

MINUTES

HERSTMONCEUX PARISH COUNCIL
Herstmonceux Parish Full Council Meeting
Monday 18th June, 2018, 7.30 p.m.

Councillors: Jenny Alder; Jo Angear ; Emma Goodsell; Mick Goodsell; Bryan Naish; Stephen Nash; Ian Stewart - **Ch**;
Cllr Bentley (East Sussex County Council)

Clerk in attendance – Clare Harrison

Responsible Finance Officer (RFO) in attendance - Karen Crowhurst; Locum RFO - Simon Goacher

Members of the Public – None

Item Number	Minute	Action
1. 18.05.24	<p>APOLOGIES FOR ABSENCE</p> <p>Apologies were received from the following Councillors: Heather Kenward; Graham Lee; Catherine Stirling-Reed.</p> <p>Wealden District Councillor Andy Long</p> <p>Cllr Angear will be joining the meeting at 8.00pm</p>	<p>Apologies to be recorded</p>
2. 18.05.25	<p>TO APPROVE THE MINUTES OF THE FULL COUNCIL MEETING (FCL)</p> <p>i. Minutes for Approval and Adoption, meeting date 21st May 2018 The minutes of the FCL meeting, held on the 21st May 2018 had been circulated. It was RESOLVED to accept that the minutes be APPROVED, adopted and signed as a correct record.</p> <p>ii. Any outstanding actions There were none reported although the Clerk reported some ongoing items.</p>	<p>Minutes to website and to be filed</p>
3. 18.05.26	<p>DECLARATIONS OF MEMBERS' INTERESTS</p> <p>i. Cllr Stewart declared an interest in any Village Hall matters, as an elected member of the Village Hall Management Committee.</p> <p>ii. Cllr Angear declared an interest in any Village Hall matters, as an elected member of the Village Hall Management Committee.</p> <p>iii. Cllr Naish declared an interest in any Village Hall matters, as an elected member of the Village Hall Management Committee.</p> <p>iv. Cllr Nash declared an interest in any Village Information Centre matters, as an elected member of the Village Information Centre Committee.</p> <p>Declarations of Interest Specific to this Agenda:</p> <p>v. Cllr M Goodsell declared a prejudicial interest in Agenda Item 11.3 Application No. WD/2018/1040/F as the applicant is a neighbour. Cllr Goodsell also rents land from the applicant.</p> <p>vi. Cllr Nash declared a prejudicial interest in Agenda Item 11.4 Application No. WD/2016/2004/F as the applicant is a neighbour.</p>	<p>Declarations of Interest to be recorded</p>
4. 18.05.27	<p>MEMBERS DISPENSATION REQUESTS</p> <p>There were no dispensation requests</p>	

5. **PUBLIC QUESTIONS OR COMMENTS RELATING TO ITEMS ON THIS AGENDA**
18.05.28 No members of the public were present

6. **FINANCIAL OFFICERS REPORT AND PAYMENT OF ACCOUNTS**
18.05.29 i Presentation of Payments and Receipts, June 2018, for **Approval and Ratification**

RFO to process payments

The RFO presented payments totalling £8,012.43. The RFO requested permission to process payments presented of £8,012.43. Please see overleaf for full details.

It was **PROPOSED**, seconded and **AGREED** by all that all presented payments and receipts be accepted and that approval is issued for any payments. It was **RESOLVED** to authorise expenditure totalling £8,012.43.

Please see full details overleaf.

It was **PROPOSED**, seconded that presented additional hours from the Clerk and the Locum Responsible Finance Officer (RFO) be accepted for payment, as recommended by the Finance and General Purposes Committee.

Following an enquiry, it was clarified that any additional hour's claims are supported by timesheets, detailing the work and hours undertaken, submitted to the Finance and General Purposes Committee.

Additional payments were **AGREED** by all. It was **RESOLVED** to authorise Additional Hours payments for the Clerk and Locum RFO.

Cllr Bentley joined the meeting at 7.39pm

Herstmonceux Parish Council
Full Council (FCL)

Herstmonceux	Parish	Council	18-Jun-18		
Date	Description	Supplier	VAT	Total	
25/05/2018	Clerk NI	HMRC	0.00	-133.52	
01/05/2018	Water supply	South East Water	0.00	40.10	
02/05/2018	Street Lighting Electricity	Laser - N Power Electricity	83.77	502.61	
03/05/2018	Street Lighting Electricity	Laser - N Power Electricity	0.00	4.49	
13/05/2018	Rent Dr Surgery	Wealden District Council	0.00	150.00	
13/05/2018	IT Software	Scribe 2000 LTD	69.40	416.40	
13/05/2018	Waste disposal	The Recycling Partnership	5.39	32.33	
13/05/2018	IT Provision	Uniserve Southeast Ltd	104.30	625.80	
13/05/2018	Sundries/Stationary	Office outlet	9.03	54.19	
13/05/2018	IT Provision	Karen Crowhurst	15.00	89.99	
13/05/2018	Photocopier charges	BNP Paribas Leasing solutions	0.00	451.70	
13/05/2018	Verge Cutting	Honeysett Groundcare	0.00	802.00	
25/05/2018	Pension Contribution	East Sussex Pension Funds	0.00	250.72	
25/05/2018	Pension Contribution	East Sussex Pension Funds	0.00	62.40	
25/05/2018	RFO Salary	Karen Crowhurst	0.00	801.27	
25/05/2018	RFO Tax	HMRC	0.00	210.80	
25/05/2018	RFO NI	HMRC	0.00	42.28	
25/05/2018	Clerk Salary	Clare Harrison	0.00	864.36	
25/05/2018	Clerk Tax	HMRC	0.00	155.80	
25/05/2018	Clerk NI	HMRC	0.00	51.89	
25/05/2018	Locum RFO Salary	Simon Goacher	0.00	984.00	
25/05/2018	RFO Tax	HMRC	0.00	246.00	
25/05/2018	N/Plan Clerk Salary	J McInnes	0.00	36.00	
02/05/2018	CILca	Slcc	0.00	147.00	
25/05/2018	Employer pension contribution	Herstmonceux Parish Council	0.00	-401.05	
31/05/2018	Broadband Services	BT	16.46	98.76	
01/06/2018	Litter Bin emptying	Wealden District Council	12.50	75.00	
21/05/2018	Stationary	Simon Goacher	5.76	34.58	
04/06/2018	Stationary	Clare Harrison	18.74	112.44	
22/06/2018	WW1 Figures	Kevin Wells Welding & Fabrication Ltd	120.00	720.00	
22/06/2018	Waste disposal	The Recycling Partnership	8.08	48.49	
22/06/2018	Weed Killing	SRL Services	12.00	72.00	
22/06/2018	Combination Padlock	Curtis & Shaw	6.93	41.56	
22/06/2018	Allotment Grass cutting	Trevor Hoad	0.00	81.00	
22/06/2018	Verge Cutting	Honeysett Groundcare	0.00	802.85	
22/06/2018	Clerk Pension	East Sussex Pension Funds	0.00	-53.75	
22/06/2018	Employer pension contribution	East Sussex Pension Funds	0.00	-269.71	
22/06/2018	Clerk NI	HMRC	0.00	33.02	
22/06/2018	Employer NI	HMRC	0.00	-37.97	
22/06/2018	Clerk Tax	HMRC	0.00	-126.00	
22/06/2018	RFO Tax	HMRC	0.00	-107.40	
Total			487.36	8,012.43	

7.
18.05.30
- FINANCE AND GENERAL PURPOSES COMMITTEE (FGP(Com))**
- i **Agree** Final Accounts, including payments and receipts and end of year Bank Reconciliation 2017 / 2018.
It was **PROPOSED**, seconded and **AGREED** by all to **APPROVE** the presented Final Accounts, including payments and receipts and end of year Bank Reconciliation 2017 / 2018. **RATIFIED**.
- ii To approve the Annual Governance Statement section 1 and Section 2 and **Signing** of the Annual Return
It was **PROPOSED**, seconded and **AGREED** by all to **APPROVE** the presented Annual Governance Statement Section 1 and Section 2, including payments and receipts and end of year Bank Reconciliation 2017 / 2018. **RATIFIED**. The Annual Return was signed by the Chair and the Clerk of Herstmonceux Parish Council.
- iii To accept the Internal Auditors report and agree any arising actions
It was **PROPOSED**, seconded and **AGREED** by all to **APPROVE** the presented Internal Auditors report. There were no arising actions
- iv To **Agree** the of Effectiveness of Audit
It was **PROPOSED**, seconded and **AGREED** by all to **APPROVE** the Effectiveness of Audit that substantial internal audit controls are in place
- v **Signing** of Local Council Public Advisory Services Data Protection Officer Standard Services Agreement (FCL18.05.15)
The Local Council Public Advisory Services Standard Services Agreement for Data Protection Officer was signed by the Chair.
- vi Minutes for **Approval and Adoption**, meeting date 12th June 2018
The minutes of the Finance and General Purposes Committee meeting held on the 12th June 2018 had been circulated. It was **RESOLVED** to accept that the minutes be **APPROVED**, adopted and signed as a correct record including the following recommendations:-
- vii **Approve** JMLA(South East) Fee Proposal (FCL.18.03.309 & FGP18.06.12.i)
Acceptance of the JMLA(South East) Fee Proposal for works towards improving the access road to the Recreation Ground was **PROPOSED**, seconded and **AGREED** by all.
- viii **Approve** PJC Fee Proposal (FCL.18.03.309 & FGP18.06.12.ii)
Acceptance of the PJC Fee Proposal for a Preliminary Ecological assessment on the access road to the Recreation Ground was **PROPOSED**, seconded and **AGREED** by all.
- ix Any further FGP(Com) Recommendations for Full Council ratification **FGP_18.06.13** The Clerk was asked to again endeavour to obtain 2 further quotes for the refurbishment works necessary to bring the closed Public Toilets up to a standard for re-opening the facility to the public, prior to a decision being agreed.
- All other Finance and General Purposes Committee recommendations were **PROPOSED**, seconded and **AGREED** by all.

To go on website with statutory notice

RFO to submit

To continue good practices

Clerk to process

Minutes to website and to be filed

Clerk to process

Clerk to process

Cllr Alder to suggest contacts
Clerk to contact property maintenance companies

RFO to process

The RFO and the Locum RFO left the meeting at 7.46pm

8. **AMENITIES COMMITTEE (AME(Com))**

18.05.31

- i Minutes for **Approval and Adoption**, meeting date 29th May 2018

The minutes of the Amenities Committee meeting held on the 29th May 2018 had been circulated. It was **RESOLVED** to accept that the minutes be **APPROVED**, adopted and signed as a correct record.

- ii AME(Com) Recommendations for Full Council ratification

AME18.05.09 The quote from James O'Brien and subsequent AME(Com) request for a further £300 for the renovation of the Herstmonceux Village Jubilee Sign, was **PROPOSED**, seconded and **AGREED** by all.

That the £300 be vired from General Reserves, **PROPOSED**, seconded and **AGREED** by all.

**RFO to issue
Works Order**

AME18.05.11 That the Canadian Maple be planted when and where according to the Herstmonceux Parish Council Tree Warden recommendation, subject to appropriate weather conditions. That professors and students of the Castle be invited to planting ceremony. **PROPOSED**, seconded and **AGREED** by all.

Cllr M Goodsell

- iii **Approve** roadside hedgerow trimming at the Sports Ground (Chair's Delegated Powers)

The Chair's decision to undertake a trim of the roadside hedgerow at the Lime Cross Sports Ground, following complaints appertaining to Health and Safety matters for pedestrians and users of mobility aids and ensuing permissions given by Wealden District Council was, retrospectively, **AGREED** by all.

- iv Footpaths and BOATS communication (Cllr C.SR)– **Agree** any actions

Communication from the Rights of Way Officer had been received regarding overgrown vegetation in some areas. It was clarified that the maintenance of BOATs falls as such - the surface is East Sussex County Council (ESCC), unless the landowner has caused extraordinary damage in which case they may be held responsible for repairs.

Surface vegetation is also ESCC. The point at which surface vegetation becomes side vegetation can obviously be variable. But trees and hedges on the boundary are usually the landowner's responsibility. It was **PROPOSED**, seconded and **AGREED** by all that a request would be submitted to ESCC to cut surface vegetation in specific areas. ESCC are aware of some clearance being needed at BOAT59 and have already raised this with the landowner.

**Cllr SR to
request to ESCC
to cut surface
vegetation and
also offer that
HPC can do this
if ESCC do not
have the
manpower**

Any general path issues should be reported to rightsofway@eastsussex.gov.uk to ensure they are recorded and prioritised immediately.

Jo Angear joined the meeting at 8.02pm

Agenda Item 15 was brought forward to this point of the proceedings. See Agenda Item 15 for detail.

9. **PLANNING COMMITTEE (PLN(Com))**

18.05.32

- i Minutes for **Approval and Adoption**, meeting date 5th June 2018

The minutes of the Planning Committee meeting held on the 5th June 2018 had been circulated. It was **RESOLVED** to accept that the minutes be **APPROVED**, adopted and signed as a correct record.

- ii PLN(Com) Recommendations for Full Council ratification

There were none.

10. **TO ACCEPT WRITTEN / VERBAL REPORTS FROM THE FOLLOWING (where available):**

18.05.33

iii Councillor Surgeries
No visitors had been present at the last surgery.

iv Other received after publication of this agenda
There were none.

11. **PLANNING MATTERS**

18.05.34

Consideration of received applications for Comments and Observations to Wealden District Council

11.1 **Application No. WD/2018/1101/FA**

18.05.34.1

Application Type: Full – Non-Compliance of Condition

Expiry date for comments: 21 June 2018

Case Officer: Mr A Battams Tel: 01892 602487

Location: LAND ON THE NORTH SIDE OF GARDNER STREET, HERSTMONCEUX, BN27 4LA

Description: MINOR MATERIAL AMENDMENT TO WD/2017/0501/RM

Comments and Observations:

No objection

Comments and Observations submitted by deadline

11.2 **Application No. WD/2018/1055/F**

18.05.34.2

Application Type: Full

Expiry date for comments: 25 June 2018

Case Officer: Mr A Battams Tel: 01892 602487

Location: 2 CINDERFORD COTTAGES, CINDERFORD LANE, HELLINGLY, BN27 4HL

Description: 2 STOREY SIDE EXTENSION, SINGLE STOREY REAR EXTENSION AND REPLACEMENT GARAGE.

Comments and Observations:

This application is supported as it is seen as an improvement to the property. The proposed materials are in keeping with the surroundings and therefore conform with Policy 12 of the Herstmonceux Parish Neighbourhood Plan.

Comments and Observations submitted by deadline

11.3 **Cllr Goodsell left the meeting 8.36pm**

18.05.34.3

Cllr Bentley left the meeting at 8.40pm

Application No. WD/2018/1040/F Application Type: Full

Expiry date for comments: 28 June 2018

Case Officer: Mr A Battams Tel: 01892 602487

Location: NUNNINGHAM FARM, BAGHAM LANE, HERSTMONCEUX, BN27 4NB

Description: CONVERSION OF STORAGE OUTBUILDING TO CREATE ONE BEDROOM HOLIDAY LET ACCOMMODATION.

Comments and Observations:

This application is objected to.

HPC remain consistent in their approach towards resisting sporadic development within the High Weald Area of Outstanding Natural. A precedence for expanding into the AONB must not be set.

Comments and Observations submitted by deadline

The site lies outside of any designated development boundary (whether under the existing Core Strategy or the emerging Wealden Local Plan) and is in an area where the restrictive countryside policies of WEALDEN DISTRICT COUNCIL and policies of the Herstmonceux Neighbourhood Plan resist the provision of housing development without special justification.

Wealden District Council receive applications for 'unused' holiday lets in the Herstmonceux Parish to be converted into residential accommodation therefore the need to develop additional holiday lets in the Parish has not been established.

The provision of a holiday let would increase the amount of vehicular traffic in an already over developed area. The access via the very narrow single track Bagham Lane is already dangerous, increased use will exacerbate the problem. Use of the alternative access will increase traffic safety issues by using the residential areas of West End, James Avenue and Fairfield.

The Design and Access statement appears incorrect in its claim that this is a redundant outbuilding but then also states it is being used for storage.

The Parish Council request that should this application be granted by the Local Planning Authority, that WEALDEN DISTRICT COUNCIL impose a condition that the holiday let be tied to the main property.

Cllr Goodsell re-joined the meeting at 8.45pm

11.4 Cllr Nash left the meeting at 8.45pm
18.05.34.4

Application No. WD/2016/2004/F Application Type: Full
Expiry date for comments: 20 June 2018
Case Officer: Mr A Battams Tel: 01892 602487
Location: 2 THE WILLOWS, GARDNER STREET, HERSTMONCEUX, BN27 4LE
Description: RESUBMISSION OF APPLICATION WD/2015/1307/F- CHANGE OF USE FROM RETAIL (A1) TO TAKE-AWAY (A5) AT GROUND FLOOR AND OFFICES (B1) AT FIRST FLOOR.
Consultation request for details submitted for conditions on planning permission WD/2016/2004/F in respect of noise/sound survey reports (23 May 2018)

Herstmonceux Parish Council response to this consultation are as follows:
No comment

Cllr Nash rejoined the meeting at 8.48pm

12.
18.05.35 Cllr Angear leaves 8.48pm

FORMER PUBLIC CONVENIENCE
i Receive Angears initial report
It was **PROPOSED** that works be completed subject to cost of the work, as per Angears report.

A **COUNTER PROPOSAL** was received that despite any previous endeavours to engage builders to quote for the work, that further quotes be endeavoured to

Comments and Observations submitted by deadline

Clerk to endeavour to obtain further quotes

Clerk to contact Building

be found through approaching Property Maintenance companies rather than building firms. This Counter Proposal was seconded and **AGREED** by all.

Maintenance firms.

It was also **PROPOSED** that if no further quotes were forthcoming from the recommended property maintenance organisations contact details that would be forwarded to the Clerk, that the Angears quote be accepted. Seconded, a show of hands was requested. There was one abstention, **MOTION CARRIED** by all. Decision **RATIFIED**.

Cllr Angear re-joined the meeting 8.55pm

ii Licence matters

The proposed Herstmonceux Parish Council additions to the Wealden District Council drafted Licence changes, as evidenced by the collection of condition photographs taken by HPC were **APPROVED** by all. Additions to be communicated to Wealden District Council

Clerk to WEALDEN DISTRICT COUNCIL

13.
18.05.36

WW1 COMMEMORATION

i WW1 Commemoration meeting update (Cllr I.S)

The latest meeting had run despite many apologies being received. The diary of Commemoration Events is set as per previously circulated, including the attendance of the Air Cadets at the Village Hall event. Detailed Information will be available in the August edition of the Parish Pump. Additional awareness raising will be undertaken through social media and by way of posters etc around the village throughout July and August.

WW Steering Group

ii Memorial Figures – to **Agree** dates, placement and celebrating of installation

A date of the 1st July has been agreed for the installation of the Memorial Soldiers' figures.

Cllr Goodsell and Cllr Stewart to organise installation of the soldiers

It was **PROPOSED**, seconded and **AGREED** by all that the figures are to be placed as follows: one in Cowbeech, one at the Jubilee sign (following refurbishment), one by the sign at the Windmill Hill end of Herstmonceux village and one by the trough in the Herstmonceux village centre, which would be moved to memorial plaque at village hall nearer to Remembrance Day

The provision and use of Royal British Legion Collection boxes in the Parish had been investigated. Herstmonceux Parish Council are to manage the collection and submit the donations to RBL. The Responsible Finance Officer will be approached for advice as to the best way to manage the depositing of the contributions. The local RBL representative will be approached regarding accessing of lamppost poppies.

Cllr Nash to continue to liaise with RBL

The clerk has received an enquiry about insurance for parish church walk. HPC insurance company to be contacted.

Clerk to contact

Cllr Alder was asked to follow up with the school as to any plans for activities they might have, Clerk to contact the Pre-School. If permission given, these activities could be added to the diary for information but on the understanding that these would be for school and pre-school children/families.

Cllr Alder, Clerk

14. **ACTION POINTS AND UPDATES**

18.05.37

i Recreation Ground Access Road

Please see Agenda Item 18.05.30 vii and viii. There was nothing else to report at this time.

ii HPC Website

Ongoing research for suitable website providers.

iii GDPR journey

A date is being arranged for Councillor new outlook accounts training.

iv Grant of Easement with Integrated Health

The Council voiced their need to ensure that the numerous changes, most recently proposed by Dr Simmons' solicitor to the previously prepared Grant of Easement, do not alter the initial terms of agreement to the Grant of Easement originally ratified by Herstmonceux Parish Council.

It was **AGREED** that the Parish Council's legal representative communicate with the Doctors solicitor to ascertain the reason for these proposed late changes; to clarify who the term 'the tenant' applies to and present her findings back to the Parish Council, including an idea to HPC of what dealing these latest changes might mean financially to the Parish Council in terms of legal fees.

15. **COUNTY AND DISTRICT COUNCILLORS REPORT**

18.05.38

Cllr Bentley provided a general update regards upcoming challenging discussions for Cabinet including consultation debates for cuts to ASC where £10m of savings need to be achieved. Also for discussion are recommendations for household recycling and changes to recycling sites, including potential future charging.

Cllr Bentley is due a meeting with Southern Water and offered to take Herstmonceux Parish concerns to meeting. Cllr Bentley informed council that he has raised a query regarding the North boundary at the Windmill Hill plant site, hence the delays to this application works.

Cllr Bentley

HPC raised the issue of the quality of grass cutting, that there are site line issues on many roads and the example of a thin line of grass being left on outer verge where the reach of the equipment doesn't meet the width of the verge. Councillor Bentley noted the comments. He also reminded all that the verges were cut twice last year and therefore the amount of cuts had not changed.

Recent communication between the Highways Working Group and ES Highways was raised concerning misinformation regarding road repairs. Cllr Bentley requested the communication be forwarded to himself so he could investigate.

**Cllr Alder and
Cllr Bentley**

A verbal update had been provided by Cllr Long who had not been able to attend the meeting.

It was reported that there would be no CiL for Orchard Park. No details on a full planning application submission for the Old Slaughter House had been received as yet.

A recent European Court Judgement had delayed the hoped-for Wealden District Council full approval of the Herstmonceux Parish Council

Neighbourhood Plan, please see Agenda Item 16, minute item 18.05.39iv for full detail. Cllr Long confirmed that the Herstmonceux Parish Neighbourhood Plan still carried weight when determining planning applications for the Parish.

16.
18.05.39

CORRESPONDENCE – FOR NOTING OR ACTION

i Charles Lant retirement

Clerk's letter

It was requested that a clerk's letter be issued to thank Mr Lant for his support to Herstmonceux Parish Council over the years, including with the recent Herstmonceux Parish Council Neighbourhood Plan referendum.

ii Correspondence Folder

This was circulated with the detail of the Cricket Club invite detailed. Clerk to also provide this information in a follow up email.

Clerk's email

iii Clerks Report (May to June)

There were no questions.

iv Other items of interest received after publication of this Agenda

Please see below for communication from Wealden District Council:

We spoke earlier to discuss the progression and Adoption of the Herstmonceux Neighbourhood Plan. We called to let you know that there has been a European Court of Justice Judgment relating to how Habitats Regulations Assessments are undertaken. We have provided details of this below for information and also explain how the Judgement will impact on the progression / Adoption of the Herstmonceux Neighbourhood Plan.

On April 13th the Court of Justice of the European Union published its ruling in the Case C323/17 with regards to the Habitats Directive. The case was called; Judgement of the European Court of Justice ('CJEU') 12 April 2018 -People Over Wind v Teoranta (C-323/17) ('POW').

Up to the determination of this case, in the UK, it has been standard working practice for plans or projects that may affect European nature conservation sites such as the Ashdown Forest to include incorporated mitigation measures from the initial stages of the Habitat Regulations Assessment (HRA) process. In many cases this screening stage (or Likely Significant Effects) negates the need for a plan or project to proceed onto a full appropriate assessment. This is the approach that was taken for the Herstmonceux Neighbourhood Plan. However, the case has ruled that mitigation cannot be taken into account when considering the screening test for Likely Significant Effects. Therefore, Plans and development projects cannot now be screened out of requiring a full appropriate assessment where a likely significant effect is identified. This applies to all plans that are currently in the production process and unfortunately this is relevant to the Herstmonceux Neighbourhood Plan on the basis that the plan has not yet been formally adopted.

Wealden District Council undertook a Strategic Environmental Assessment (SEA) and Habitats Regulation Assessment (HRA) screening on the Regulation 16 draft of the neighbourhood plan. This screening opinion confirmed that should text be added to certain policies in the Neighbourhood Plan that there would be unlikely to be any significant environmental effects arising from the Herstmonceux Parish Neighbourhood Plan further to those which were covered by the HRA undertaken for the Core Strategy. On the basis that avoidance and mitigation

was applied by way of adding sufficient wording to policies, it was considered at that time that a full Appropriate Assessment was not required.

The implications of the People Over Wind case on the neighbourhood plan means that we can no longer use mitigation or avoidance at the screening stage to conclude 'no likely significant effect'. Instead, in order to meet the Habitats legislation and taking into account the judgement ruling, an Appropriate Assessment must be undertaken where screening identifies a 'likely significant effect'. The next stage is to undertake an appropriate assessment and it is within this stage where mitigation may be proposed. As relevant to Herstmonceux, the screening would identify 'likely significant effect' should the addition of policy wording not be added to the Neighbourhood Plan. An appropriate assessment is generally more detailed and the assessment looks at whether a plan or project will affect the integrity of the site.

At the present time we are waiting for legal advice on how best to proceed. We hope, at worst, that the adoption of the plan is delayed slightly until the Wealden Local Plan Habitats Regulations Assessment is published to enable an assessment to be made of the Neighbourhood Plan against this. We are currently finalising the Wealden Local Plan HRA work with a view to publishing the Wealden Local Plan HRA at the end of June 2018. This will allow the correct legislative process and procedure to be followed to align with the recent case law and the current statutory requirements for consultation on SEA/ HRA. We can discuss the timing of this.

The risk in not rescreening the plan at this stage is that we would be unable to adopt the plan in the knowledge that it does not comply with the basic conditions, specifically in relation to paragraph 8(2)f of Schedule 4B of the Town and Country Planning Act 1990 that the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.

I hope the above sets out the issue following the judgement. Please let us know if you would like us to meet with the Parish Council to discuss this in more detail and the implications for the neighbourhood plan.

17.
18.05.40

ITEMS FOR REFERRAL

i Appropriate committee

It was requested that item FGP_18.06.09 be carried forward to the next FGP agenda to propose a recommendation to FCL for authorisation of a replacement bench. It was noted that recent correspondence had been received into the office, regarding a request for the same.

**Letter to GPO re
postbox
reinstatement**

ii Newsletter

There were no referrals other than those already mentioned.

18.
18.05.41

CLOSE OF MEETING

The Meeting closed at 9.30pm

Date of next meeting – July 16th 2018