

CAPEL PARISH COUNCIL

010. MINUTES OF MEETING held on Monday 21st January 2013 in the Committee Room at Capel Village Hall.

011. PRESENT: Mrs Schryver (Chairman), Mr Dale, Mr McLachlan, Mr Garber, Mr Cox, and Mrs Coke the Clerk

012. APOLOGIES FOR ABSENCE: Mr Salter, Mrs Pearson

013. ALSO IN ATTENDANCE: Cllr Helyn Clack for part of the meeting, PC Dootson and PCSO Zucha for part of the meeting. Mr Peter Tindall for part of the meeting

DECLARATION OF INTEREST: Mr McLachlan declared a personal interest in any discussion regarding Europa Oil.

014. THE MINUTES: Minutes of the meeting on December 17th 2012 were signed as a correct record.

015. MATTERS ARISING: None

NB items 15a to 15f were taken out of agenda order

015a POLICE MATTERS: 1). Total Notifiable Crimes 18/12/12 to 20/01/13 = 12
Capel = 5 offences: 1x offence linked to Hurst, Vicarage Lane; 1x Vulnerable adult Investigation; 1x Assault; 1 x Criminal Damage to property; 1x public order /affray. Beare Green = 7 offences: 2 x Criminal Damage; 1 x Drink Driving offence; 2 x Harassment offences; 1 x interfere with motor vehicle; 1 x Purchase of goods with counterfeit money. Coldharbour = No offences.

2). NI's = MV/12/3407 Hurst- Enforcement Order served and has been received by owner.

PUBLIC QUESTIONS: *Mr Tindall: 4 yrs into the campaign against the proposed application by Europa Oil and Gas for the construction of an exploratory drilling site at Bury Hill Wood, SCC has voted in Cabinet not to defend the decision of the Inspector at the Public Inquiry. David McNulty (CEO SCC), at a meeting with LHAG, has said that the decision was taken on legal grounds and was on the advice of SCC's barrister and that it was not taken on the basis of cost, but that the door is still open in his mind.*

LHAG requests that the PC write to ask SCC to actively defend the case. (see Min ref. 15f)

015b MINUTES OF PLANNING COMMITTEE: 7th January 2013 were received and adopted by the Council.

(ii) Crest Nicholson's exhibition in the Beare Green Village Hall on 11th January had attracted about 40 people – residents and Councillors. Review of the questionnaires had been very positive. There had been discussions with Highways and all issues had been addressed although the final design of the junction had not been seen yet. The development has the support of the Policy and Development officers and is supported by MVDC Planning dept.

(iii) A Planning Application would be submitted during w/b 28.01.'13. This would be a three month application going to Committee in April. The 106 agreement would be sent later.

015f EUROPA OIL: (i) SCC had stated that Counsel has advised that SCC cannot contribute given the discreet ground of challenge and that given when Members refused the planning application they did not find that the development was inappropriate in the Green Belt.

(ii) While the County Council will continue to take all necessary action to defend the decision taken by the Planning and Regulatory Committee, having regard to Counsel's advice, it is for the Secretary of State to defend the decision of his appointed Inspector.

Maintaining the viewpoint that it is inappropriate development in the Green Belt is not a flaw in the legal argument.

All points had been taken into consideration by the Inquiry Inspector, a judge will decide if there is a case to be considered now and if so it will go to Judicial Review. Counsel would have to be instructed by a solicitor in order for it to go to JR and it would be inappropriate for the PC to write to the S of S. If the appeal decision were to be quashed it would have to be reconsidered at a fresh Inquiry (where the PC as a statutory consultee would give evidence)

It could therefore be detrimental to the PC's long term interests to be writing to SCC or the Secretary of State about the matter. Any pressure should come from Mole Valley because any development by Europa Oil is likely to act upon land in MV.

In recess: Cllr. Clack was unaware of the SCC decision and would write to her cabinet colleague for information on the decision and report back.

It was clarified for Cllr. Homewood that the width restriction in Coldharbour Lane had been implemented to stop the issue with SAT- Nav's allowing oversized vehicles to use the route with the possibility of becoming stuck / damaging the Sunken Lane banks. The restriction could not be used to prevent any prospective Europa Oil vehicles accessing Coldharbour Lane.

ACTION: To await a response from Cllr. Clack and not do anything to jeopardised the situation.

016A. TO ADOPT THE AMMENDED CODE OF CONDUCT 08/2012 to include paragraph 7 – Dispensations: 7.1 You do not have a Disclosable Pecuniary interest in any business of your Council where that business relates to setting of council tax or the setting of a precept under the Local Government Finance Act 1992. Copies of the amendment had been circulated in advance of the meeting.

RESOLVED : that the amendment be adopted

016B.FINANCE (i) Minutes of Finance Committee 16.01.13. The Minutes were noted. Budget monitoring to 31.12.2012 showed a surplus of £3,170 in income over expenditure, largely due to the re imbusement of costs incurred in 2011 for the proposed Godwins easement. Parish Maintenance would be well over budget due to the difficult weather conditions; Playground Maintenance had incurred additional expense due to regular inspections and topping up with bark. Consultancy fees incurred for the PC submission to the Europa Oil Inquiry would be a one off expense. Councillors agreed that the order for Disease Resistant Elm trees be reduced from 5 to 3 to reduce the cost - now expected to be £385 ex VAT plus £180 for planting. (it was noted that with the larger trees greater attention needed to be paid to stability). With the SCC grant of £250 the total cost was expected to be £315.00 ex VAT.

RESOLVED- The Minutes be adopted

(ii) Draft Budget 2013/2014

The PC Concurrent Grant for 2012/13 had been cut by £1,277 in common with other MVDC parishes. The Council relies heavily on this grant to cover Burial Ground and Recreation Ground maintenance, in addition the anticipated reduction of Burial Ground income by approximately one third had led the Finance Committee to recommend that in order to present a balanced budget the Precept be increased by £2,400 to £32,400

RESOLVED: The Draft Budget be adopted and the Precept for 2013/14 be set at £32,400. The payment forms to be submitted to MVDC

016C. HIGHWAYS MATTERS

1 Gritting : The gritter machine had been used in advance of the recent forecast snow. Spreading on the lowest setting proved inadequate on most of the route but is more grit is to be delivered and pre-salting will be at a much denser rate in future. Most of the pavements in the centre of Beare Green were cleared of snow manually.

2 Request for white / yellow lining in Old Horsham Rd Beare Green:

In recess Cllr Clack stated that Highways had agreed to the white lining in Old Horsham Road to prevent parking at its intersection with Hawkesmoore Drive and to hatching off the bus stop to allow a safe area for passengers to alight. This would be carried out at the beginning of February.

3. Request for replacement 'Capel' sign on Seamans Green Road had been made to Highways. This may not be possible until the new financial year. The Clerk is due to meet the CHO to discuss location.

4. Surrey Highways Localism Initiative

Meeting of Dorking Rural Highways Hub 28th Jan

5. Biffa Cable laying works through Capel: These are now complete, the two re dug areas have been closed up and tarmacked and all the signage removed. The cable still has to be connected at the substation but does not involve work in the road.

6. Blocked Gullies in Vicarage Lane: The Jetta lorry has investigated and established that there is a blockage – probably concrete under the road between Charlotte Broadwood flats and the Old Vicarage and also between the ditch opposite the Old Police House and Lavender Cottage. Unblocking either will involve road closure and a high cost.

015D WARD MATTERS

Beare Green: Project OverHall:

1. There is concern regarding the response from the Big Lottery Village SOS application for funds where all the reasons for refusal indicate that the application had not been completed to meet the Big Lottery assessment criteria, as explained in the application guidance. 2(i). The PC insists that a professional Fund Raiser be employed (payment on % basis) in addition to a Project Manager and that a Business Plan be drawn up. 2(ii) The PC requires a clear statement of what the total costs are and where the money is coming from, details of total costings per phase, if there has been any uptake of the capital cost and whether there are any contingency plans. It should also be demonstrated how income is to be generated to meet the running costs.

ACTION: The Clerk to write to Mrs Marsh of the Project OverHall Committee re the above, (David Lloyd the Chairman having resigned).

In recess Cllr Homewood - the cost of Disabled Toilets was being met from the Tripartite grant, the contractors had already been appointed and work would start on 1st Feb 2013. The scheme is in sections so it can be addressed in stages.

Coldharbour: An application to be made for a TRO on Coldharbour Common Road (D287) to prevent motor vehicles using the road during the winter months – application to be made on safety grounds and as a Public Nuisance issue.

ACTION: Cllr McLachlan

016E. PARISH MAINTENANCE :None

017. CORRESPONDENCE

Thursday 24th January - Clerks meeting with Yvonne Rees CEO MVDC

Monday 28th January – Dorking Rural Highways Hub.8.00pm Hamilton Room, Betchworth.

Tuesday 12th February – SCC Volunteer Path Warden Scheme. 10 .0am till 12.30. Wotton Village Hall

Tuesday 26th February - Rights of Way Training with Steve Mitchell. -10.0am till 12.30. Wotton Village Hall

1.MVDC Local Plan Consultation on Draft Supplementary Planning Documents: Landscape SPD and :Larger Rural Villages Character Appraisal SPD (Larger Villages Character Appraisal SPD covers the villages of Beare Green, Brockham, Capel, Charlwood, Hookwood and Westcott. Documents available for consultation between Friday 18th January and Friday 1st March 2013. For discussion Planning Committee 4th February.

2. Letter from Capel Cricket Club to the effect that the Football Club agrees to the dissolution of the (Capel) Pavilion Committee and the Cricket Club taking over the management, with the Football Club hiring the facility on a match by match basis at a charge to be reviewed annually.

3. Nick Boles, Planning Minister’s announcement that from January 2013 Planning Authorities will be able to claim up to £50,000 as start-up grants for up to 10 of their communities ie £5,000 per community.

4. SSALC January Newsletter: Drop in surgeries across Surrey 2013 for Members, Chairmen and /or Clerks to discuss issues/topics with Anne Bott and members of the Management Committee. Starting 23rd January. Community infrastructure levy to replace Section 106 agreements and raise around £1bn /yr from property developers.

5. Notification that there are still funds available to be allocated from Cllr Clack’s Members allocation funding that are not allowed to be carried forward over to the next financial year.

6. Document from NALC requesting information on tracking / monitoring effects of the localisation of council tax support measures regulated for by parliament in December 2012

018. URGENT MATTERS AT DISCRETION OF CHAIRMAN FOR INCLUSION ON A FUTURE AGENDA – None.

019. PAYMENTS AND RECEIPTS FOR JANUARY 2013

(Payments were made on January 21st except where otherwise stated)

PAYMENTS

Payable to:	£	VAT
Mrs JM Coke (Clerk's salary Min.046G'09 +ess. car + mileage)	853.63	
HM Revenue & Customs (NI + PAYE mnth 9)	101.60	
Ede Bros (annual storage charges)	16.00	3.20
Capel Village Memorial Hall(meetings Oct to Dec 2012)	90.00	
Fred Evans (repair of Mortimer Rd sign)	284.00	
J Coke (Special Delivery)	6.35	
Total	1,351.58	3.20
	1,354.78	

RECEIPTS

Kathleen Donohoe	150.00	
Miss Laverty	150.00	
Total	300.00	

Statement Balances (unreconciled) at January 21st 2013

Current Account	16,518.86
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Payments and Receipts were adopted as an accurate record.

020. DATE OF NEXT MEETING: The next meeting of the full Council is on Monday 18th February 2013