

PAVENHAM PARISH COUNCIL

Minutes of the meeting of Pavenham Parish Council held on Wednesday 20th January 2021 held virtually by Zoom.

Present: Parish Councillors

Cllr. Steve Rice, Chairman (SR); Cllr. Jill Smith, Vice-Chair (JS), Cllr. Thomas Beazley (TB), Cllr. Brian Greenwood (BG), Cllr. Christine Holloway (CH), Cllr. Jim Russell (JR) Cllr. Andrew Senior (AS)

Borough Councillor

Cllr. Jon Abbot (JA)

Parish Clerk

Tricia Lennie (TL)

In Attendance

Nine residents

1. Recruitment Sub-Committee Appointment of an Interim Clerk

The appointment of Tricia Lennie as Interim Clerk for a period of six months was recommended by the personnel sub-committee (SR,TB, AS) and will be resolved at Item 6.

2. Discussion Period

a) **What progress has been made on replacing the 40mph speed signs at the East End of Pavenham?** The resident felt that six months was a long time to wait for their reinstatement. JA explained that work on the new speed control measures and backlog in the Highways Department has slowed replacement but that it has not been forgotten.

b) **The highway near The Causeway, just before the bridge is rutted.** The resident noted that the tarmac was coming up causing traffic to drive on the wrong side of the road for avoidance.

ACTION JR – to contact BBC

c) **The fencing near the bottom The Bury needs further attention.** This item has been raised before but work is not yet complete.

ACTION JR – to contact BBC

d) **The area off the High Street flooded in December 2020.** Residents explained that this was the first time in 24 years that some properties had been affected by flooding, caused by surface run-off water in the area. Insurance claims are in process, but mitigation is needed. Potential causes were explored including maintenance and surfacing of the footpath, the drainage of water and capacity of drainage pipes. Potential solutions were suggested such as the lowering of the footpath and contacting BBC/Anglian Water to explore the drains.

ACTION JA – flood report to BBC

ACTION Clerk – write to Anglian Water

ACTION Clerk – contact BBC Highways

3. Apologies for Absence

None

4. Declarations of Pecuniary and Non-Pecuniary Interests

Declarations have been made by relevant councillors, filed and are applicable for the parish year between AGMs. TB has made declarations regarding land ownership within the village and potential planning sites.

5. Consideration of applications from Councillors for a dispensation to enable them to participate in consideration of items on the agenda in which they have declared an interest.

It was agreed that TB should continue to participate in the Agenda items having declared an interest.

6. Consideration and Approval of Minutes of the remote electronic meeting of the Council held on 18th November 2020.

Resolution to appoint the interim clerk on SCP12 for 8 hours per week. There are no pension, tax or payroll liabilities pending formal opting out from these statutory obligations of employers. A formal contract would be issued in due course.

Proposed SR

Seconded JS

Agreed by all councillors.

The Minutes of 18th November were raised for discussion and approval.

BG read a statement explaining why he could not agree the minutes and making a **Proposal that**

a) The Draft Minutes of 18th November 2020 are expunged from the record

b) BG reword relevant items for consideration by all councillors. Should councillors not agree to this proposal there could be a cost implication.

AS asked about the timeline for this revision of the Minutes and if BG would be willing to be guided by the audio recording of the meeting. BG suggested that work could be completed by the end of the week and agreed that the minutes would follow the transcript in essence and principle but neutralising and depersonalising the record.

A transcript of Cllr Greenwood's statement is included below for clarity.

I am afraid that I have to record that, having taken external legal advice from experts in the field, at personal cost, we are of the view that the Minutes as drafted and published, in so far as Item 2 Footpath Signs and Item 12 Neighbourhood Plan Update are concerned, are potentially defamatory and in breach of the Nolan Principles. It should be noted that this statement is approved by my lawyers. The Parish Council will recall that earlier last year I had to warn members about the risks of defamation and the legal consequences that could flow. In brief, a defamatory statement is one that injures the reputation of another person. With my lawyers we have come to the conclusion, in law, that the Minutes, together with the additional comments inserted are inaccurate, factually defective, unbalanced, biased and failing in required objectivity. By failing to provide an accurate summary of the debate that took place during the last meeting, by excluding key points, the Minutes as published damage my reputation by imputation and fact.

As I am sure you are all aware, there are certain legal steps open to me which could lead to action before the courts. I have no wish, however, to perpetuate a division within what is already a seriously divided Parish Council. I therefore have two options for consideration by the Council.

The first option is as follows:

I would propose that the current Draft Minutes, in so far as those two Items that I mentioned are concerned, as circulated and published, should be expunged and deleted from the record, for the reasons that I have cited. A revised set of Minutes would then be drafted by myself, and after review by my lawyers, will be circulated to the Parish Council for comment and approval. I should point out that the revisions will depersonalise the Minutes and will be designed to remove the dissention which the current Draft Minutes foment.

Members should note that acceptance of this motion will also remove the risk of legal action in the courts.

Whilst that will not remove the fact that the current Draft Minutes have already been published, I would be prepared then to take this matter no further.

The second option comes into play if my proposal above is not accepted:

If that proposal is not accepted then I am afraid I have a further statement to read to the meeting detailing what I consider to be the defects in the current Draft Minutes,

the factual inaccuracies, and the fundamental omissions. In so doing I shall make clear that the points that I will be making may have serious implications in terms of legal proceedings and cost.

My motion, therefore, that I would like to put to the council, is that for the reasons stated the current Draft Minutes be expunged and deleted from the record and that a revised and corrected set of Minutes will be circulated by Cllr Greenwood as soon as practicable.

And Madam Clerk, I would add that I would like the vote recorded by name.

Proposed BG

Seconded TB

Agreed by all councillors SR JS CH JR AS

JR noted that he is no longer a member of the Village Hall committee (pg6)

TB explained residents' confusion over the two different speed control systems. Item 11 will be clarified.

The Draft Minutes of Wednesday 18th November 2020 will be replaced by a new version when provided. These minutes will be resolved as a true and accurate record of the meeting at the next Parish Council meeting.

7. Updates on Matters Arising

For updates on 'open' items see the March 2021 Matters Arising document.

Highlights include:

- Installation of speed control measures expected week commencing 22nd March 2021
- Erection of Footpath signposts. One will be located near the Village Hall. The second will be on the SSSI in Mill Lane. **Resolution to place the second Footpath sign in this location Proposed JS Seconded SR. Agreed by all.** TB will provide written confirmation from Natural England that the sign can be erected in the SSSI in due course. Any necessary licence from the landowner will also be sought. Mark Blakemore has offered to help to erect the signposts. These may need to be on wooden posts to meet any concerns from Natural England.
- Proposals to mitigate damage to verges in Close Road
- BHPA contact with the Parish Council regarding early stage proposals to construct two new dwellings in Close Road on the site of the old garages, and provide increased parking spaces.
- Continued efforts to solve parking problems in Mill Road
- Research being undertaken to manage The Spinney
- Research being undertaken to mitigate the High Street surface water problem
- Pavenham Parish Council newsletter can be delivered as 'part of daily exercise'. SR and JS offered to do deliveries when they are produced.

8. Correspondence

A request for Give Way road markings in The Bury had been received. Some residents feel that the current informal road intersections will lead to a road traffic incident. Discussion covered the likelihood that such road marking would improve the problem and a concern that it would make the area look increasingly urban. JA will consult BBC Highways and report back.

ACTION JA

9. Financial Update

SR produced two documents for councillors to consider: a yearly comparison and a forecast budget for 2021-2022. Pavenham Parish Council is in a strong position financially with strong reserves.

JS raised again the BBC contribution to the new 'dog poo' bins of £200. She will forward the invoice to JA for resolution.

ACTION JS/JA

SR raised again the expense Pavenham had incurred as a result of the double payment of Precept by BBC in error during 2019-2020. The higher turnover had meant a higher band for external audit fees. The Clerk will contact BBC to reclaim the expense incurred of £200 plus VAT.

ACTION Clerk

10. Payments for Approval

- It is hoped that future payments for Survey Monkey can be reclaimed through the Locality grant as part of the legitimate costs of the Neighbourhood Plan.
- The quotation for 10A4 Footpath signs from Metrosigns had been obtained by the previous Clerk approximately two years ago but had remained the same.

Resolution to accept Future Payments for approval

Proposed SR Seconded TB Agreed by all.

11. 21/22 Budget and Precept

Budget

SR introduced the item by explaining that there has been a small change to the charge for Band D properties (on which all other changes are calibrated) because of Covid-19.

Other provisos are that the Chairs of Stevington and Pavenham Parish Councils need to agree any costs that can be shared because of sharing a Clerk.

Discussion regarding the payment to Pavenham Village Hall Management Committee agreed that residual money from the 2020-2021 budget of £2,305.78 will be added to the £3,500 grant made for 2021-2022 and paid.

TB wished his formal objection to be recorded on this item as he is concerned by the loss of 20% VAT on PVHMC purchases. SR noted that the Parish Council is obliged to follow HMRC rules and that the Parish Council could not claim VAT exemption on behalf of expenditure associated with a separate organisation.

Resolution to accept the 2021/2022 Budget. Proposed SR Seconded JR. Four votes in favour, One against. Proposal resolved.

AS made a formal proposal regarding the installation of broadband and equipment in the Village Hall to enable hybrid meetings of the Parish Council to take place when government legislation permits (digital access to physical meetings). It is likely that there will continue to be residents who need to shield and they have a democratic right to attend Parish Council meetings. CH supported the proposal as there are likely to be residents who test positive and need to self-isolate, suggesting that it could potentially affect the Parish Council's ability to be quorate. JS supported the need to ensure community access. As some of the equipment would be owned and insured by the Village Hall Management Committee SR suggested that Parish Council and Village Hall costs be separately identified, and they submit the proposal to the Parish Council for consideration at the next meeting. TB suggested that grant funding might be available to support such a project.

Resolved that as soon as government legislation permits hybrid meetings of Parish Councils, Pavenham Parish Council will endeavour to enable this.

Proposed AS

Seconded SR

Resolution carried by majority vote.

AS raised the question of the noticeboard in the centre of the village which is mounted on high posts and behind a bench. This makes it inaccessible for some residents and is inaccessible for wheelchair users. JS noted that the noticeboard is also difficult to access to mount information.

Discussion considered moving the bench and lowering the noticeboard. TB thought the work might be completed for little or no cost. Potential costs were discussed, and the Other Expenses budget was increased to £350.

ACTION SR/JS

Precept

The Precept for 2021/22 generated discussion. There is potential for increasing costs but also a historical promise to residents that the Precept had been increased because of a specific project (Speed Management in the village) which is nearing completion. AS pointed out that there was no record of a resolution to that effect, and that a current council cannot be bound by the decisions of a previous council.

Pavenham Parish Council has reserves higher than one year's Precept and residents may be facing financial difficulty associated with current events. Pavenham can set a deficit budget for the 2021/22 year. Any future Precept rise will be for democratically agreed purposes. It was suggested that Pavenham should set a 5 year forward plan as there are projects being considered.

Resolved that the Precept be lowered by £2,000 to £10,500

Proposed by TB Seconded by JR

Resolution carried by majority vote

A return will be made to Bedford Borough Council by 31st January 2021

ACTION SR/Clerk

12. Bank Authorised Signatories and On-line Banking

The NatWest bank mandate is considerably out of date. Historical signatories to the account have not been removed. It is proposed that the current signatories are updated. Three signatories, Peter Sharpe, Denis Flyn and Christine Phillips, are to be removed with four people remaining – Gillian Smith, Thomas Beazley, Christina Holloway and Jim Russell. The new clerk, Dorothy Patricia Lennie is added.

Resolution to update and reduce the number of signatories. All payments will continue to be authorised by two signatories.

Proposed SR Seconded JS Agreed by all.

As NatWest have not been able to confirm the use of two signatories to online banking to date, Pavenham Parish Council will continue to use paper-based methods for the time being.

13. Planning Applications

- Ref. No: 20/03054/TPO Request for Yew Tree removal at 28, The Bury. Clerk to write to BBC Planning Department to request more time for PPC to respond following further research.

ACTION Clerk

- BPHA initial approach to PPC regarding two dwellings and parking spaces at Close Road. A virtual meeting was held to explore the proposal and is now pending BPHA internal approval and a formal planning application.

- Initial approach regarding Rural Exception Request from BPHA, regarding potential development of land at Tandy's Close. JR was against inviting a representative from BPHA as it may appear to be collusion. However, other councillors felt the proposal should be heard. It was agreed that Pavenham PC should offer an opportunity to present at a Parish Council meeting.

ACTION SR/Clerk

- Concerns had been expressed regarding the outbuilding at The Cock Inn, which is widely thought to be the oldest building in Pavenham. Roof tiles have dislodged during recent storms. It is understood that the owner of the building has expressed willingness to repair it.

14. Environment Agency Flood Warnings and Mitigation of Excessive Rainwater Run-off Impact

TB expressed annoyance that the flood warnings issued just before midnight on Christmas Eve had caused unnecessary alarm in some cases. He felt that those responsible should resign or be sacked.

JA noted that Borough Council staff had been working over Christmas to help residents and that although the situation was not unprecedented, several properties had flooded for the first time. The incidence of such flooding is more frequent and mitigation may be needed.

More detailed discussion of the surface run-off water on the High Street resulted in a call for the relevant authorities to investigate the High Street drains between the Church Lane junction and The Cock Inn. The footpath leading from the High Street towards The Leys adjacent to The Old School House had been dug up for access to utilities. An old stone drain may have been damaged and repaired with 10" pipe. If the replacement pipe or footpath surfacing have contributed to the problem, they should be replaced by the company involved.

An investigation should be conducted, potentially using cameras, to investigate the drains between the Church Lane junction and The Cock Inn.

Anglian Water and BBC Highways Department to be contacted for investigative work.

ACTION SR/Clerk

ACTION JA

TB raised the placing of Flood Warnings signs at Earwig Bend, near Earwig Lane. These had been dangerously and wrongly placed, causing obstruction on the road at the exit of the bend.

JA explained the scale of the task of placing Flood Warnings and the urgency. Flood levels were expected to be in excess of 1998 levels. Clapham had been flooded within 30 minutes due to the opening of flood gates higher up the river. 50 properties had flooded in Bedfordshire, 10 of these in Clapham. Police Officers had been out knocking door to door to alert those most at risk.

JR queried the flood risk data held by the Environment Agency, which had included Close Road. It was agreed that this should also be explored.

ACTION SR/Clerk

15. Sewage Pumping Station Incident and Anglian Water's Meter Replacement Approach

Two weeks before Christmas residents in Mill Lane had experienced a sewage leak which had bubbled up in their garden. They were grateful to TB who had intervened, insisting that Anglian Water attend. TB had no issue with the workmen who attended. They used chemicals to neutralise the smell and identified the problem, which was an input pipe that was blocked. They rectified this and it has not recurred.

TB did raise concerns that the Emergency Telephone number displayed at the sewage pumping station advises residents to go online to report the issue. He did not feel that this was of use in an emergency. TB also raised concerns that the blocked input pipe must have been a problem for some time. He queries the effectiveness of Anglian Water visits to monitor the sewage pumping station and suggests that such monitoring should be routine.

When challenged Anglian Water said that a blocked sewage input pipe cannot be monitored remotely. TB felt that the person who adds chemicals to the sewage only needed to look and report the problem. AS suggested contacting the Chairman of Anglian Water, John Hirst. SR suggested that he is copied in.

ACTION SR/Clerk

TB also raised the water meter at Rowleys Close near the Golf Course and Orchard Farmhouse. The old meters were removed but the fitting of new ones took several days (Saturday to Wednesday). This not only left deep holes in an unlit pavement but warning signs on the pavement and road were also a hazard. TB requested that this was raised with a different department at Anglian Water.

ACTION SR/Clerk

16. Neighbourhood Plan Update

BG is a regulated solicitor, with a legal requirement that he should not offer direct legal advice to the Parish Council regarding the Neighbourhood Plan. He will therefore not be able to write the compliance statements at the end of the Plan. He can continue to offer informal assistance. Professional assistance may be needed with the Strategic Environmental Assessment, Habitats Regulations Assessment, Consultation Statement and Basic Conditions Statement.

The Pavenham Neighbourhood Plan Working Group met in December 2020 and a Draft Neighbourhood Plan has been sent to Kim Wilson at Bedford Borough Council for comments. Response is anticipated by the end of January 2021.

Necessary amendments will be made to Plan. It will be circulated to members of Pavenham Parish Council and Pavenham Neighbourhood Plan Working Group prior to wider consultation.

Discussion ensued regarding the best way to consult residents. Methods could include the newsletter and questionnaire, or potentially an exhibition. BG will contact BBC for advice on consultation during Covid-19 restrictions.

ACTION BG

BG reported his concerns over the Green Spaces Policy. He does not think that Pavenham has any that would meet the Green Space criteria. The Playing Field attached to the Village Hall would be protected under different criteria. The entrance to The Leys and the garden of The Cock Inn are in private ownership so may not qualify.

Pavenham Parish Council will ensure that the Neighbourhood Plan, following amendments suggested by BBC, is available for public consultation. This is expected to be in February.

17. Arrangements and Dates for Future Parish Council Meetings

Pavenham Parish Council meetings are usually held on the third Wednesday of the month. Meetings will continue to be held via Zoom until new government regulations are released.

18. Date, Time & Place of next meeting of the Parish Council

Wednesday 17th March, 7.30pm via Zoom

Meeting closed at 10.30pm

TL 30/01/2021