

MINUTES FOR THE ANNUAL GENERAL MEETING OF BARLEY PARISH COUNCIL
HELD VIA ZOOM ON MONDAY 1st JUNE 2020

1. Present

Cllr Jerry Carlisle, Cllr Ian Turner, Cllr Bill Sterland, Cllr David King, Cllr Brian Haughey, Cllr Yvonne Lee

2. In attendance

County Cllr Fiona Hill, District Cllr Gerald Morris, Mel Chammings (Clerk), Tim Martin (RFO)
4 members of the public

3. Apologies

District Councillor Tony Hunter, Nick Shaw (Chair, Town House Committee)
County Cllr Hill and District Cllr Morris gave apologies that they would leave the meeting early due to other commitments.

4. Introduction

Cllr Carlisle welcomed everyone to the first virtual parish council meeting using Zoom. He briefly outlined some protocols to ensure that the meeting ran smoothly. The attendees were informed that the meeting would be recorded.

5. Election of officers

The meeting was required to elect a Chair and a Vice Chair for the forthcoming year.

Cllr Carlisle stood down as Chair, Cllr Turner took the chair. Cllr Carlisle was proposed as Chair by Cllr Turner and seconded by Cllr Haughey.
There being no other nominations Cllr Carlisle was unanimously re-elected as Chair of the Parish Council for the coming year.

Cllr Turner stood down as Vice Chair. Cllr Turner was proposed as Vice Chair by Cllr Haughey and seconded by Cllr King.
There being no other nominations Cllr Turner was unanimously re-elected as Vice Chair of the Parish Council for the coming year. The declaration of office register book would be signed in due course.

6. Councillors' declaration of interest

Cllr Turner declared an interest in the planning item as he was currently engaged in a business negotiation with the land owner. As this was not directly connected to the planning item the declaration was noted.
There were no other declarations of interest made.

7. Minutes of the last meeting

The minutes of the meeting held on 2nd March 2020 were read and approved.
Proposed by Cllr Sterland and seconded by Cllr Haughey

8. Matters arising

There were no matters arising not already on the agenda.

9. Decisions made and actions arising from March to date

There were no council meetings during April and May due to Covid 19 restrictions. The following decisions were made during the closedown period.

Decisions

- 1) It was agreed by all to accept the quote of £60 from our website host Minted Box to review our website to ensure that it meets the new accessibility regulations. The clerk would follow this up.
- 2) Town House committee agreed the recommendation of BPC to commission Savills to investigate the condition of the Town House roof and chimney, at the quoted price of £500. Cllr Carlisle would commission this work.
- 3) Following agreement by the BPC, Cllr Haughey sourced and bought a new A3 colour printer for the Clerk's use.
- 4) It was agreed to waive the June quarters rent for the Club Room (due to Covid 19 difficulties experienced by the tenant), but only that payment. All other terms and conditions of the lease remained in force.
- 5) It was agreed to continue with the planning application for the new container storage facility (now at consultation stage).

Actions outstanding from March

- 1) There was no further information from Mr Doggett about the ownership of the land/ditch running along the lane towards the waterworks.
- 2) Although the Village Plan Review meetings were postponed, Cllr Lee hoped to continue work on the survey questions.
- 3) Further action on speeding was on hold due to the crisis. Rural police had put random village speed checks in place but these were likely to be on hold also. The meeting with Sir Oliver Heald about the speeding issue and Barley's APNR proposal was also on hold, although County Cllr Hill continued to pursue this. It was unlikely to take place until Covid 19 restrictions were lifted. *{See Update from Cllr Hill re addition to Highways plan at action 5}.*
- 4) Cllr Carlisle had obtained one quote for the tree works behind the scout hut at £4000 and was awaiting a second quote.
- 5) A further iteration of the Highways Action Plan, identifying Barley priorities was sent to Derek Jerrard (HCC Highways) and County Cllr Fiona Hill updated to include reinstatement of rumble strips and signs.
- 6) We were still waiting for a proposal from Drainworx for repairs to the cesspit a) fit for current usage and b) for use if and when additional facilities were installed.
- 7) Countryside Management were informed about the need for footpath repairs to the fence/gate at Lovely View and the bridge onto Barkway Road from Rand's field. The Clerk would follow this up and also request that the vegetation on key footpaths be cut back.

10. Updates from County and District Councillors

County Cllr Hill reported that the new HCC budget for 20/21 had been agreed. There was a 1.99% increase over all of which 2% was ring-fenced for social care. The budget for Highways was 1.4 million.

She outlined the significant work carried out in the last few months and praised the NHS and local community groups, some of which she was actively supporting. Services were now

beginning to open: Schools which had continued to open to key workers were now gearing up to take Reception and Year 1 pupils. She had spoken to the Head of Barley/Barkway School and noted that real efforts were being made to redesign the school to ensure a safe and sound return for pupils. Royston recycling centre was now open, but very busy. Libraries were still closed but would open as soon as it was safe to do so.

She gave personal thanks to all the key workers and volunteers who continued to support the ongoing crisis, particularly services to the most vulnerable. She would continue to support community groups including Barley Assistance, financially if necessary.

With regards to Highways work for Barley she reported that the installation of the deer signs was now in the programme *{now confirmed that they were installed}*; funding was being sought for the drainage issue in London Road and indeed it had been escalated to the priorities team; resurfacing of both London Road and Church End was also programmed; and, the high level meeting to discuss the speeding issue would be progressed as soon as restrictions were lifted.

District Councillor Morris

Cllr Morris reminded the meeting that business grant schemes were available and hoped businesses in Barley were able to take advantage of the schemes. He would send the Clerk an information sheet for distribution as appropriate.

A key issue of the moment was the lack of water supply to the village, which also affected parts of Royston, Buntingford and Barkway. The matter had been escalated further to resolve. *{At the time of writing the water pressure had improved}*

The Household Waste service had returned to normal and as stated earlier the Royston Recycling Centre was open.

He informed the meeting that the Conservation officer had made comment on the Drayton's garage planning proposal and had requested changes. The comments were on the public website. So far there was no response from the agent.

District Cllr Morris left the meeting at 19.40

11. Barley Assistance Update

Andrew Sims, the lead volunteer, gave the update.

A number of residents, representatives from the Parish Council and Rev Ruth Pyke formed the steering group. The scheme currently involved three tranches.

Firstly, volunteers were sought to provide assistance with shopping and picking up prescriptions for the vulnerable residents in the village. This was the message on the first flyer.

Secondly to alleviate any hardship Barley Charities was asked to become involved and through a further flyer, donators and recipients were sought.

Thirdly, Rev Ruth Pyke had informed the group about village food banks being set up elsewhere and suggested that some families in Barley may be struggling. The Barley Parish Pantry was set up in the Church Porch. This was the key message in the third flyer.

Andrew thanked all the volunteers, Barley Charities, everyone in the village shop and particularly County Cllr Hill for financial assistance from her Locality fund. Cllr Hill said that if more assistance was required then a further application could be made. [*An application was subsequently successfully made*]

Cllr Hill left the meeting at 19.54

12. Planning

Prior approval Class R Agric to Flex use: Change of use of agricultural building to flexible commercial

Land adjacent to 2&3 Wells Cottages, Smiths End Lane, Barley

Reference: 20/01094/PNR

Barley Parish Council have considered this application and resolved as follows:-

Barley Parish Council objects to this application and ask NHDC, in arriving at their decision, to take the following comments into account:-

The application (ref 20/01094/PNR) submitted to North Hertfordshire District Council is for Prior Approval for the change of use of an agricultural building under Class R, Part 3, Sch. 2 of the General Development Order (Amended) 2015.

The Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2 Part 3 Class R

BPC was of the opinion that the previous prior approval application incorrectly identified the curtilage of the site: that view was accepted by NHDC, and the applicant withdrew the application. In this current application, whilst the curtilage has been modified, we are still of the opinion that it is wrong.

At Para X, Part 3 of the GDO the curtilage for the purpose of Class R is defined:-

- (i) The piece of land, whether enclosed or unenclosed, immediately beside or around the agricultural building, closely associated with and serving the purposes of the agricultural building; or
- (ii) An area of land immediately beside or around the agricultural building no larger than the land area occupied by the agricultural building; whichever is the lesser.

In this instance the application for prior approval is still clearly for a larger area of land than the curtilage as defined under Para X. The development cannot be Permitted Development; this is the purpose of the text, "which ever is the lesser".

We do not dispute that the open hay barn, if its curtilage were correctly identified, would fall within Class R as an agriculture building and satisfies the provisions under R1. However, the applicant has not satisfied the specific conditions under R3, namely:-

Before changing the use of the site under Class R, and before any subsequent change of use to another use falling within one of the use classes comprising the flexible use, the developer must:-

- (b) where the cumulative floor space of the building or buildings which have changed use under Class R within an established agricultural unit exceeds 150 square metres, apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to:-
 - (i) transport and highways impacts of the development;
 - (ii) noise impacts of the development;
 - (iii) contamination risks on the site; and

(iv) flooding risks on the site,

The applicant states the existing floor area is 159m² but there is included in the supporting documents to the application, a plan that suggests that if permission is granted the applicant has a development of some 312m² in mind. This means condition R3(b) is applicable and must be addressed. The proposed change of use will undoubtedly result in both a material increase and a material change in the character of traffic using the site. The transport and highways impacts must be considered. Unfortunately, the applicant has provided only a very scant analysis of the likely increase in traffic upon Smiths End Lane, and by association, its residents. Allied to this will be the substantial noise impact that will result from the change of use. The resultant impact and effect on neighbouring properties, the character of the area and the Barley Conservation Area, would be wholly unacceptable. In our view, these are sufficient grounds for refusal of an application for prior approval, as upheld we believe in the appeal decision at Upper Bushwood farm, Hope-under-Dinmore, Herefordshire.

The National Planning Policy Framework (NPPF) has at its heart a presumption in favour of sustainable development and in this context supports the development and diversification of agricultural and other land based rural businesses. However, the emphasis is very much on supporting a prosperous rural economy in the context of sustainability; at para 84 it states:-

Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist."

Paragraphs 108-110 of the NPPF deal with promoting sustainable transport within development proposals; para 108 gives direction to specific considerations:-

b) safe and suitable access to the site can be achieved for all users; and

c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

However, Para 109 is unequivocal, if there is an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe, then development should be prevented or refused. In this context para 110 states that an application for development should:-

a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;...

c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;

d) allow for the efficient delivery of goods and access by service and emergency vehicles;

e) be designed to enable charging of plug-in and other ultra low emission vehicles in safe, accessible and convenient locations;

Smiths End Lane throughout its length, from London Road to Bogmore Road, is predominately a single lane with no footways– typically less than 4m in width, with hedges and raised banks on both sides. The exception to this being directly at its junction with London Road, where the lane widens to circa 5.5m. There are sharp bends at various points along the lane where visibility is extremely poor.

The sightlines at the junction of Smiths End Lane and London Road are very poor. For a 30mph speed restricted area, sight lines of 43m in both directions is required. This junction has 40m to the left and 20m to the right. The BPC operate a speed camera to the left of this junction and from data collected over many years, we know that a substantial number of vehicles do not adhere to the 30pmh speed limit. We have no doubt that if a speed survey were carried out at this junction it would indicate an 85th percentile (design) speed in excess of 30mph which would require greater than 43m visibility splays at the junction.

The applicant identifies a floor area for the existing building of c159m². In the previous application, and in the supporting documents to this one, further information was (is) given that the scale of the development was likely to be 4 business units of 78m² each; 312m² in total. A reasonable density of staff to floor space for this type of unit would be 1:9m², indicating some 34 people potentially working out of this property. Six car parking spaces have been indicated with an additional unquantified “gravel area for car parking” also included. Six spaces for staff, without provision for visitors and delivery is wholly inadequate; undoubtedly vehicles would then be forced to find somewhere to park on Smiths End Lane exacerbating the situation even further.

In the very sparse highways analysis provided by the applicant, they have concluded that the traffic generated by this development will be 7 x2 way at peak hours – this is quite frankly nonsensical.

The applicant has based the analysis on larger units and only peak hour movements. Statistically smaller units tend to have higher trip rates and traffic movements need to be considered across a far wider time frame to capture all likely movements including deliveries and visitors. Extending the analysis, the actual traffic generation from this change of use is more likely to be in the range of:-

9 morning and evening peak hour travel movements

59 daily (7am-7pm) vehicle trips

75 all mode person trips

The site is only accessible by car and no other mode of transport – unless all staff happen to be residents of Barley, which is highly unlikely.

In conclusion, before changing the use of a site under Class R, the applicant must address the highways impact. The applicant has failed to do this in any detail whatsoever and has not had any regard to:-

- The increased traffic generation;
- The increase in conflict between different road users;
- The impact upon safety and residual cumulative impacts
- The failure to provide safe and suitable access.

The guidance in the NPPF is unequivocal; if there is an unacceptable impact on highway safety or the residual cumulative impacts on the network would be severe then the development should be prevented or refused.

In conclusion, BPC are totally opposed to this proposed change of use - it will not create a safe, secure and attractive environment. Rather it will materially increase conflict between pedestrians, cyclists and motorists, destroying the character and amenity of Smiths End Lane for residents and villagers alike. We consider the demonstrable harm that would be occasioned to the Barley Conservation Area, the impact on highway safety and the environment, and the cumulative adverse impact on residents, from this proposal would totally outweigh any possible benefit that the applicant may argue would result from this proposed change of use.

In addition we would refer the Council to the strong opposition from villagers to these proposals, as evidenced by the many objections received by NHDC and recorded on their website for this application, all reflecting these concerns; these are the people who would be directly impacted, whose safety and amenity would be so severely compromised.

13. Financial Officers Report & Signing of Payments

Payment made during March, April, and May 2020

March payments

Barley Parish Council

M Chammings	382.80	Clerking March
T Martin	344.72	RFO March + Host it Fee
HMRC	417.60	PAYE due
B Haughey	239.98	Reimbursement for printer
Hardcastle Burton	216.00	Payroll services

Proposed by Cllr Carlisle and second by Cllr Sterland

Barley Town House

HCC	841.39	New tables
R.Saklatvala	212.40	Reimbursement booking system
Swift Fire & Safety	891.00	Fire alarm remedial work
Swift Fire & Safety	60.00	Emergency Lighting Service
Affinity	358.59	Water & Sewage
The Diary	75.00	Annual Advertising Fee
N Shaw	262.11	Expenses Dec-March
C Robinson	80.00	Cleaning March
G Shillick	150.00	Refund wedding deposit

The above payments were authorised during the period

Proposed by Cllr Carlisle and seconded by Cllr Haughey

April payments

Barley Parish Council

HAPTC	£387.47	Annual membership & NALC affiliation
Came & Co	£158.14	Additional annual premium for Town House to cover terrorism
NHDC	£256.00	Planning application new storage facilities

Timothy Ashcroft/Sapele Design	£350.00	Planning application as above
M Chammings	£307.58	Clerking for April
T Martin	£329.15	RFO for April
Red Graphics	£82.50	Barley Assistance leaflet (Locality grant)
Red Graphics	£86.40	Barley Assistance leaflet (Locality grant)

Barley Town House

R Saklatvala	£69.90	Lettings fee Feb-March
Thomas Morgan	£600.00	Repayment re wedding postponement

All of the above payments were agreed on 30th April
Proposed by Cllr Carlisle and seconded by Cllr Haughey

New on line payment process

In April a new payment process was set up to allow payment by bank transfer, rather than cheque. Once the payments were approved by the Council, the RFO set up the payments, Cllr Haughey authorised them and Cllr Sterling checked that the payments were made. It was agreed to continue this process during lockdown and if it was successful to consider it as permanent.

Payments authorised June 1st 2020

Barley Parish Council

Rospa	£ 103-20	Annual Play area & Plaistow inspection
M.Chammings	£416-45	Clerking for May and Zoom invoice
T.Martin	£ 421-20	RFO for May
T.Martin	£ 25-00	Reimbursement of Planning Portal fee
B.Haughey	£ 19-32	Reimbursement for new fixings re play area

The above payments were agreed and authorised.
Proposed by Cllr Turner and seconded by Cllr Sterland

Barley Town House

Swift Fire & Safety	£ 166-80	Fire alarm call out
N.Shaw	£ 109-00	Reimbursement re cleaning/materials March/April

The above payments were agreed and authorised.
Proposed by Cllr Turner and seconded by Cllr Haughey

Annual Audit

Prior to the meeting, Mr Martin had circulated the Review of Effectiveness of Internal Controls which was discussed and agreed by the meeting.

Papers relating to the Annual Governance and Accounting Statements for 2019/20 had also been previously distributed.

The assertions of the Governance Statement were considered, agreed and signed off by the Chair, Cllr Carlisle and the Clerk, Mel Chammings.

The Accounting Statement prepared and certified by the RFO was considered, agreed and signed off by the Chair, Cllr Carlisle.

14. Town House

In the absence of Nick Shaw the Clerk reported that the Town House was being checked twice a week to ensure security and safety to meet our Insurance terms and conditions. The outside was also being cared for.

On advice from Tim Hayward-Smith of CDA Herts about the safe opening of halls, Nick Shaw would call a committee meeting to discuss the requirements. Once halls are allowed to reopen, if social distancing is still in place we would need to decide how many people could be accommodated, where the pinch points would be and what PPE and signage would need to be supplied. We would also look at the hirer agreement and the 'Covid' responsibilities of the hirer. The clerk had sought advice from DBA Safety our Health and Safety consultant, but there was no response yet.

There was a suggestion that the school may benefit from using the Town House in September to allow social distancing of pupils. Tim Martin would approach the school governors to find out if they had any such plans in mind. Cllr Carlisle suggested that to be feasible the school would need to hire the whole Town House, but we also needed to consider the community groups who normally use the premises.

15. Recreation ground

Cllr Turner reported that the Rospa report indicated a small number of minor repairs to the equipment which Cllr Haughey had carried out. It was also noted that once there was the go ahead to open the playground the equipment should be checked.

The disposal of rubbish from the bins in the Plaistow was problematic because when it rained the current black bag system filled up with water making it difficult to lift the rubbish out of the bin. It was suggested and agreed to stop using the bags and just empty the inner cages which could let water escape. It should be noted that these bins are emptied by councillor volunteers, and that it would be appreciated if users of the Plaistow took their rubbish home if possible.

Cllr Carlisle also asked that large groups of people who would not abide by the social distancing rules should be discouraged from using the venue.

Cllr Turner raised a complaint on behalf of the tennis club. Significant tree branches had fallen next to the courts. The trees were on school land. The school governors would be approached to rectify the issue.

16. Health and Safety

There were no additional health and safety issues to report.

17. Correspondence

There was no additional correspondence

18. AOB

The council agreed to send a letter supporting a Rural Mobility Fund, which would give residents greater public transport flexibility.

There was a request to use the Plaistow for outdoor fitness. This was agreed subject to the applicant having the appropriate insurance and regard for social distancing and equipment hygiene.

Cllr Turner had been approached by the tennis club who had received a directive from the Lawn Tennis Association (LTA). The directive stated that for insurance purposes, all users of the courts should be members. This was contrary to Parish Council conditions which allowed non members to play. It was agreed that Cllr Turner would ask the club to provide non club members with a temporary membership at minimal cost to satisfy their insurance requirements.

The decision on when and how to hold the Annual Village meeting would be made in September. The clerk would notify residents in the usual ways.

The next meeting would be via Zoom on Monday 6th July, start time 7.30pm.

The meeting closed at 21.15

