

Full Council Agenda Documentation March 2021

ITEM 8: TO AGREE THE NOTICEBOARD LOCATED AT FOORDS LANE, BEESTONS FARM, VINES CROSS ROAD IS REMOVED AND NOT REPLACED

ITEM 9: TO AGREE THE MISSING NOTICEBOARD AT THREE CUPS CORNER WILL NOT BE REPLACED

Both these items were discussed at the recent Environment Committee meeting and the above recommendations were made.

Trevor Leggo at SSALC states:

There is no prescribed arrangement for notice boards but you should have regard to the following:

- * there remains a legal requirement for the agenda to be displayed in a conspicuous place
- * you cannot assume everyone has access to the internet
- * where a parish has separate settlements each of those should be provided with a noticeboard

The Asset Register was discussed in detail at the Environment Committee meeting at the beginning of the month. Items requiring repair work were listed in order of priority.

The noticeboard at Beestons Farm was noted to be in a very poor state of repair. For the past two months the Chairman had been unable to use the noticeboard as the wood had swollen and the plastic frontage had become opaque.

The noticeboard itself is wall mounted on Beestons Farm wall at Foords Lane. It should be noted there is not a natural place for a car to park and access the noticeboard and the lane is narrow. It could possibly cause an accident if a car did stop at this particular location.

The Clerk had not received any complaints during this time regarding missing notices. The Chairman requested Members to note that none of the recent Parish Council survey respondents cited the noticeboards as the point of contact for the survey.

The Chairman recommended to the Environment Committee the Parish Council should consider removing the noticeboard entirely.

Cllr Wells had agreed with the Chairman, he used to also post notices on behalf of the Clerk 20 years ago and even then, local residents used to question the validity of the noticeboard as they had never seen anyone stop there. They advised Cllr Wells at the time the noticeboard outside the village shop and the Warbleton Church were the ones that were used. Both these noticeboards are located a few miles away from Beestons Farm. Cllr Wells stated Beestons noticeboard was of use to the

community when people did not travel far and when the internet hadn't been available.

There also used to be a Parish Council noticeboard located at Three Cups which has been missing for a number of years possibly 3. The Chairman stated to his knowledge there had again been no public complaints regarding the missing noticeboard during this time. Cllr Wells stated that now the pub was no longer open and the shop and diary had gone there was no longer a reason to stop at this location.

If these two noticeboards are not replaced the Parish Council would remain responsible for 2 noticeboards: Bodle Street Green Village Hall and Rushlake Green. The Clerk is currently investigating the ownership of the noticeboard at Warbleton Church but this one is also used by the Parish Council and together they are located in the three corners of the Parish and remain in high traffic areas.

ITEM 10: TO AGREE THE NEW TERMS AND CONDITIONS OF THE ENVIRONMENT COMMITTEE

The Environment Committee discussed the current Terms of Reference of the Environment Committee and the amendments Cllr Williamson had suggested. It was agreed by the committee to recommend to Full Council the following amendments highlighted in red:

Terms of Reference – Environment Committee

3.1. To monitor the implications of highways, transport and environmental items within the Council's area.

3.2. To be responsible for the Council's involvement with all highways, transport and environmental issues and to review and respond to consultations/communications.

3.3. To consider the appearance of the villages within the Council's area and implement improvements. To provide and/or maintain **and** report problems **including, but not exclusively**, the following:

- Street furniture (bus shelters, benches, litter bins/litter collection)
- Notice boards
- Village signs
- Floral arrangements
- Dog waste bins
- Wooden finger posts (with East Sussex County Council)
- Footpaths and stiles (with East Sussex County Council)
- Overhanging trees/hedges
- **War Memorials**
- **Items listed on the Parish Council Asset Register**

3.4. **To co-ordinate and liaise with the CIL Committee**

3.5. To consider crime prevention measures including liaison with Police

3.6. To monitor and promote public transport services and to encourage sustainable transport.

3.7. To manage the Council's amenity land including:

- Rushlake Green
- Dog Corner
- Spring Hill, Punnetts Town
- Bodle Street Green (to be removed, no land owned in this area)
- Three Cups

3.8. To submit annually in October any budget provisions to the F&GP Committee for the following financial year

ITEM 11: APA

The Annual Parish Assembly is a meeting of the parish electorate. It is not a parish council meeting although the parish chairman will call the meeting and, if present, will chair the event. The Annual Parish Assembly must be held between March 1st and June 1st. There is no prescribed format for this meeting and its recommendations are not binding on the council.

The following information was presented at the recent Wealden Clerks meeting:

- Annual Parish Meetings/Assemblies – SSALC has advised that the latest Charles Arnold-Baker states (10.3 p76) that there is no effective method for enforcing the rules around holding these so Councils may want to consider not convening one this year bearing in mind social distancing requirements.

The following Parish Councils have cancelled their APA's: Hailsham, Horam, Ninefield, Hooe and Hadlow Down. East Hoathly and Hellingly are considering postponing until later on in the year if legislation allows.

TO AGREE TO RECIND RESOLUTION 19/067 BODLE STREET GREEN GATES

At a Full Council meeting in July 2019 the following resolution was made:

(j) Community Infrastructure Fund Committee - Councillor Davies reported that a meeting had been held with Cllr Velten and Cllr Williamson to discuss way forward with the funding. It is proposed to hold a meeting at 6.30 prior to the September Parish Council meeting. Councillor Velten reported on two longstanding items required, gates and noticeboard both at Bodle Street Green. Three estimates have been received for the noticeboard which were discussed in full. Councillor Velten proposed JAKK estimate for a two-door noticeboard £770 plus VAT with removal of old £120 plus VAT this was seconded by Councillor Davies and carried unanimously. Two estimates have been received for Village Gates and after discussion Councillor Velten proposed JAKK estimate for treated soft wood, painted white at £500 each totalling with labour plus VAT £2200 seconded by Councillor Iremonger this was carried with one abstention.

At the CIL Committee meeting held on the 22 February 2021 the viability of the Bodle Street Green Gates was discussed. At the time of the original resolution licences were not required. The licences would add another £1,258.97 to the cost of the gates.

- Original cost £2200 plus VAT
- New cost £3458.97 plus VAT (£440 for the gates)

All Councillors participated in the debate. The following points were raised:

- When the project began several years ago licences were not a requirement
- the contractor who had successfully quoted for the work had taken several courses at his own expense in order to become a licensed contractor for Highways
- CIL savings had been made as a result of the new position for the noticeboard which no longer required licences or legs
- The Parish Council were not contractually obliged to complete the order
- Given the significant increase of costs of these licences, was this the best use of public funds?
- Gates could marginally decrease the speed of traffic entering the village
- Concerns over the total cost of the gates which were primarily an ascetically pleasing feature
- The gates were very specific to one village in the parish
- The recent survey highlighted other areas where monies could be spent
- The cost had nearly doubled from the original quote and the issue was raised of ongoing maintenance.
- The Clerk to confirm if CIL funds could be used to pay licence costs.

00261 It was **RESOLVED** that CIL funds would **NOT** be used to cover the higher than previously agreed installation costs of the Bodle Street Green gates

00262 It was **RESOLVED** to recommend to Full Council that resolution **19/067** from July 2019 would be rescinded

ITEM 13: TO AGREE TO ADOPT THE NEW WARBLETON PARISH COUNCIL LOGO

The following logo was designed by Elephant Print for the recent CIL survey.



Warbleton Parish Council

ITEM 14: TO AGREE TO NOMINATE THE BLACK DUCK PUB AS AN ASSET OF COMMUNITY VALUE

Wealden District Council confirmed the planning decision for the Black Duck Pub to have change of use is imminent.

Nominating your pub as an Asset of Community Value (ACV) is one of the most important things you can do to save it. For a quick guide to ACVs, read on...

What does the ACV scheme do?

- ACV registration is a material planning consideration, which gives the Council additional reasons to reject any proposal involving loss of the pub
- Gives the community the opportunity to bid for the property if it is sold or leased for 25 years or more
- Gives Councils powers of compulsory purchase if the community use of the asset is in danger of being lost

ACV status is valid for five years and can be renewed.

What does the “right to bid” mean?

When a pub is an ACV, if it is put on the market, the owner must notify the Council. The Council will then contact the nominating group, which has six weeks to decide whether to put in a bid. If the nominating group decides to bid, a six-month moratorium is triggered, giving the community time to arrange the necessary finances. Points to note:

- The six months includes the initial six-week decision period
- The owner is not obliged to take any offer tabled by the community. It is a right to bid, not a right to buy. (This is different in Scotland, where the community does have the right to buy)

How do we know if our pub is eligible to be an ACV?

The test that the local authority will use to decide is:

In the opinion of the local authority, does the main use of the building further the social wellbeing or social interests of the community?

OR, for closed pubs

In the opinion of the local authority, is there a time within the recent past where use of the land has furthered the social wellbeing or social interests of the community?

AND (in all cases)

In the opinion of the local authority, is it realistic to think that in the next five years there is a time when there could be a use of the land that furthers the social wellbeing or social interests of the community?

Crucially, this means that even pubs which have recently been closed are still eligible to be nominated.

How do we nominate our pub?

Nominating your pub is very easy and free. Contact your council for a nomination form or download it from their website. The form will take you around 2 hours to complete. You will need either to be an established organisation such as a residents' group, parish council, charity or company (including a local branch of CAMRA) or an unincorporated group with at least 21 members who are on the electoral roll of the local authority in which the pub is situated or with another demonstrable local connection (such as living in a neighbouring local authority).

Tip: there is no formal requirement for additional evidence of a pub furthering the social wellbeing and social interests of the community – being a pub is enough – but it is likely to help your case if you can make an application as comprehensive as possible. For example, you could include details of local groups that use the pub, evidence of charitable activities, any sporting clubs that the pub associates itself with etc.

What next?

A council has eight weeks in which to decide whether to approve or reject a nomination.

If the nomination is rejected, there is no right of review. However, you can submit another application with more or different information.

If a pub is granted ACV status, its owner can request a review. This is carried out internally by the Council. If the pub remains an ACV, an owner may then formally appeal, at the First-Tier tribunal.

ITEM 15: UPDATE ON THE USE OF ZOOM FOR PARISH COUNCIL MEETINGS

The following information was presented at the recent Wealden Clerks meeting:

- Meetings in May – the legislation allowing virtual meetings runs out on 7 May and NALC are pushing for it to be extended. If it is not extended then it will not be legal to have a virtual meeting but we will still have social distancing in place making face to face meetings difficult for most. Even as we unlock, where some people are not vaccinated it could be a H&S issue to insist on physical meetings. Advice from SSALC is to consider moving meetings/ASM to between 1 and 7 May if possible (elections could make that problematic), and consult Standing Orders in case they need to be suspended in order to do so

The Clerk is currently producing a Risk Assessment to cover a return to face-to-face meetings.

ITEM 16: TO AGREE TO ADOPT THE SSALC MODEL POLICY ON RECORDING OF MEETINGS

Warbleton Parish Council's Standing Orders -3 (l) - does permit this.

Please see the separate Model Policy on recording of meetings (from SSALC) taking account of the "Openness of Local Government Bodies Regulations 2014"

The following information was presented at the recent Wealden Clerks meeting:

- Recording meetings – once the minutes are typed up, they become the record of the meeting and so recordings, notes etc should be destroyed. A policy on recording meetings can be useful. Press and public can legally record meetings themselves but the Council doesn't have to facilitate them