017 - "Clerk to meet with DB & CW to discuss and finalise the changes". DW to forward draft Standing Orders to AW and Clerk. AW and Clerk to meet before the next meeting to review.</p> <p>c) Fittleworth Scout & Guide Lease</p> <p>The Clerk has sent an email to Sarah Jane Moore requesting an update. This was received and in summary, as the complexity and high costs of changing the Trustees it was agreed that the best course of action would be to leave things as they are and change the Trustees when the current lease expires in 2033. The Scout Association will become the Trustees for the duration of the next lease.</p> <p>No further action is required at this time.</p> <p>d) Resignation of Councillor and Co- Option of 2 Councillors.</p> <ul style="list-style-type: none">The vacancy notice for Shelagh Morgan replacement has been displayed since 30th November. If no election is requested (a minimum of 10 parishioners is required) by 20th December, the Parish Council will be in a position to co-opt a new Parish Councillor at the January Parish Council Meeting. To date, the clerk has been contacted by 2 people interested in the role. CW to email applicants requesting a letter setting out what each applicant can bring to the Parish Council in respect of skills and experience.Resignation of Parish Councillor – It is sad to announce that Chris O’Callaghan has decided to resign from the Parish Council with effect from 15th December 2017. On the date of resignation, the vacancy notice will be put on the website and the Parish Council Noticeboard. If no election is requested (a minimum of 10 parishioners is required) 14 working days after the notice is displayed, then the Parish Council will be in a position to co-opt a new Parish Councillor.	<p>DB/AW & Clerk</p> <p>January 2018 Meeting</p> <p>CW</p> <p>Clerk</p>
<p>7. Items for discussion</p> <p>i) <u>General Data Protection Regulations (GDPR)</u></p> <p>The Clerk has circulated the updates from Trevor Leggo, SALC, on this subject. Set out below are the key issues.</p> <ul style="list-style-type: none">GDPR is a 'work in progress' bill scheduled to take effect from 25th May 2018,For very sound reasons of independence the Clerk cannot be the Data Protection Officer (DPO) and it will be necessary for the Council – as Data Controller – to appoint someone with the appropriate skills and knowledge to act in that capacity.Recognising the scale of preparation may be too great for some of our councils, SSALC is in discussion with firms offering a complete service but this will come at a cost. Further details will be published in the January Newsletter.NALC has pointed out to Government that the cost of this exercise to the Sector could amount to £50m over the next 4 to 5 years. Ministers have been asked to come up with financial support for small councils, rather like the Transparency Fund but there is no certainty with this.SALC are in discussions with a company developing an offer to local councils to act as DPO and 'remove the fear' of GDPR, ensuring compliance and providing continuing support. Further details will emerge shortly but for the majority of our councils the cost will be £150 per annum.	

The Clerk has discussed the proposed DPO service for £150 per annum mentioned above with CW and has added this additional cost in the updated budget to be discussed later in the meeting.

The Clerk & AW will be attending a SALC session on GDPR on 6th February in Chichester.

The Clerk has arranged for the new email addresses to be set up by Netwise. The clerk hopes to have set up her email address by the meeting to report back on setting it up.

ii) SALC Health & Wellbeing Follow-Up Survey

The Clerk has circulated an email from SALC dated 30 November attaching the Health Wellbeing Leaflet, the WSALC Research Report dated March 2017 and the Questionnaire to be completed at the meeting. It was AGREED that the questionnaire would not be completed. The report will be revisited once the Community Shop has firmly been established as part of the Community Resilience policy.

iii) Review and update Health & Safety reporting cycle and responsibilities

Following on from MA's comment last month about the completion of the Health & Safety Reporting cycle, the clerk has founded the latest version of the Health & Safety Responsibilities. The Following responsibilities were AGREED.

Location	Council Member	Frequency
Centenary Garden & Arch	Mike Allin	Bi-annually: March and October
Hesworth Common / Birchwalks Woods	Chris Welfare	Every three months, to coincide with working parties
Pavilion	Robin Dunstan	Monthly
Playground & Gym Equip.	Mick Foote	Fortnightly
Recreation Ground & Bus Shelter	Mick Foote	Quarterly: March / June / September / December
The Triangle	Mike Allin	Monthly
Village tree inspection	Mike Allin	As required

The clerk will monitor the reporting cycle and send out reminders to the councilors. Reports will be reviewed at Parish council Meetings.

a) Village Shop & Children's Playground update

• Village Shop

The clerk has received a letter from Flude Commercial enclosing the advice in relation to the form and structure of a new lease for the land at School Lane for the Village shop. The letter also enclosed the invoice for the work carried out, £3,262.50 plus VAT, made out to Fittleworth Parish Council. As the Fittleworth Community Shop Ltd are paying for the costs relating to the new lease it was AGREED that the clerk would contact Fludes to reissue the invoice to Fittleworth Community Shop Ltd. The Clerk will email the advice to DB for circulation.

AW reported the application to the Leader Fund at WSCC was successful and have been awarded £75,000 subject to 2 conditions being met (Need to match funding and a copy of the lease must be made available before the funds are released). Total grants to date is now £132,500. In total, including grants, the share offer, donations and fundraising over £200,000 has been raised.

Clerk/ AW

Clerk
URGENT

Clerk

Clerk/
DB

DB reported that he has requested Fludes to send the draft Heads of Terms for the Lease on the basis that the Community Shop pay half the rent for 2 years and then pay the full rent of 1950pa going forward. The timeline is as follows:-

- Recreation Ground Trustees agree the draft Heads of Terms
- The Fittleworth Community Shop Committee Agree the Heads of Terms
- The Solicitor finalises the Heads of Terms

AW/ DB to have weekly updates going forward.

- *New Playground*

On 11th December, MA spoke to Henry Whitby at CDC Tree Officer, as well as the South Downs Tree Officer, who both approved of the Hornbeam choice of replacement tree and gave the verbal go ahead to fell the existing tree. The tree has now been felled. The new tree will be planted as soon as possible. The treework invoice will need to be issued to Fittleworth Community Shop Ltd for payment.

- *b) Neighbourhood plan.*

The Neighbourhood Plan pre-submission version is being updated. This will be circulated to the Parish Councillors for final approval shortly. The main substance has not changed.

The Provisional date for the start of the Pre-submission consultation is 5th January 2018 for 6 weeks, however this may slip back. The 2 sessions in the Village Hall for the public to see the Plan and ask questions is still planned for Friday 19th January 2018 (PM) and Saturday 20 January 2018 (AM). In the Village Hall.

After the consultation, may need further amendments.

The steps after the Pre-Submission consultation are as follows:

- Submission of the Neighbourhood Plan to the SDNPA
- Further consultation (another 6 weeks)
- Independent Examiner
- Referendum

The Steering Committee are in the process of applying for funding to produce the final version.

Clerk

8. Planning

a) Status of recent applications

NEW APPLICATIONS

REFERENCE	DETAILS	RECV'D	REPLY BY	FPC RESPONSE
SDNP/17/05933/TCA	FITTLEWORTH PARISH COUNCIL APPLICATION Land South of Brookside Cottage, Lower Street, Fittleworth RH20 1EJ Tree work	6/12/17	3/1/18	NOT APPLICABLE

SDNP – DECISIONS AND PENDING

REFERENCE	DETAILS	RECV'D	FPC RESPONSE	SDNP DECISION
Enforcement SDNP/17/00660/GENER	Strawberry Trees Sandy Lane Alleged Breach: Excavation of swimming pool in front garden.	16/10/17	No action required – Monitor only	CDC Enforcement Decision - RETROSPECTIVE PLANNING APPLICATION is REQUIRED for the swimming pool as it is forward of the principal elevation.31/10/17

SDNP/17/03550	Coates Manor Rear extension & garage	28/07/17	No objection	Pending
SDNP/17/04564/LIS	Lee Farm Lee Farm Lane Stopham Change of use of part agricultural barn to residential annexe and associated works.	06/09/17	NO OBJECTION	
SDNP/17/05357/TCA	Street House Lower Street Treeworks	19/10/17	No Objection	Raise No Objection 22/11/17
SDNP/17/05640/FUL	Annexe 3 Padwicks Field change of use to let out annexe accommodation to single tenant	14/11/17	Deadline for comments: 12/12/17	
SDNP/17/05656/HOUS	Little Cottage, 28 Coates Lane for Retrospective retention of replacement outbuilding	14/11/17	Deadline for comments: 12/12/17	
SDNP/17/05694/TCA	The Old Rectory, The Fleet Tree works	10/11/17	Deadline for comments: 06/12/17 Extended to 12/12/17	

SDNP/17/04096/FUL - Broad Halfpenny Sutton, Demolition of existing dwelling and outbuildings and erection of a one and half storey dwelling and garage/store building. The Clerk has been contacted by the owners again. A draft response was discussed and the final wording agreed. The Clerk will email the response to the owners.

Clerk

b) Other Planning matters

i) Trees – Tripp Hill update

The Clerk sent out a letter to the owners of Old House and an email to the owners of the land either side of the hill referring to the fallen tree in October and that the Parish Tree Warden has noted that several other trees lining Tripp Hill looked to be in a poor condition posing a danger to traffic and road users on the B2138 leading up to Tripp Hill. The Parish Council asked for their assurance that the condition of the trees has been professionally assessed and the necessary action taken. The owners of the land informed the clerk that Mr Dallyn looks after the trees and that he would shortly carry out a tree survey and take action on anything that requires work within 1 week. The Owners of Old House have also responded, resulting in an email exchange. The clerk highlighted that the Village Tree Warden had not made a detailed assessment of the trees but only an assessment from the roadside where he could see that several of the trees are suffocated by ivy and look to be in a poor condition as a consequence. It was reiterated that the Parish Council's only interest is the safety of the parishioners and the travelling public. It has

been noted since that a tree surgeon was onsite and numerous trees have been marked. No further action.

ii) Quarry, Bognor Common, Stretch Hill

DB reported that the Quarry at Bognor Common is not complying with their s.106 obligations. The vehicles on site are not being cleaned before joining the highways. The Clerk will draft an email to Steve Hoad at WSCC Highways Petworth to follow up. The Clerk will also copy Shona Archer, CDC Enforcement, in on the email as it is an environmental issues as well. DB will try and take photos to show the state of the road after heavy rain.

**Clerk
DB**

iii) Letter from CDC re Street Naming: Development of 9 Dwellings Coal Yard Site, School Close, Fittleworth

The developer has submitted suggestions to CDC for a suitable name for the new development – Hesworth Court or Birch Walk. The Parish Council AGREED that the two proposed names were unsuitable. Hesworth Court is not suitable as the development is not close to Hesworth Common. Birch Walk is not suitable as this is the name of a house on Lower Street and this name maybe confused with Birch Walk Wood and the development is again not close to Birch Walk Wood. The Parish Council AGREED to put forward Birch Court. As the new development is at the end of School close, the Parish Council also suggestion that in order to avoid confusion the street sign for School Close should be change to read "School Close Leading to "name of new development".

If the developers are not happy with Birch Court, the Parish Council would like it noted that there is a strong Fittleworth connection with Elgar. This could be taken into account for further suggestions.

Clerk

iv) South Downs Local Plan Pre-submission consultation 26 Sept to 21 November No comments were submitted.

v) Parish Online The clerk circulated information of the mapping software system that has been acquired by WSCC initially to help with Operation Watershed and now available to all Town and Parish Councils in the WSCC area and it is free to use for up to 4 users in each Council. It was AGREED that DB and the Clerk would arrange a meeting with Paul Richards to be shown how to use the software for the Parish Council.

**DB/
Clerk**

vi) Horsham District Council Gypsy, Traveller and Travelling Showpeople Draft Site Allocations (DPD) Preferred Strategy Consultation

Deadline 26 January 2018. – Clerk to circulate to all Parish Councillors. Clerk to determine proposed sites.

Clerk

9. Correspondence

The list of Correspondence was considered.

No comments were made on the correspondence

10. Finance

a) The following invoices/expenses were paid in November 2017:

Date	Payee	Description	Hesworth Account £	Fittleworth Parish Council Account £
6/11/17	Glasdon UK Ltd	Anchors for bin	£27.97	
6/11/17	Glasdon UK Ltd	New bin bin	£340.72	
6/11/17	WSCC	Payroll Admin charges		£44.21

17/11/17	Fittleworth Village Hall	April – August 2017 Hall use		£104.00
20/11/17	WSALC	Annual membership for SALC & NALC 2017-18		£292.94
20/11/17	Clerk	Clerk expenses		£491.43

b) Budget v. Expenditure update

Account Balances as @ 12^{0h} November 2017

Current account:	12,909.62
Reserve account:	10,751.12
Hesworth account:	7,982.07
Birchwalks Wood:	5,422.29
Youth account:	1,000.00

The Clerk circulated the “new look” accounts, formatted to give a clearly overview of transactions in all the accounts on a monthly basis, as well as having the same categories on all the finance spreadsheets, including the budget and annual accounts. This will make it easier to use all the spreadsheets as proper monitoring tools.

c) Finalise Budget/Precept

The clerk had previously circulated a revised proposed budget and explanatory notes to the council. It was noted that in addition to the changes made to the budget at the last Parish Council meeting the following changes have also been made:-

- GDPR – Data Protection Officer service for £150 per annum – As mentioned earlier
- For 2018/19, the Parish Council income will be between £100,000 – £200,000 due to the grants for the playground. Therefore, we will need to increase the audit category of the budget for 2018/19 from £400 to £600 (£200 internal auditor & £400 for the external auditor).

Following discussions, the Budget (version 3) was **APPROVED** and it was **AGREED** that the **PRECEPT** for 2018/19 will be **£19,000**. The Clerk will inform CDC.

Clerk

d) Any other financial issues

AW and the Clerk went to Natwest in Petworth to submit the bank mandate as agreed at the last Parish Council meeting. The Clerk has been unable to return to the branch to see if the mandate has been processed and applied to the account.

11. Health & Safety: Update of new and on-going items

As per item 7 iii) above the following reports are due to be submitted as follows:

Location	Council Member	Frequency	Next Report date
Centenary Garden & Arch	To be determined earlier in the meeting	Bi-annually: March and October	ASAP MA

Hesworth Common / Birchwalks Woods	To be determined earlier in the meeting	Every three months, to coincide with working parties	ASAP CW
Pavilion	To be determined earlier in the meeting	Monthly	January Meeting
Playground & Gym Equip.	To be determined earlier in the meeting	Fortnightly	ASAP
Recreation Ground & Bus Shelter	To be determined earlier in the meeting	Quarterly: March / June / September / December	ASAP
The Triangle	To be determined earlier in the meeting	Monthly	17/12/17
Village tree inspection	To be determined earlier in the meeting	As required	None on file

Pavillion Report submitted by RD- dated 11 December 2017. Only outstanding issue is the electrical testing. This will be carried out in late December.

12. Working Group Reports

a) *Communication / Community / Youth*

Clerk has nothing to report

b) *Crime Prevention*

MA raised the issue of increasing the police precept mentioned in the recent email from the Police Commissioner. No action to be taken.

c) *Hesworth Common*

Bin update – The Clerk has been in contact with CDC to determine the costing of CDC emptying the bin. A weekly litter bin collection would be £1.31 per bin, per week. The clerk asked if a fortnightly or monthly service was available. Only a weekly service is offered. Another site visit is needed to ensure the bin can be opened easily by CDC. It was also noted that if any additional bins are being installed, CDC should be consulted to ensure it is suitable for emptying by CDC. The charge will be the same for the bus shelter collection. It was AGREED that CDC will be instructed to make weekly collections from both bins as soon possible.

d) *Maintenance*

i) Social Club - Quote for electrical testing

MA confirmed that Tony Johnson is able to issue a PAT Test certificate and that the work will be carried out on 20 December.

e) *Highways & Footpaths*

i) Proposed car parking in GreatPin - MF to update on draft drawings at the next meeting.

ii) Sandy Lane Parking area – The planning application for the tree work for the land opposite Brookside Cottage has been verified by CDC Planning. The deadline for comments is 3 January 2018. If any resurfacing work is undertaken it will be done like for like.

Clerk

MF

iii) Operation Watershed drainage School Lane update –

The clerk has received the attached correspondence from WSCC confirming that Fittleworth Parish Council have been successful in the first two applications for the first phase of School Lane work for Operation Watershed:-

- Application 1 – Line 6 pipe replacement – Grant application was £4,621 – Awarded £4,624
- Application 2 – Line 7 High pressure jet – Grant application was £2,748 – Awarded £2,748

The Clerk has left a message with Sue Furlong re the discrepancy of the awarded grant total of £3. Once she has confirmed it is ok to cash the cheque the clerk will pay the cheques in. Once confirmation has been received the clerk will inform MA so that he can then instruct Landbuild to carry out the work as detailed in application 1 and 2.

iv) Grass on the footpath from the Fleet to Churchwood – To defer to the Spring

v) Footpath leading to Fittleworth Common near High Trees – To defer to the Spring

vi) Riverhill Lane – Tree down. The clerk has reported the fallen tree on the WSCC Love West Sussex reporting platform. The Following update was received on 11 December. "11/12/2017 13:58 Enquiry closed : Dear Customer -Tree has come from bank opposite on land owned by the Quarry- I have left a message for them requesting it is removed off the verge and have put road cone adjacent edge of carriageway-West Sussex Highways"

f) Village Hall

CW reported that the caretaker has resigned.

13. Items for inclusion on the January Agenda

- a) Co-opting Parish Councillors
- b) Standing Orders Review
- c) General Data Protection Regulations (GDPR)
- d) Parish On-line**

14. Date of next meeting: Monday 15th January 2018 at 7.00pm in the Pavilion Building