

MINUTES of the Plaistow and Ifold Parish Council Meeting held on **Tuesday 11th February 2020**, in Winterton Hall, Plaistow.

Present Cllr. Alan Pearson (Chair); Cllr. Sophie Capsey (Vice Chair); Cllr. Paul Jordan; Cllr. Phil Colmer; Cllr. James King-Wilson; Cllr. Paul Reynolds; Cllr. David Ribbens; Cllr. Jerusha Glavin and Catherine Nutting (Clerk)

Four (4) members of the public attended including District Cllr. Gareth Evans and County and District Councillor Janey Duncton.

C/20/020 **Apologies**
Apologies were received and accepted from Cllr. Nick Whitehouse; Cllr. Matthew Hardman and Cllr. Nicholas Taylor

C/20/021 **To receive declarations of Members' pecuniary interests relating to agenda items**
None received.

C/20/022 **To receive for confirmation Minutes of the Meeting held on 21st January 2020**
Agreed and signed.

C/20/023 **Representations from Members of the Public: To receive and act upon, if considered necessary by the Council, comments made by members of the public.**
None received.

C/20/024 **To receive reports from County and District Councillors**
Cllr. Duncton advised that West Sussex County Council's (WSSC) Children's Services are making progress under the leadership of John Coughlan, WSSC's new Children's Commissioner and CEO of Hampshire County Council.
WSSC's Fire Service is being well managed by its new Chief Fire Officer, Sabrina Cohen-Hatton. West Sussex and Surrey County Councils' joint Contact Centre will not impact response times; but aims to save WSSC £1 million year on year.
The Revenue and Capital budget will be considered by the Full Council on 14th February.

Regarding Lagoon 3, The South Downs National Park (SDNP) have indicated that they can help put pressure on the EA, if this will assist.

District Cllr. Evans delivered his report, which is appended as A.

C/20/025	Member's Responsibilities The Parish Council resolved to assign a 'Lead Member' to each substantive agenda item, who will lead the discussion during the meeting and take responsibility for the matter going forward. At the conclusion of each meeting, ' Items for inclusion on a future agenda ' will be considered in detail and Lead Members appointed; the items will then be assigned to specific agendas.	Cllr Hardman & Clerk
C/20/026	VE Day 75 The VE Day Steering Group's recommendation is that this remains a standing agenda item until the event. Sallie Baker and Cllr. Glavin joined the Steering Group. The Clerk has successfully applied for a £250 grant from CDC. The Parish Council resolved to order a Commemorative Bench from Streetmaster, who supplied two benches in 2018/19 funded by the New Homes Bonus scheme. The next Steering Group meeting is Tuesday 25th February 2020, Winterton Hall, Plaistow at 7:30pm.	VE Day Steering Group & Clerk
C/20/027	Scheme of Delegation A Scheme of Delegation sets out the remit of the full Council, its Sub-Committees and staff. In particular, the document will allow No Comment planning decision to be made by the Proper Officer consequently allowing some Planning Meetings to be vacated. The Parish Council resolved to adopt the Scheme of Delegation, which will be available on the website.	Clerk
C/20/028	Plaistow Village Green Ditch Maintenance The Parish Council resolved to organise a Working Party on Sunday 15th March 2020 to clear the leaves from the ditches around the Plaistow Village Green. Members and other volunteers to meet outside Plaistow Stores at 3pm.	Cllr. King-Wilson & Cllr. Jordan
C/20/029	Lagoon 3 – Environment Agency update and further action The Parish Council's letter to the Environment Agency and their reply are appended as B and C respectively. Councilors' concerns are heightened due to the recent poor weather. District Cllr. Evans will chase the report arising from the on-site meeting between CDC and the EA.	Cllr. Paul Reynolds, Cllr. Jerusha Glavin & Clerk

Neither CDC nor the EA are prepared and/or able to take responsibility for the lagoon at the current time. The Enforcement Notice expires in May 2021. Despite assurances given at the recent public meeting by the Chairman of Artemis, the Parish Council remains concerned that Artemis Land and Agriculture will offer to clear up lagoon 3 as quid pro quo for planning permission. District Cllr. Evans has asked Andrew Frost, Head of Planning Services at CDC, to publicly confirm that this will not be allowed to happen.

The validity of the Emergency Plan for the site has been called into question. The Plan is predicated upon the use of AD3, which has been decommissioned, leaving the environment and community exposed to a potential environmental disaster.

The Parish Council resolved to write to Ms. Keegan MP and invite her to chair a meeting between the EA, CDC and the Parish Council.

C/20/030

Parish Social Housing

Cllr. Capsey &
Clerk

The Parish Council resolved to ask the Neighbourhood Plan Steering Group to consider its policy recommendations regarding 'affordable housing' and to clarify if this is Social Rent housing.

The Parish Council resolved to find out how many families are on the Housing Register and who has moved out of the Parish, but within Chichester District, on housing need.

The Parish Council resolved to provide clarity on all the various forms of 'affordable' housing schemes and monitor the development of CDC's DPD site.

C/20/031

Highways

a. Matters to be reported by Members

Cllr. Capsey has comprehensively reported all known potholes to Highways.

A member of the public has raised their concerns regarding land clearance at land adjacent to Corner Copse accessed off Foxbridge Lane, Ifold. Habitat and ancient woodland may be affected. The Parish Council resolved to report the matter to Enforcement.

Cllr. King-Wilson was thanked for clearing fallen trees and debris on the highway after storm Ciara.

b. Signage and verges along Foxbridge Lane

The Ifold TRO, reducing the speed limit from 40mph to 30mph, did not extend to Foxbridge Lane. A Member of the Public raised child safety outside the Scout Hut and suggested the need for warning signs. The Parish Council resolved to raise the matter with the

Cllr. Ribbens

various Scouting groups who use the hall
The verges along Foxbridge Road were damaged by the Crouchlands lorries; there is considerable erosion which makes it unsafe for pedestrians. The Parish Council resolved to contact WSCC Highways to request an assessment of the damage and to make good with soil infill, rather than tarmac. Clerk

c. TRO - Rickmans Lane Cllr. Pearson

The Parish Council resolved to apply for a TRO to extend the 30mph limit along Rickmans Lane, Plaistow. Cllr. Pearson was assigned Lead Member.

d. Surface water drainage along Plaistow Road, Ifold
Southern Water has confirmed that it is surface water. They have recommended contacting Highways as they do not operate surface water drainage in the area. The Parish Council resolved to chase Highways regarding ditch management along the roadside and to invite Loxwood Parish Council to do likewise in relation to the stretch of road in their Parish area. Clerk

C/20/032 **Traffic Calming in Ifold** Cllr. Pearson & Clerk
The Clerk and Cllr. Pearson are meeting Highways on site to determine the location(s) and type of SIDs to be installed along the Plaistow Road, Ifold. The Clerk is awaiting rough costs and likely longevity of road markings from Balfour Beatty for ongoing budget purposes.

C/20/033 **Financial Matters** RFO
a. To approve Order for Payment
Approved and signed. Appended at D.

b. Kelsey Hall electricity contribution
The Parish Council resolved to pay an annual contribution of £10. This will be added to the annual invoice by the Management Committee, who will supply the Clerk with electricity tokens for use in the machine throughout the year.

c. Operation Bridge – Book of Condolence
The Parish Council resolved to try and locate its Book of Condolence before purchasing a replacement. Cllr. Capsey

C/20/034 **Clerk's Update** Clerk
a. Parish Online training will be arranged once dates are provided by the trainer.

b. Annual Assembly

The Parish Council resolved to hold the Annual Assembly on the same date as the Annual Parish Council Meeting in May 2020. Clerk

c. Policies review including Asset Register

The Parish Council resolved to complete its Policy Reviews and Asset Register update by 15th April, Internal Audit. Clerk

d. Newsletter

The Parish Council resolved to send a quarterly newsletter. Cllr. Reynolds and Cllr. Glavin to design. Clerk, Cllr. Reynolds, Cllr. Glavin & Cllr. Pearson

C/20/035

Correspondence

- a. The Parish Council resolved permit Plaistow and Kirdford Primary School PTA's annual Easter Egg Hunt on the Plaistow village green.
- b. EA Ansell Contractors have confirmed that they will complete the painting of equipment and seed the Lady Hope Playpark in March.
- c. The Parish Council has been notified of the following Temporary Road Closure and raises no objections:

Plaistow Preschool Maypole Fete – Friday 8 May 2020 (10 am - 5pm)

The event will take place on Friday 8 May 2020 and the closure is required from 10.00am until 5.00pm. The road to be closed is Loxwood Road, Plaistow from its junction with The Street at the Parish Church south eastwards to the junction adjacent to the village post office and shop at the corner of the village green.

C/20/036

Items for inclusion on the March agenda:

Clerk

- a. Plaistow Football Ground – Cllr. Whitehouse & Cllr. Capsey
- b. Grant payments for 2020/21 – Clerk

Items for inclusion on a future agenda:

- a. Layby extension in Plaistow needed due to build-up of cars at school drop off/pick up – Cllr. Capsey, May Annual Assembly
- b. Parish seating survey
- c. Plaistow Telephone Kiosk – Cllr. Taylor
- d. Plaistow Bus Stop (part of the Safer Bus Stops initiative) –

Cllr. Pearson

- e. SCOPE textile recycling banks
- f. Wood White Butterfly Project
- g. Hedge and verge maintenance – Cllr. King-Wilson
- h. Develop Strategic Business Plans (SBP) for all current and future projects
- i. Winterton Hall – Cllr. Taylor
- j. Shillinglee Notice Board – Cllr. Whitehouse

C/20/037

Date of next meetings

18th February 2020, Planning and Open Spaces Sub Committee Meeting, Kelsey Hall, 7:30pm

Wednesday 11th March, Full Parish Council Meeting, Kelsey Hall, 7:30pm

There being no further business, the Chair closed the meeting at 21:

Appendix A: C/20/024 - To receive reports from County and District Councillors

District Cllr. Evans' report:

CDC update

Local Plan:

At the last cabinet meeting (which I attended) on 28th January we pushed heavily that a full public update was required as a matter of urgency.

Southern Gateway Project:

Preferred development partner announced. Henry Boot Developments will now work to transform the southern area of Chichester into a vibrant and attractive new quarter.

Climate Emergency Officer:

At the full council meeting on the 28th January 2020 CDC agreed to employ a full time Climate Emergency Officer for an initial period of two years. This was something that the Lib Dems campaigned for back in March last year and demonstrates the impact of having a more balanced council. This person will be responsible for ensuring that the Climate Emergency Action Plan is enacted and that there is a joined up thinking approach to tackling this crisis.

Rough Sleeping:

CDC announced that they have successfully bid for £230,465 of funding from the Government's Rough Sleeper initiative, as part of their on going commitment to support rough sleepers. The money will help the council to further expand the outreach work that it currently has in place. It will also enable Stonepillow, a registered charity, which provides a lifeline to homeless people, to open its Chichester Hub seven days a week.

Local Update

Lagoon 3:

The last update I had regarding this was on 3rd February 2020 from Alison Stevens. This came after two emails chasing (and telephone calls). On the last occasion I copied in the CEO and got this reply:

"I can confirm the visit went ahead. The EA are the responsible authority and we await their report. I will be speaking with the EA officer this week to find out when he expects the report to be available. I have a note in my diary to contact you once we have more information."

I have yet to receive this report which has again been chased and supported with the images that PORE have recently published on their Facebook page. I asked for Alison to ensure I had an update before the meeting today.

Thane, The Drive:

Response to my correspondence sent on the 3rd Feb but delayed in being received by me as they were sent to Guy Evans not Gareth Evans.

“Following on from my site visit on the 31st January 2020, I am writing to update you with regard to the action the Council intends undertaking with regard to the breach of planning control.

An enforcement notice will be drafted with guidance from the Council’s legal department. This will be served on all occupants of the land requiring the removal of the 2 no. touring caravans, 1 no mobile home and the boundary fencing.

I will notify you once this has been completed.”

Kogala:

Still no response has been received. Adrian Moss (Lib Dem Group Leader) is going to support me in getting a response on this.

Co-op application:

I wrote to Kayleigh (and Tony Whitty) in challenge of her latest update whereby I was told that whilst the viability assessment had been done but it could not be made public. Thanks to the research sent to me by the Loxwood Clerk I was able to point out that not making it public is very rare and would only happen in exceptional circumstances and that even in this case we would get an executive summary. Kayleigh had not sent this or even the redacted version that I was offered. I asked that if this refusal falls within exceptional circumstances what these are....Following this I received a further email with the viability assessment which has also been made public and is on the CDC planning website. A resident had also put in a FOI at the same time I was challenging this.

Kayleigh has said that this is still on track for the March Planning committee. Given it is now four weeks away I do question how that it possible but we will see...

Chris Barker (ECE Planning) – has stated in his most recent correspondence to CDC which was sent to me and subsequently forwarded to the Parish Council that “Ultimately, if such a scale of development is not taken forward positively ultimately a mixed-use development of this site will not be viable, resulting in the loss of a much needed/wanted retail offer in Loxwood. An entirely residential scheme would therefore be ultimate future position, should this submission fail to receive officer support.”

VE75:

You should have received an email on 29th Jan 2020 from David Hyland which stated “The Grants and Concessions Panel have agreed for grants of up to £250 to be made available for Parish, Town or City Councils to apply for (to a maximum of £10,000.) These will be considered in order of receipt, so early application is encouraged.”

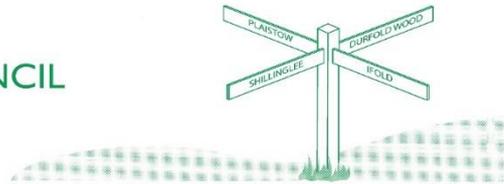
Upcoming Surgeries

Kirdford Stores – Saturday 15th February 11am – 1pm

Onslow Arms, Loxwood – Saturday 7th March 11.00am – 1pm

Appendix B: C/20/029 - Lagoon 3 – Environment Agency update and further action

PLAISTOW AND IFOLD PARISH COUNCIL



10th December 2019

Michael Turner
Area Environment Manager (East)
Solent & South Downs

Sent via email: michael.turner@environment-agency.gov.uk

Dear Mr. Turner,

Re: Lagoon 3, Crouchland Farm, Plaistow Road, Kirdford, Billingshurst, West Sussex, RH14 0LE

Plaistow and Ifold Parish Council and the local community remain extremely concerned about the integrity of lagoon 3 and the real potential for a serious environmental disaster in light of the Environment Agency 's Structural Engineer's report.

The Atkins Ltd Engineer undertook a site visit on 21st January 2018; however, the report was not published until 10th September 2018. Paragraph 8.1.1 (pg. 10) states, "The proximity of buildings below the lagoon suggest that an uncontrolled release of the contents **could endanger lives**. Moreover, environmental/pollution consequences of a major release of the digestate would be immense and there would be high costs associated with the clean-up. These factors suggest that the lagoon is a high risk installation." [The Parish Council's emphasis above].

Considering the report's conclusions and the relative inaction of the Environment Agency over the past year, the Parish Council would be grateful to receive answers to the following questions:

Question 1. If lives are at risk and the potential for environmental damage immense, why didn't the Environment Agency act immediately?

Plaistow and Ifold Parish Council wrote to the Environment Agency on 31st October 2018, following receipt of the Atkins report, expressing its concerns regarding the state of the lagoon and its management and requesting the Environment Agency use its powers under the Environmental Damage (Prevention and Remediation) (England) Regulations 2015 to prevent an imminent event.

The Parish Council was informed that the Environment Agency issued an Anti-Pollution Works Notice on the landowner on 28 August 2019, to act by 21 May 2021.

Question 2. Why did the Environment Agency omit to act on their expert Engineer's report when the real and present danger was first brought to their attention?

Question 3: Why did the Environment Agency wait until 28th August 2019 before issuing a direction to the landowner, given the real risk to life and the environment identified by its own Engineer?

Question 4: Has the landowner responded to the Environment Agency acknowledging the Anti-Pollution Works Notice?

Question 5: Considering the risks the lagoon poses to the public and the environment, as highlighted in the Environment Agency's own Engineer's report, how can the Environment Agency reassure the Parish Council and community that the lagoon is safe?

Question 6: The evidence presented in the Engineer's report suggests that the lagoon is not safe. Therefore, how can the Environment Agency justify the Anti-Pollution Works Notice deadline of 21st May 2021?

In April 2018 the inspecting Engineer advised the Environment Agency that he was "...concerned that little progress appeared to have been made in emptying the lagoon" (pg. 9, para 7.1). The advice was to "empty the lagoon as soon as practicable or implement properly designed works to stabilise the embankment as soon as practicable."

Question 7: Why did the Environment Agency fail to act following this email exchange with their own appointed expert?

Paragraph 9.2 (pg. 12 of the Atkins report) recommends that "whilst the lagoon is storing digestate, the current practice of three surveillance visits a day be continued every day of the week, including weekends. Only once the digestate has been removed the frequency of the visits may be reduced to once per day, including weekends, until the lagoon has been placed in a condition such that it cannot store any liquid above the lowest level of the surrounding ground."

Question 8: What assurance does the Environment Agency have that this high-risk instillation is being inspected three (3) times per day, including weekends?

The lagoon's owner lives in Suffolk and the new owners of Crouchlands Farm, Artemis Land and Agriculture, have informed the Parish Council that the lagoon is not their responsibility and they are not undertaking any monitoring / surveillance visits of any kind.

Question 9: Is the Environment Agency concerned that no monitoring is taking place?

Question 10. What reassurance can the Environment Agency give the Parish Council and local community that the integrity of the unstable, high risk lagoon is being regularly monitored to prevent an environmental disaster?

Plaistow and Ifold Parish Council thanks you for your time to answer the above 10 questions and looks forward to receiving your prompt and thorough response.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Catherine Nutting', with a stylized flourish at the end.

Catherine Nutting

Clerk & RFO to Plaistow and Ifold Parish Council

Appendix C: C/20/029 - Lagoon 3 – Environment Agency update and further action

Catherine Nutting
Clerk and RFO
Plaistow and Ifold Parish Council
By email

Our ref: GE8823
Your ref:
Date: 20 December 2019

Dear Ms Nutting

Thank you for your letter dated 10 December 2019 regarding Crouchland Farm. The Environment Agency also has concerns regarding 'Lagoon 3' and the risk its contents of digestate waste poses to the environment.

Our objectives

Our responsibilities include regulating major industry, waste, water quality and water resources. In our regulatory and enforcement work we want to get the best outcome for the people and the environment. In doing so we must have regard to a range of factors including the 'polluter pays' principle, supporting sustainable development and to effective use of our resources. All the consideration we have given and the actions taken in the matter of Crouchland Farm have been driven by these objectives.

Risk posed by Lagoon 3

We work with our partners to identify community risks and prepare for a wide range of potential incidents. In assessing the risk that Lagoon 3 might pose we combine our own knowledge and expertise with that of our partners, including West Sussex County Council, Chichester District Council, West Sussex Fire and Rescue Service and Public Health England.

This group considered available information and concluded in July this year that the main risk from Lagoon 3 is by inundation of water (and digestate) and dispersal of noxious gases. This is not deemed imminent or likely, but may increase the longer the lagoon contains the current level of digestate waste and if the lagoon is not being properly maintained. The responsibility for managing Lagoon 3 rests with the landowner.

Our role

We will always try to work with whoever has responsibility for or is prepared to take charge of Lagoon 3. We also seek to avoid the lagoon becoming abandoned (having no landowner). If Lagoon 3 were abandoned, the Environment Agency would have no requirement to resolve the problem and is not resourced to do so.

Actions already taken

Whilst there was still the possibility that the former occupant, Crouchland Biogas Limited (through its administrators) might have the resources to remedy the problem of Lagoon 3 (and other risks) in accordance with the environmental permit, we tried to ensure it acted on its responsibility to protect the environment. This included taking technical advice regarding the lagoon's capability for containment. We shared this containment advice with the administrators

on 23 April 2018, who created an incident plan and managed the lagoon according to this advice.

We referred to this containment advice both in person and in our statement in public session of Chichester District Council's Planning Committee on 17 October 2018. We released the advice in full once asked.

Anti-pollution works notice

Once it became clear that the environmental permit would be disclaimed by the administrators, with the potential for the lagoon to be abandoned, we considered our regulatory options. In our assessment the appropriate action was an 'anti-pollution works notice' under the Water

Resources Act 1991. We served such a notice (on 9 January 2019) requiring the reduction of the level of Lagoon 3's contents as well as maintaining containment of digestate waste.

Shortly after this, the administrators disclaimed the permit. This meant we no longer use the permit itself to regulate matters such as the level of digestate in the lagoon or how the lagoon was maintained. Lagoon 3 reverted to the landowner. We highlighted to him the risk to the environment posed by the lagoon and offered advice and guidance, giving him a reasonable time to take action to reduce the risk.

During this time Artemis Land and Agriculture, which owns the surrounding land, volunteered to take over day-to-day management of the lagoon from the administrators. On 19 August 2019, Artemis Land notified us it had withdrawn this maintenance. We judged that the risk to the environment posed by Lagoon 3's contents had now increased and we served an anti-pollution works notice on the landowner on 28 August 2019. It set out requirements similar to the previous notice. The landowner has acknowledged receipt, but not yet taken steps towards compliance.

Any notice must be reasonable, including the time to comply, otherwise it could be vulnerable on appeal. We had already given advice to Chichester District Council in public that a sufficient period (2 summer seasons) would be needed for any operator to reduce the level of the contents of Lagoon 3, hence the compliance date of 21 May 2021. This also coincides with the planning enforcement notice requirements.

Next steps

We continue to be concerned by the risk posed by the lagoon to the environment as it does not appear to be being managed by the landowner. We will try to give advice and guidance to any party wishing to help reduce this risk. We and our partners are ready at all times to respond to incidents, to protect the community, property and to reduce its impact on the environment. Should the anti-pollution works notice be breached we will consider a response in accordance with our Enforcement and Sanctions Policy.

I trust that this answers your questions.

Yours sincerely



MICHAEL TURNER
Area Environment Manager
Solent & South Downs

Appendix D: C/20/033 – Financial Matters, Order for Payment

Schedule of receipts and order for payments for January 2020 & February 2020
To be approved at the Parish Council meeting on 11.02.2020

Agenda Item C/20/33(a)

The signed original document is filed in the Accounts file, YE 31/03/20

RECEIPTS

Payer:	Detail:	Cost Centre/Code	Amount:
CDC	New Homes Bonus for Ifold Telephone Kiosk		£3,850.26
		Total	£3,850.26

PAYMENTS

Payee:	Detail:	Cost Centre/Code	Amount:
SSALC	Annual Parish Online Subscription 01.02.2020 – 31.01.2021		£36.00
SW Transport Planning Ltd	Traffic Speed Survey		£540.00
WSCC	Salaries for January 2020		£1,843.75
SSE	Cricket Pavilion electricity 08.11.2019 – 04.02.2020		£23.03
Miss C. E. Nutting	Printer Ink Telephone Bill 24.11.2019 – 23.02.2020 Office sundries		£85.80
Miss C. E. Nutting	Working from Home Allowance, £18pm October 2018 – February 2020		£306
Miss C. E. Nutting	Mileage @ 0.45 per mile 15th October 2018 – 31st January 2020 - 1,001.5 miles		£450.67
Miss C. E. Nutting	Overtime June 2019 – January 2020: 274 hours and 30 minutes* see attached letter from Chair to WSCC		£4,308.11
		Total	£7,593.36

EXPENDITURE TO BE RATIFIED – paid since last Parish Council Meeting:

Payee:	Detail:	Cost	Amount:
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		Centre/Code	
Bankline	Account fee	102/4140	£1.60
		Total	£1.60

Total receipts £ 3,850.26

Total expenditure £ 7,594.96

Signed by Chair: Date:

Signed by Councillor: Date:

Signed by Clerk/RFO: Date: