

# Little Hadham Parish Council

Minutes of the sixteenth meeting of the Little Hadham Parish Council (2007 – 2011 Session)  
held on Tuesday 4<sup>th</sup> November 2008 at 8:30 p.m. in the Village Hall, Little Hadham.

<b>Present:</b>	<b>Mr M Fairchild</b>	<b>Chairman</b>
	<b>Mr A Morris</b>	)
	<b>Mrs C Piccolo</b>	)
	<b>Mr J Purvis</b>	) <b>Councillors</b>
	<b>Mr T Skidmore</b>	)

Mr B Evans – Clerk, and 7 members of the public including PC Tracy Fegan and PCSO Lauren Howell of the local police and District Cllr Michael Tindale.

## 16.1 Public session.

Cllr Tindale said that he was disappointed to see that the planning application for Ashcroft Farm did not include a parcel of land for the school. The Clerk said that the land had originally been offered to compensate for the lack of affordable housing but that did not now apply. Cllr Tindale said that the land could be seen as a significant planning gain should the application be granted. Cllr Morris proposed that a request for the land, should the application be granted, be added to the letter of objection. Agreed.

**16.1 Absent** Cllr Mrs Wilkinson [family matter] and Cllr Williamson [attending a work training course].

**16.2 Declarations of interest.** Cllrs Fairchild, Skidmore and Mrs Piccolo declared an interest in Gypsy and Traveller sites as they were members of the Little Hadham Conservation Society.

**16.3 Minutes of the Parish Council** meeting held on Tuesday 7<sup>th</sup> October 2008 having been previously circulated were agreed as accurate. Proposed by Cllr Purvis and seconded by Cllr Mrs Piccolo.

## 16.4 Matters arising from the Council minutes.

**16.4.1 Fly tipping at Westland Green.** Cllr Purvis said that he had visited the site. The tipping was of garden and builders' waste and was out of sight of the road. It was reached by a track through a locked gate so presumably was used with the consent of the owner. He proposed that the Council take no action but to keep the matter under review. Agreed.

**16.4.2 Change4Life.** Cllr Mrs Piccolo said that the Council was now an official partner. She awaited information on activities that the Council might promote.

## 16.5 Possible locations for gypsy and traveller sites.

**16.5.1 Public enquiry into the EERA policy on gypsy and traveller sites.** The Chairman said that he and Cllr Skidmore had attended the four-day enquiry. He noted that EHC was one of the few councils that had objected to the creation of small sites in each district. EERA said the smaller 15 pitch sites would only be created in areas where there had been little previous demand. EHC said that sites should only be created in areas where there was a proven need. The G&T community generally held this view though they would accept the smaller, widely spread sites. There was no great demand for sites in north and east Herts. The Chairman said that the enquiry would report by Christmas 2008 and EERA would publish a consultation

document, including a list of possible sites, in spring or early summer 2009. The final decision would be made in 2011. There had been a suggestion that G&T sites could be included as part of large housing developments along with affordable housing.

## **16.6 Road works.**

**16.6.1 Proposed changes to the bypass route including the effect of the changes on Lime Kiln Cottage.** The Chairman said that Cllr Bayes would meet the owner of Lime Kiln Cottage on Friday 7<sup>th</sup> November. Members of the Council would have an informal meeting with the Herts Highways engineering team on the day before this.

**16.6.2 Vehicles parked on the C15 between ‘Houghtons’ and the old post office.** Cllr Purvis said that there was no obvious solution to the problem. The cars and vans were parked legally and there was no other available place for them to go. He proposed that no further action be taken. Agreed.

**16.6.3 Other works.** Cllr Morris said that the incorrect 30 MPH sign would be removed from Chapel Lane in November and the work to unblock a drain near Ash Farm near the traffic lights would be carried out on a Sunday in December when the traffic was fairly light.

**16.7 Dilapidated seat and notice board at Westland Green.** Cllr Purvis proposed that he buy timber to repair the seat at a cost of £150 and that the noticeboard be removed. Agreed. Cllr Purvis said that he would carry out the work with a small group of volunteers.

## **16.8 Playgrounds**

**16.8.1 Trimming the hedge of the village hall playground.** The Chairman said that the hedge should be cut at least twice a year. He proposed that the budget work party consider the matter. Agreed.

**16.8.2 Recommendations following the annual playground inspections.** The Chairman said the safety mats for the Ridgeway seesaw had been delivered. These would be installed and the other works carried out by a group of volunteers on Sunday 16<sup>th</sup> November 2008.

## **16.9 Stansted Airport.**

**16.9.1 NATs proposed changes to flight paths.** Cllr Morris presented a letter, previously circulated [Appendix 1], commenting on proposed alterations to the Buzad flight path over the parish. Cllr Morris proposed that the letter be sent under the Council’s name. Agreed.

### **16.9.2 Recent developments**

The Chairman said that the inspector enquiring into the second runway was reported to be under pressure to reach a quick decision. The pre-enquiry hearing was likely to hear a proposal that the enquiry be held in two separate rooms. This would be an advantage to BAA who could afford a number of barristers while local groups, such as SSE and District Councils could only afford one. The Chairman proposed that the Council give retrospective support to a letter he had written to the Times [Appendix 2]. Agreed.

## **16.10 Chairman’s report.**

**16.10.1 Consultation on the making and enforcement of byelaws.** The Chairman said that he had taken advice from HATPC in preparing a response. He understood there were some parish byelaws though no one had ever been prosecuted for breaking them.

The new proposals would make the creation of bylaws easier as government approval would no longer be needed. However there was no new funding to pay for enforcing the laws. Council employees could be empowered to issue fixed penalty fines though suspected offenders could opt for a hearing at the magistrates' court. Both these would involve Councils in costs they could not afford. The Chairman proposed that response, previously circulated [Appendix 3], be sent in the name of the Council. Agreed.

**16.10.2 Village Post Office.** The Chairman said that, following the second review, the village Post Office was not listed for closure.

**16.10.3 War memorial.** The Chairman said that Herts Highways had agreed to provide traffic control measures during any repair at no cost. This should mean that the Council could pay for a lasting repair. Cllr Skidmore said that Mr Welburn, the EHC conservation officer, had informed him that money might be available from the Conservation Fund.

## 16.11 Clerk's Report

### 16.11.1 Financial statement

<b>Period ending 4<sup>th</sup> November 2008</b>			
Barclay's Bank C/Acc			£9,533.84
High Rate BP Acc			£5.18
BP Acc			£169.63
Petty cash			£15.15
<b>Total</b>			<b>£9,723.80</b>
<b>Include above</b>			
<b>Received</b>			
HM Revenue & Customs - VAT refund [received 14/10/08]			£1,210.88
<b>Paid</b>			
Fulcher and Davies	War memorial flowers		£2.00
<b>To be approved for payment</b>			
Mr B Evans	P/Clerk - (Oct)	£334.00	
	Exp (Sept)	£19.76	£353.76
Mrs K Green	Grass & bins (Oct)		£43.11
Miss A Windmill	Litter picking (Oct)		£97.53
Little Hadham PCC	Graveyard upkeep		£250.00
EHC	Playground inspection		£112.78
CDA for Herts	Annual subscription		£30.00
Little Hadham Village Hall	Hire of hall		£31.25
Mr B Evans	Safety mats		£106.46
Mower Services - Hedges & Grass cutting October			£479.40
<b>Total payments</b>			<b>£1,504.29</b>

**Total in all accounts and petty cash after payment of this month's bills £8,219.51**

**16.11.2** Proposed to accept payment of accounts. Agreed.

**16.11.3** Proposed to accept the accuracy of the financial statement. Proposed Cllr Mrs Piccolo, seconded Cllr Purvis. Agreed.

**16.11.4 To appoint a working party to prepare a budget for 2009/10 for consideration at the December meeting and to recommend a precept for the year 2009/10.** The Chairman proposed that the work party should consist of Cllrs Skidmore and Morris, the Clerk and himself. Other councillors could attend if they were available.

Agreed. The Clerk said that the meeting was important, as it was an opportunity for councillors to have a say in how Council funds were spent.

#### **16.11.5 Democratic 10 minutes**

##### **The meeting closed at 9:29 p.m.**

A resident asked if a drive was to be constructed to reach the new shed at Ford Hill House, The Ford. The Chairman said that this was an untrue rumour.

Cllr Tindale talked about the proposed flight path over the parish. Cllr Morris said the current flight path was at 4,300 ft and the proposed path would be at 3,000 ft with the prospect of more and larger planes. He thought that NATs was listening but he thought as many people as possible should complain to stress the importance of the problem.

##### **The meeting reopened at 9:34 p.m.**

**16.12 Planning matters.** The transactions of the Planning Committee were noted.

**16.13 Correspondence.** The Clerk distributed items of correspondence to relevant councillors

SSE Newsletter	<b>MF</b>
CDA for Herts Newsletter	<b>MF</b>
CDA for Herts Annual Review	<b>MF</b>
NALC LCR magazine	<b>MF</b>
Dept. Communities and Local Government consultation on Codes of Conduct for Local Government Members and Employees	<b>MF</b>
CPRE Countryside Voice magazine	<b>JP</b>
CPRE Herts Newsletter	<b>CP</b>

**16.14 Any other business.** None.

**16.15 Date of the next meeting Tuesday 2<sup>nd</sup> December 2008.**

**16.16 The Chairman closed the meeting to the Public and the Press at 9:36 p.m.**

## **Appendix 1**

### **Letter to NATs concerning changes to flight paths.**

#### **Re. Terminal Control North Consultation**

Thank you for your letter of 29 September. The matter was considered at the Council meeting on Tuesday 4th November 2008 when the contents of this letter were agreed.

Little Hadham is overflown by the Buzad route flight path. Planes currently average around 4,400 ft. The current proposal is to reduce the height to 3,000 ft after 9 miles of flying, and to increase the number of planes on the flight path substantially, with associated extra noise, pollution and safety issues.

It is clear from your letter of 29 September 2008 that you are still reviewing the flight path of Buzad, though it seems that you are not considering any further options for easterly departures from Luton. Though the TCN Consultation Document does not make this clear, we assume that the rerouting of Buzad suggested in the Consultation Document has been proposed because planes using Buzad must for safety reasons fly at least 1000ft below the new easterly flight path for planes leaving Luton. Our understanding is that planes on such easterly Luton departures will be at about 5000ft at the point where the Luton flight paths cross with the suggested flight path for Buzad (which I shall refer to as the "COP" for cross over point). If a height distance of 1000ft is the safety requirement at the COP, then if planes using Buzad were at 6000ft at the COP, the safety requirement would be achieved.

In paras 4.6 and 4.7 of the Consultation Document you have explained that about 3% of the planes currently using Buzad will need to keep to the existing flight path because they cannot use P-RNAV. If your original proposals for Buzad were to come into effect, there would then be two versions of Buzad, the new longer one used by 97% of the planes with P-RNAV and the other the existing shorter flight path used initially by only 3% of the planes. We appreciate that you expect the 3% to decline over time.

In the documents submitted with their planning application for a second runway at Stansted BAA have made it clear that they expect planes departing from Stansted to the south west to use the flight paths proposed by NATS

in the Consultation Document, so that if the second runway were to obtain permission, then Little Hadham would suffer from even more aircraft noise from planes using Buzad, due to the increase in number of planes and also the reduction in height to 3,000 ft.

More than 12 years ago high performance routes were proposed for flight paths from Stansted. I believe that they were shelved, as at the time Stansted airport was not expanding as quickly as expected. Ironically, now it has expanded greatly and is forecast to further expand, the concept of high performance flight paths have not been adopted as the way forward.

We believe that over 90% of the planes leaving Stansted are very modern and that they can therefore achieve a climb rate sufficient to reach a height of over 6000ft within 9 miles from Stansted. An aircraft using the current flight path of Buzad will be about 9 miles from Stansted at the COP, and if we are right, then over 90% leaving Stansted could be over 6000ft at the COP. They could therefore continue to use the existing flight path of Buzad flying over the new flight path for Luton easterly departures at the COP. The continued use of the existing flight path by 90% of the planes using Buzad would involve less noise, less pollution and greater safety. This would involve a higher flight path over Little Hadham, with the benefit to the village of reduced noise. It would also of course save airline fuel because a shorter route would need to be flown.

We accept that older planes leaving Stansted cannot achieve a sufficient climb rate by the COP to be at a safe height above flights leaving Luton. We therefore suggest that the older planes should use the new flight path for Buzad, which you originally proposed in the Consultation Document. This suggestion is, we understand, inconsistent with what you say is Government policy that aircraft should be concentrated along the least possible number of specified routes. However, as we have already mentioned, your original proposals already in effect involve two versions of Buzad and so conflict with Government policy in this respect.

We understand that the reason why you originally proposed a new flight path for Buzad is that older planes using Buzad cannot achieve a climb rate to reach a safe margin above easterly departures from Luton at the COP. If so, this is no reason why planes with a high performance climb rate, which can reach a safe height above Luton easterly departures at the COP, should not continue to use the existing flight path. This, we believe, would reduce noise in Little Hadham.

**Cllr Andy Morris**  
**Vice Chairman of Little Hadham Parish Council**

CC Oliver Heald MP  
 CC Mark Prisk MP  
 CC County Cllr Mary Bayes  
 CC District Cllr Michael Tindale  
 CC Chair Much Hadham Parish Council Martin Dillon

## **Appendix 2**

### **Letter to the Times concerning the enquiry into the second runway.**

Sir, The Government's attempt to steamroller through a decision on the second runway at Stansted Airport before the next General Election ('Stansted inquiry to be rushed through to foil runway critics', The Times, November 1) is a blatant attempt to prevent the local community from exercising its democratic right to object to BAA's proposal.

By splitting the inquiry into different rooms, residents will be effectively barred from hearing all the evidence – much of which will overlap. While BAA will apparently field a team of lawyers, local councils and environmental groups will simply not be able to afford to be legally represented in both sessions.

There is now mounting evidence that so-called 'independent' inquiries are nothing of the sort. The Government appears to be bearing down on the planning inspector to get the result it wants even before the inquiry starts. One wonders what pressure a previous inspector was under who recently recommended expansion of the existing runway.

Our community, which sits under the busiest flight path out of Stansted and faces the prospect of having one of the largest airports in the world on its doorstep, will be furious at this blatant attempt to deny us the right to hear and challenge evidence from BAA.

## Appendix 3

### Response to Consultation on the making and enforcement of byelaws.

This Council considered the consultation ‘The making and enforcement of byelaws’ at its meeting on 4 November 2008.

Our replies to the nine questions are contained on the attached sheet.

While supporting the principle behind this consultation – ‘Communities in control: Real people, real power’ – we would draw attention to the limitations under which Parish Councils operate. Councillors are unpaid volunteers who have to balance the time devoted to council services against full or part-time jobs, other services to the community and family life. Parish Clerks have a heavy workload and bear an increasing amount of legal responsibility, neither of which, as a general rule, is reflected in their salary. The limited budget under which this council operates puts constraints on new activities and responsibilities.

Therefore, we would like to see more consideration given to the practicalities of implementation of proposals in the White Paper and any future activity designed to give parish councils greater responsibility. Implementation would not be feasible without additional manpower and increased budget. On the latter point, invoking a byelaw – and defending any dispute arising – is likely to incur legal costs, which would not be possible out of existing funds. We note, for example, that taking offenders to a magistrates’ court would be an alternative to a FPN. It should also bear in mind the practical point that parish councils by their very nature are an integral part of the community. Implementation of byelaws such as the issuing of FPNs could result in tension within the community. That should be borne in mind in framing any legislation.

#### **1 Do you agree with the list of byelaws which we propose should no longer require Secretary of State confirmation?**

Yes. We support the view of the Hertfordshire Association of Parish and Town Councils that this relaxation of rules should apply to any new byelaws proposed by parish councils in the spirit of Government’s intention of giving local authorities more responsibility for setting and enforcing rules and standards of behaviour in their communities.

#### **2 Do you agree that certain byelaws should continue to require confirmation by the SoS?**

No byelaws relating to purely community matters should require SoS approval.

#### **3 Do you agree with our proposed seven step outline to make a new byelaw?**

Yes.

#### **4 Is the proposed statutory 21-day consultation period the right length of time for consultation?**

Probably not. Because of the constraints of monthly parish council meetings and the need to consult with the community, a two-month consultation period should, other than in exceptional circumstances, be the minimum period.

#### **5 Do you agree with our proposal that the council will have to publicise the new byelaw once it comes into force?**

Yes.

#### **6 Do you agree with our proposals on resolving challenges?**

Yes with the proviso that the parish council should state its reasons for accepting or rejecting the challenge.

#### **7 Do you agree that a FPN is the most effective form of enforcement for new transport laws? [Note to LHPC:**

Yes, in so far as the scope of your proposals would apply to this community (ie minor issues such as walkways). With regard to any future transport issues that might be covered by new byelaw regulations, the parish council should have the right to seek the advice of other authorities including the Police and district council on any action it intended to take.

With regard to invoking a byelaw on transport or any other matter, either by FPN or referring an offender to a magistrates’ court, please see our comments in the covering letter about the impracticalities of this without additional resources.

#### **8 Do you agree that the fixed penalty amount should be £75?**

No objection.