

## MINUTES OF ORDINARY MEETING OF EFFINGHAM PARISH COUNCIL

8.00pm, Tuesday October 27th 2015  
King George V Hall, Browns Lane, Effingham

### Present

Cllr Pindar - Chair

Cllr Brazil, Cllr Cornwell, Cllr Hackett, Cllr Hogger, Cllt Martland, Cllr Moss & Cllr Nicholls.

Parish Clerk & Surrey County Councillor (SCC) Cty Cllr Bill Barker

10 local government electors

<b>143.15</b>	<b>APPOLOGIES FOR ABSENSE</b> Cllr Lightfoot & Cllr Symes.
<b>144.15</b>	<b>REGISTER OF INTERESTS AND OTHER INTERESTS AFFECTING THIS AGENDA</b> Cllr Hogger declared an interest as a member of Guildford Borough Council's Planning Committee, and therefore does not comment on planning applications and as a EVRT Managing Trustee regarding items covering EVRT.
<b>145.15</b>	<b>MINUTES OF PREVIOUS MEETING</b> The minutes of the previous meeting of 29th September 2015 were agreed and signed.
<b>146.15</b>	<b>MATTERS ARISING FROM THE PREVIOUS MINUTES</b> A local resident raised concerns that their comments regarding the consequences for infrastructure from the high percentage of proposed development at the heart of the village had not been reported in the September minutes.
<b>147.15</b>	<b>MATTERS RAISED BY LOCAL RESIDENTS</b> Concerns that a green belt site had been proposed for development on Lower Road.  An update was requested regarding new Traveller pitches and SCC improvements at the end of Dirtham Lane. The Parish Council were able to confirm that a planning application had not yet been submitted for new pitches.  Cllr Pindar read out a reply to a letter received from EFFRA regarding Parish Councillor "Conflict of Interests" - see appendix  A resident spoke regarding whether more weight should be given to defining the principles of proposed development sites, rather than site selection process itself. The Parish Council disagreed with this as they believed it was essential to identify sites in order to influence where development could take place. It was noted that the 4 sites that they were continuing to review, and that this would be part of a forthcoming consultation with local residents. Residents and members of EffRA voiced concerns regarding the draft

	<p>NP and their perceived negative comments within the recent draft NP health check. Specific concerns were raised regarding the site selection at Effingham Lodge Farm.</p> <p>A suggestion to employ a NP Expert to support the Parish Councils efforts was made. This was not ruled out and would be considered by the Council at an appropriate time.</p>
<b>148.15</b>	<p><b>PLANNING MATTERS</b> <b>New planning applications</b></p>
<b>15/P/01749</b>	<p><b>Greenacres</b>, High Barn Road, Effingham. KT24 5PT Erection of a detached two storey house following demolition of existing dwelling and garage. <b>No Comment</b></p>
<b>15/P/01780</b>	<p><b>St.Lawrence Primary School</b>, Lower Road, Effingham. KT24 5JP Extension of an external canopy. <b>No Comment</b></p>
<b>15/P/01835</b>	<p><b>Upper Leewood Farm</b>, Effingham Common Road. KT24 5JQ Erection of a two storey rear extension with two dormer windows <b>No Comment</b></p>
<b>15/P/01849</b>	<p><b>The Long Barn</b>, High Barn Road, Effingham. RH5 6SU Detached two storey six bedroom dwelling with detached single storey garage and staff accommodation following demolition of existing dwelling and outbuilding. (part retrospective) <b>Objection</b> There is still the proposal to use retain and use the unauthorised basement for maintenance purposes, although it was noted it would be unlikely that any control can be exerted over the use of this. The proposal to tank the basement makes it viable to be included as part of the overall dwelling. The appeal to retain the basement was dismissed on the 13.09.2012, and there is no justified reason to allow it to be retained.</p>
<b>15/P/01864</b>	<p><b>Post Office</b>, The Street, Effingham. KT24 5LQ Change of use of ground floor post office and ground and first floor residential accommodation to six 1 and 2 bedroom flats including raising of and alterations to the roof to form habitable accommodation in the roof space, part two storey, part first floor side and rear extensions and alterations to the front elevation following demolition of existing garage and outbuildings. Creation of parking areas, bin store and cycle store to the rear and extension of driveway. <b>Objection</b> The proposed development would be an overdevelopment of a small site and building. It is felt that a change from commercial to residential use would be detrimental to existing retail businesses, and that there should be greater attempts to find a retail use for this site. The Heritage statement is inaccurate in that it states it was originally built as a private house, but local knowledge confirms it was originally built as a retail shop. There are concerns that there would be a considerable impact on the</p>

	local area during any building process, and may impact badly on local businesses and that the development would result in parking problems in front of shops.
<b>15/T/00225</b>	<b>Little Court</b> , Beech Avenue, Effingham. KT24 5PJ Crown reduction on 9 trees. <b>No Comment</b>
<b>148.15a</b>	<b>RESULTS OF PREVIOUS APPLICATIONS</b>
<b>15/P/01373</b>	<b>11 Manor Gardens</b> , Effingham. KT24 5PF <b>Approved</b>
<b>15/P/01649</b>	<b>Three Acre Barn</b> , Guildford Road, Effingham. KT24 5QQ <b>Refused</b>
<b>148.15b</b>	<b>TO RECEIVE APPEALS AGAINST PLANNING APPLICATION REFUSAL</b>
<b>15/P/01110</b>	<b>Paddock View</b> , Orestan Lane, Effingham. KT24 5SN Part two storey, part first floor rear extension including juliet balcony to rear extension and roof lights to side elevations. APP/Y3615/D/15/3135670 Original objection restated
<b>148.15c</b>	<b>Reports from Parish Councillors not included in the above</b> none
<b>149.15</b>	<b>TO CONFIRM FINANCIAL MATTERS:</b>
<b>149.15a</b>	Cheques were approved and signed - see table below
<b>149.15b</b>	Parish Councils Current Account - it was agreed that the Parish Clerk open a current account with the specialist local government provider Unity Trust Bank.
<b>149.15c</b>	Reports and correspondence received relating to other financial matters None
<b>149.15d</b>	A request for a grant from the Community Fund, by St.Lawrence Church Hall was approved (£3222.00)
<b>149.15e</b>	A request for a donation, from the Royal British Legion was approved (£80.00)
<b>150.15</b>	<b>Reports or correspondence received relating to Space / Amenity matters</b> None
<b>151.15</b>	<b>Reports received from Parish Councillors not include in above</b> The Parish Council received reports from Cllr's Pindar and Hackett regarding the previous grant request from Effingham Cricket Club. (September minute 136.15d) It was decided that a further meeting with the new Chairman of ECC be arranged at the earliest opportunity.

<b>152.15</b>	<p><b>VILLAGE PLAN</b>  <b>Update from the Village Plan Steering Committee</b></p> <p>See appendix</p>
<b>152.15a</b>	<p>The following recommendations from the VSPC were approved</p> <p>i) The VPSC are authorised to continue reviewing the draft Neighbourhood Plan</p> <p>ii) Regulation 14 consultation in compliance with the 'Neighbourhood Planning Regulation 2012' village wide survey of every household in the civil parish would be carried out early in 2016 following redrafting of the Neighbourhood Plan</p> <p>iii) The Chairman's half-yearly report should include an update on the Neighbourhood Plan</p>
<b>152.15b</b>	<p>It was approved to rename the Village Plan Steering Committee to - the Village Plan Steering Group within the Terms of Reference</p>
<b>153.15</b>	<p><b>HIGHWAYS AND TRANSPORT</b></p>
<b>153.15a</b>	<p><b>Current highway matters considered</b>  none</p>
<b>153.15b</b>	<p><b>Reports and correspondence received relating to other Highway Matters</b>  none</p>
<b>153.15c</b>	<p>There has been good progress regarding the possible Lorry Watch initiative, with Cllr's Pindar and Hackett approaching SCC Highways and Bucks and Surrey Trading Standard for support.</p>
<b>153.15d</b>	<p>The recent introduction of horses, the installation of a 5 bar gate, and the filling in of a ditch - at a field adjacent to the A246 was discussed. It was agreed this was not currently a Parish Council matter.</p>
<b>153.15e</b>	<p><b>Reports received from Parish Councillors not include in the above</b>  none</p>
<b>154.15</b>	<p><b>REPORTS</b></p>
<b>154.15a</b>	<p><b>Green Spaces</b>  The Rotary Club of Bookham and Horsley are due to meet on the 1st November - the purpose of the meeting is "Making a Difference in our Community". It is hoped this will result in a small Green Space project being undertaken within the Parish.</p>

<b>154.15b</b>	<b>Police and Community issues</b> Crime figures for September (x4) 1 x domestic incident 1 x assault at school 1 x criminal damage 1 x theft
<b>154.15</b>	<b>Allotments</b> none
<b>154.15</b>	<b>Schools</b> none
<b>154.15c</b>	<b>Home Farm Estate</b> The management of Home Farm Estate by GBC was discussed, and concerns voiced regarding land management and the report by Capita. It was agreed to meet with GBC to consider the future management of this area including the suggestion to create a land management committee.
<b>154.15</b>	<b>Friends of Effingham Common</b> none
<b>154.15</b>	<b>Smiths Charity</b> none
<b>154.15</b>	<b>Effingham Local History Group</b> It was confirmed that funds would be made available to ELHG for the purchase of Exhibition Display Boards. (Sept Minutes 136.15e) (£2185.00)
<b>154.15d</b>	<b>Local government/admin matters</b> The Parish Clerk gave thanks to Chris Hogger for resolving the Parish Council's website hosting issue
<b>154.15e</b>	<b>The Parish Council's Annual Return</b> for year ended 31.03.15 was approved and accepted by the Parish Council
<b>154.15f</b>	<b>Parish Room</b> The Clerk reported that the new broadband service had been installed into the Parish Office
<b>154.15</b>	<b>Effingham Village Recreation Trust</b> The Parish Council were advised by a representative of EVRT that planning permission had been submitted to GBC for the new signage proposal at KGV. The project is to be joint funded by the 2015/16 CFGA scheme and the EPC Community Fund
<b>154.15</b>	Cllr Pindar (Chair) recorded thanks to Anne Bott from SSALC for her recent Councillor Training session.
<b>155.15</b>	<b>CORRESPONDENCE</b> Correspondence received since last Parish Council none

**NEXT AGENDA**

To note the parish business for the agenda of the next meeting  
none

**Next meeting - 1st December 2015 KGV Hall. 8.00pm**

**149.15a**

**To approve and sign cheques -**

<b><u>Cheque No.</u></b>	<b><u>To</u></b>	<b><u>Description</u></b>	<b><u>£</u></b>	<b><u>Authority</u></b>
001141	CPRE	Membership renewal - Campaign for Protect Rural England	0036.00	
001142	HMRC	Clerk PAYE payment - July, August & Sept	0714.63	
001143	The Co-op business telecoms	Parish Room telecoms for September 2015	0021.31	
001144	Clerk	Clerk Wages	1467.10	
001145	Clerk	Clerk Reimbursement - postage & replacement phone for Parish Office	0046.20	
001146	BTS	Parish room copier charges to 16.09.15	0114.11	
001147	FPS (Dorking)	Annual charge to service fire extinguisher	0044.15	
001148	Burleys	Burial Ground Maintenance - Oct 15	0398.40	
001149	Above and Below Tree Services	Tree works at Parish Council Burial Ground - removal of Sycamore Tree	0500.00	
001150	Information Commissioner	Data protection register	0035.00	

	<b><u>APPENDIX</u></b>
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**147.15**

Mr C Dick  
Chairman  
Effingham Residents Association

27 October 2015

Dear Chris

You wrote to me on 23 October 2015 as follows. Our reply is inserted after each question:

*“potential Conflicts of interest*

*At our last EFFRA meeting this subject was touched on by two committee members. I would be grateful if this matter could be addressed at the next EPC meeting or before. It makes sense to do this now before EPC try and accommodate the points raised by the Independent Examiner during the NP Health Check process. And it seems in my opinion to be quite wrong for those in a decision making role to be able to influence where developments should take place and consequently have a negative impact on the equity of other residents in the village. This is particularly so whilst they may at the same time to be in a position to protect their own investment or that of neighbours.*

*Regards*

*Chris”*

Reply:

By definition, those in a decision making role ‘must’ be able to influence where developments should take place, that after all is one of the purposes of neighbourhood planning... for local people to have their say where development takes place. This means that decision makers ‘could’ be in a position to protect their own investment or that of their neighbours unless of course they were not villagers and I am sure that you are not suggesting that! With such influence comes the responsibility to act in the interests of the whole village.

‘Parish Councils’ are deemed, where they exist, to be the “qualifying body” to propose a Neighbourhood Plan to their electorate, for good reason. Each Councillor has by due process put themselves forward for election and accepted the stringent legal conditions attached to that role. In our case the ten Councillors stood unopposed at election.

It is worth remembering that the ‘decision’ here is simply which sites should be included in the draft Neighbourhood Plan. The Parish Council is committed to a parish-wide survey on that draft, and will change it if residents do not agree. The ultimate ‘decision’ on the Neighbourhood Plan will then be made by residents in a referendum of the whole parish, not by parish councillors.

*Please could you clarify how Effingham Parish Council’s Neighbourhood Plan Strategy Group members handle potential conflicts of interest? As you will appreciate we all have homes in Effingham and the desire to protect our investments in our homes is inevitable.*

*1. What steps, if any, are in place to ensure that individual members do not comment on or have any decision making role on potential sites near to, in sight of or adjoining their private dwellings? In this case perhaps 250 yards might be considered as reasonable.*

Reply:

We of course have stringent processes in place to avoid conflicts of interest, as is required for all meetings involving parish councillors. For example, when the 'Beech Avenue gap' land was scored using the criteria, both Cllr Cliff Hackett and Cllr Liz Hogger declared pecuniary interests, since they are shareholders in Champion Meadow Ltd which owns immediately adjoining land, and they took no part in the consideration of that land.

An arbitrary distance such as 250 yards is not appropriate. Guidelines used for the production of the Neighbourhood Plan are the same as the Parish Council uses when considering planning applications at Parish Council i.e. "would a reasonable observer think this had an effect on the Councillor's own property?"

*2. What steps, if any, are in place to ensure that members who have personally bought or been part of a syndicate to buy land with the possible intention of preventing development near their homes are not included in any function or committee that might indicate or decide on potential sites elsewhere in the village?*

Reply:

Any such pecuniary interests have already been disclosed by parish councillors - see the registers available on the Parish Council website <http://www.effinghamparishcouncil.gov.uk/about-us/councillors/financial-interests/>. If you are referring to the case of Champion Meadow, where both Cllr Cliff Hackett and Cllr Liz Hogger have declared pecuniary interests, Guildford Borough Council have been informed that this land is not available for development. Such pecuniary interests can have no effect on consideration of other pieces of land in the village which are known to be available for development. If you are referring to an "undisclosed pecuniary interests" then please bring the matter to mine of the clerk's attention urgently, as that would be a very serious matter.

*3. What steps have been taken to ensure that members do not meet with or discuss potential sites with developers or landowners outside of formally Minuted Parish Council Meetings?*

Reply:

Minuted meetings with landowners have taken place as part of the Neighbourhood Plan process, as you (Chris Dick) are aware since you attended them. (It is noted that no meeting took place with the representatives of the Church Road site.) All parish councillors are bound by the Code of Conduct and any private meetings with landowners which are not attended by council officers must be declared. Cllr Liz Hogger occasionally meets with landowners in the presence of borough planning officers in her role as our Guildford Borough councillor.

*4. What actions are in place to ensure that any such authorised meetings are indeed Minuted and published within a reasonable timeframe? In this instance say within 28 days.*

Reply:

There is no requirement to publish such minutes within a particular timeframe, but Effingham Parish Council expects to publish these in due course.

Yours sincerely

**ARNOLD PINDAR**

Chairman

cc Effingham Parish Councillors  
EFFRA Committee



**Report of Village Plan Steering Committee  
to Effingham Parish Council meeting 27 October 2015**

**Comments from public on initial draft Neighbourhood Plan**

VPSC has considered the comments from the public about the draft Neighbourhood Plan (NP) received following the public events on 11 and 12 September, and agreed to make some provisional changes to the draft and to the proposed survey before the Regulation 14 consultation begins.

**Health Check**

The Health Check from the Examiner Nigel McGurk was received on 5 October, but failed to answer clearly the two key questions concerning the housing target and whether the NP was able to extend the settlement area in a village washed-over by Green Belt. Clarifications were sought via GBC officer Dan Knowles and these are attached to this report.

The VPSC met with Dan Knowles on 9 October to discuss the Health Check and the clarifications required, and to agree the preliminary response to the Health Check.

Overall, the Health Check was considered to be helpful in terms of the wording and the policy structure likely to be acceptable in the NP. The clarifications indicate that the housing target and methodology is acceptable, and the principle of extending the settlement area may be acceptable if there is good justification and evidence of strong community support. The parish-wide survey during the Reg 14 consultation should provide evidence of whether or not the approach does have strong community support.

Preliminary responses to the Health Check are attached.

**Revised Timetable**

In view of the Health Check, and the many comments now received from members of the public and from GBC, it is recommended that the Regulation 14 consultation and parish-wide survey should be postponed until the new year, to give sufficient time for the NP to be redrafted. It is recommended that the Chairman's Half-Yearly report to the parish should explain the current position on the Neighbourhood Plan and invite any further comments on the initial draft.

**Recommendations to the Parish Council:**

- I) **The Village Plan Steering Committee be authorised to continue revising the draft Neighbourhood Plan to take account of:**
  - i. **comments received following the public**
  - ii. **the Health Check report from Examiner Nigel McGurk**
  - iii. **comments received from GBC**
- II) **The Regulation 14 consultation in compliance with the 'Neighbourhood Planning (General) Regulations 2012', including a survey of every household in the civil parish, will be carried out at in early 2016 following redrafting of the Neighbourhood Plan.**
- III) **The Chairman's half-yearly report should include an update on the Neighbourhood Plan**

Attached: