

**MAYFIELD AND FIVE ASHES PARISH COUNCIL**

**MINUTES OF THE MEETING OF MAYFIELD  
AND FIVE ASHES PARISH COUNCIL  
HELD AT MAYFIELD PRIMARY SCHOOL  
ON MONDAY 14 JANUARY 2008 AT 1930 HOURS**

**7C:09**

FINAL

R FITZSIMMONS  
CHAIRMAN

**Chairman of Mayfield and Five Ashes Parish Council  
Councillor Martin Pitcher  
Meeting Chairman Cllr Robert Fitzsimmons**

**SUMMARY OF MEETING**

- The future of Argos Hill Windmill discussed.
- Mayfield New Hall Committee asked to consider a less ambitious scheme.
- Report on NCN21 decision from ESCC.
- Report on current decision with travellers illegally situated on the old A267 road.
- Report from the first meeting of the Parish Council Risk Assessment Committee.

**ATTENDANCE**

Martin Pitcher	(MP)	Apologies for Absence (B)
Paul Amans	(PA)	Apologies for Absence (B)
Peter Deller	(PD)	Present and Voting
Jane Driscoll	(JD)	Present and Voting
Elaine Wheeler	(EW)	Apologies for Absence (S)
Patricia Balfour	(PB)	Present and Voting
Jayne Bramwell	(JB)	Present and Voting
Graham Playfoot	(GP)	Present and Voting
Hubert Hills	(HH)	Present and Voting
Deveda Redman	(DR)	Present and Voting
Catherine Swingland	(CS)	Not Present
Robert Fitzsimmons	(RF)	Present and Voting
Chris Lilly	(CL)	Present and Voting
Jerry Watkiss	(JW)	Present and Voting
Tony Lay	(TL)	Resigned

Present and voting 10      Present and not voting 0  
Apologies for Absence 3      Not present 1      Other Council Business 0      Resigned 1

**Also Present**

ESCC Councillors Robert Tidy (RT), Wealden District Councillors Brian Redman (BR), Robert Standley (RS) and Jonica Fox (JF) and Nigel Hannam (WDC Officer) (NH)  
David Thompson Parish Clerk (DT)

**Apologies for Absence**

C Dowling (ESCC), G Wells (WDC)  
There were 45 members of the public present.

**MINUTES**

## **1. COUNCILLORS DECLARATION OF INTEREST ON AGENDA ITEMS**

- 1.1. PD declared an interest on the issue of the travellers illegally located on the old A267, being an affected resident.
- 1.2. There were no other declarations of interest.

## **2. CHAIRMAN'S ANNOUNCEMENTS**

- 2.1. The Chairman announced the resignation of Councillor T Lay on personal grounds. Clerk to speak to Mr Lay since it was reported that it was possible that he would wish to continue as a lay member on the traffic committee.

### **ACTION DT**

- 2.2. There were no other Chairman's announcements.

## **3. PUBLIC QUESTION TIME – EXCLUDING ARGOS HILL**

- 3.1. There were no questions from the public.

## **4. ARGOS HILL WINDMILL**

- 4.1. RS opened the agenda item since he had the responsibility for Wealden District Councils Finance and Assets portfolio.
  - So far as Wealden District Council was concerned, it had a policy to form a trust to maintain and care for the Argos Hill Windmill and monies had been set aside for this purpose.
  - WDC had made strenuous efforts to form such a trust, but after many years had failed to get interested people together, despite the large number of 'Friends of the Windmill'.
  - Unless a Trust could be formed quickly, the Windmill would be dismantled and placed in storage.
  - Without a trust WDC were unable to justify the £350,000 needed to fully restore the Windmill.
- 4.2. RS then introduced Nigel Hannam, the officer in charge of corporate assets, who had replaced Daniel Goodwin in February 2006.
  - From a WDC point of view there was no desire to dismantle the Windmill, but if a trust could not be formed then there would be no option but to go forward and dismantle the structure.
  - He had been trying to form a trust since December 2006, with the help of D Greenwood, but so far no-one had come forward.
  - WDC were prepared to help the Trust, provide representation and provide funding. It would also help the trust gain funding which was not available to WDC.
  - NH drew attention to the successful Shipley Windmill Trust whose structure could be used as a model, and whose members were prepared to offer advice on trust operation.
  - There would be no personal liability.
  - If people came forward, WDC would respond by providing its members for the Trust.

- WDC were prepared to undertake the necessary consultation.
- 4.3. RF asked how much time was available to consider the issue. Answer – Decision would be taken quickly, a decision in principle would help.
- 4.4. Lloyd McLean said that he had a clear understanding that WDC was the authority with responsibility, and that in his view they needed to repair the windmill first, based on the fact that if this was not done the Trust would start life with a huge deficit.
- 4.5. Brian Pike – noted that there had been an Argos Hill Windmill since in 1656 and had been in WDC ownership for 50 years. It was a Grade II\* listed building.
- He would agree to become a trustee.
  - He had done work on the windmill in the past, but because of WDC actions much of this had been an unnecessary/expenditure.
  - Before scaffolding was removed, the structure must be made waterproof.
  - Friends of the Windmill would organise the work, but would need written authority from WDC.
  - He noted that dismantlement was an expensive and onerous task and would require the careful removal, photographing and cataloguing of each individual part.
  - Chainsaws had been used to dismantle another mill.
- 4.6. Mr Woodward-Nutt, the Chairman of English Heritage ancient buildings, and Chairman of the Shipley Mill Trust believed that WDC had failed the residents of the area. In his view WDC had broken all the conditions of its own planning criteria. Although £350,000 was required to bring the mill into working order, this was not what was needed now.
- There was £7000 in the budget for maintenance and this was ample to carry out works which needed to be done. However such work needed to be carried out under the supervision of a Millwrights. What an example WDC was to its residents for the care of listed buildings.
- He personally objected to the dismantlement to any listed building, because the historic interest is soon lost.
- 4.7. B Pike noted that English Heritage would not give authority for a Grade II\* listed structure to be demolished. There was a need for:
- Trust Document as a basis for use.
  - Lease of mill to the Trust body.
  - Encouragement from WDC with funding.
- 4.8. Daphne Todd noted that there had been a mill on the site since 1656 and it would be an act of vandalism to take it down. She noted that on 14 November 2007 WDC had said that the issue of access to the site was crucial and without it funding was unlikely to be possible.
- She considered it dangerous to form a trust. She further noted that WDC on the 21 November 2007 had said that it could get funding from the Heritage Lottery, ESCC, and English Heritage – she asked had they tried to get funding?
- 4.9. G Hudson of Cranbrook, Kent said that their mill at Cranbrook was fully maintained by the Council and that WDC should do the same, because the Windmill was an icon. He

noted that the Windmill at Chinnor had been dismantled and that it would never return. Such a move by Wealden would be a criminal waste.

4.10. Bob Bonnett of the Sussex Mill Group said that the Council had a legal responsibility to look after listed buildings and that he considered that the Secretary of State had powers to enforce such an action.

4.11. Nigel Hannam replied to the points raised so far:

- The trust would not start off with a large debt. It was WDC's intention that such a trust would be debt free at the outset.
- If the dismantling was taken up WDC would ensure that this was done in a professional manner.
- With regard to liability, WDC were not dodging the issue but were looking for ways to move forward. At present things were not moving fast enough.
- WDC cannot get funding direct from English heritage.
- Public Access – WDC will examine options of getting access and will negotiate with adjacent owners.
- Finally he made an appeal for anyone who was interested in becoming a trustee to contact him.

4.12. L McLean again pointed out that it was a WDC responsibility to ensure the sound future of the Windmill – he asked to know the total cost, and what monies would be made available to the trust over time. He noted that the trustees could try and get funding, but responsibility for the Windmill rests with the authority.

4.13. HH from the Parish Council said that he had listened to the argument so far, but he drew attention to developments which had taken place on the south side of the windmill, where it was possible that the structure had been undermined, and asked for an engineer's report.

4.14. JF noted that one of the difficulties in getting funding for the windmill within WDC was because it was situated on the border of the Parish of Mayfield and Five Ashes and Rotherfield. As 1% of Council Tax = £50,000 it was difficult to get money since there were many competing bids for any unused funds. The options were clear:

- Trust
- Dismantlement

If people care, they must do the work, and if a Trust is formed they must look after the Windmill's future. She noted that WDC had a duty of care, but it was unable to carry this out. She noted that Mayfield and Five Ashes had an excellent record as fund raisers, and praised Brian Pike for the efforts he had made.

4.15. GP noted that in 2006 a figure of £40,000 had been quoted for dismantlement costs. If this was so the £40,000 could be spent on putting it right. However Mrs Todd reminded the meeting that public funding was dependent on adequate access.

CL recalled a figure of £70,000 being quoted by WDC and wished to know:

- The difference between the two figures.
- The exact meaning of electronic access.

4.16. Further comments from the public:

- A – costs had doubled over the period of time which had elapsed, whilst the Trust issues were being debated.
  - B – It was to be understood that £350,000 was not all required at once. If the basic work was done first, then the interest created would help gain volunteers and funding as had happened in other places.
- 4.17. Mr ‘C’, a member of the public remarked:
- If the mill had been owned by an individual, then they would have been prosecuted, therefore could somebody prosecute WDC?
  - The work WDC had carried out over the years had made things worse, and always resulted in parts being removed.
  - None of the 1987 storm damage had been put right.
  - Public access issues had been understated.
  - WDC was a poor owner, and should completely renovate before hand-over.
- 4.18. Member of the public noted that the Winchelsea Windmill had blown down in 1987. Despite heavy repair costs it was not a viable proposition to dismantle.
- 4.19. In reply to the questions WDC stated:
- Regular maintenance was required.
  - £40,000 was the estimate for dismantlement.
  - Public access issues – could be solved by having electronic access, that is webcams etc which could be used by the public to increase access.
  - All funds were still available at the present time, and reasonable funds would be made available, over a period of time. WDC would give full support.
- 4.20. Mr ‘D’ asked the Parish Council would they consider whether they could prosecute WDC for failure to support the Windmill.

#### **ACTION PC**

- 4.21. WDC would need to get access to the site at a much greater level than now and would need to get permission to increase this. WDC noted that they had agreement for some but not total access. Landowners could refuse.
- 4.22. GP asked WDC whether the £40,000 could be made available immediately – RS replied that the £40,000 could be made available, but it would need a trust to deal with it. JF noted that £40,000 was a starting point and that there could be more if there was a positive response.
- 4.23. Member of Public ‘E’ noted the WDC proposal of £40,000 for dismantlement, and wished to know what the repair estimates were and the cost of a lease. The reply was £7000 for annual repair. Another member of the public noted that what was required was to stop the collapse, and stop water from getting in.
- 4.24. RF drew the debate to a close:
- Enough people present to form a Trust, and that the expertise of B Pike was also available.
  - It was time to put the past behind us and move forward.
  - There was a will to provide initial funding.
  - Was it possible to form a Trust?

- There were three months to get the process working.
- 4.25. BP and others still considered that there was no need to form a trust, and that WDC were at fault and that they should be made to pay.
- 4.26. WDC for their part noted that:
- A Trust can be set up.
  - They would be committed to set up a Trust and support it.
  - Use Shipley experience.
  - Will take calls from any person interested in setting up a Trust.
- 4.27. JF added:
- The choice was a trust or dismantlement.
  - She would be happy to help start the process and had faith in its success.
  - She asked for a representative from the Parish Council.

#### **ACTION DT**

- Would like to send the invitation for help and Trust membership beyond the Parish boundaries.
- 4.28. Some final remarks from the Parish Council and the floor:
- GP had doubts that WDC would carry out its responsibilities.
  - Lady A from the public – What would happen if the Trust failed?
  - JD wondered who would take an active part, out of the 45 people present surely 20 could come forward.
  - PD considered that there was not enough time for the PC to make a decision and that any statement needed to be delayed. There was no Parish money available.
  - CL supported the principle of Windmill preservation and hoped it could move forward.
- 4.29. RF thanked the members of the public for their attendance.

#### **5. MINUTES OF THE FULL COUNCIL MEETING HELD ON 10 DECEMBER 2007 (7C08)**

- 5.1. Six items were accepted for amendment, after which the minutes were approved.
- 5.2. There were no other issues arising over the minutes.

#### **6. MINUTES OF THE FINANCE AND GENERAL PURPOSES MEETING HELD ON 17 DECEMBER 2007 (7F08)**

- 6.1 There were no amendments to the minutes.
- 6.2 CL drew attention to the F&GP Committee decision to advise the Village Centre Committee that the current scheme was considered to be over ambitious, and that it considered that a lower cost option more in keeping with village needs should be pursued.
- 6.3 DR reported that she had heard from G Credland of the Primary Care Trust that Dr Coates was looking at other properties and was not interested in being included in the Village Centre Project.

- 6.4 In answer to a question from a member the Clerk explained that MAZARS were the Parish Council's external auditors.
- 6.5 JB asked the Committee to ensure that before the grant for the band hut roof was released that the financial project was carefully scrutinised.
- 6.6 The Clerk explained the current position with regard to the Parish Council's Quality Council application and explained the difficulties surrounding the accounts section.
- 6.7 The wording of the notice to be displayed in Court Meadow car park was explained.
- 6.8 It was noted that three new car parking notices had been set up in Mayfield High Street.

## **7. RISK ASSESSMENT SUB-COMMITTEE – MEETING HELD ON 7 JANUARY 2008**

- 7.1. CL reported that the Risk Assessment Committee had met and had agreed the Terms of Reference.
- 7.2. The effects of various issues on the budget timetable were discussed and it was agreed that the Clerk would revise the Budget timetable to take these into account.
- 7.3. It was agreed that the Clerk would seek formal training in Risk Assessment at the forthcoming staff appraisal.
- 7.4. Councillors relations with residents were then examined and whilst it was noted that many Councillors were regularly reporting public concerns through the office, it was agreed that Councillors would be requested to be more proactive with residents.
- 7.5. After discussion it was agreed that the rules appertaining to Committee reserves would be written into the Council's financial policies.
- 7.6. The next meeting would discuss VAT, Insurance and Standing Orders.

## **8. REPORT FROM ESCC COUNCILLOR R TIDY**

- 8.1. RT reported on the NCN21 decision which was published on 17 December 2007. The decision was:  

OPTION A – Newick Lane track to be progressed.

OPTION B – Heathfield end of the Newick Lane to be reviewed and included in 'A' above.

OPTION D – Not to be continued with, on the grounds that although the alignment was suitable for the purpose the expense of conversion of the railway track was prohibitive.
  - 8.2. With regard to the travellers situated on the stub end of the A267, RT reported:
    - High Court Judgement on Monday 14 January 2008, noting that the December Lewes Court eviction order had been adjourned for decision.
    - ESCC had made the site more habitable for the occupants whilst the court case continued.
- 
- The current judgement covered:

- ESCC to have access at all times.
  - The occupants must manage the site and co-operate with ESCC.
  - Negotiations for an alternative site must proceed.
  - Site to be kept tidy.
  - Responsibility to keep the peace.
- ESCC/WDC had seven days to find a site for the group.
  - Trading standards were checking on any illegal activity.
  - A result of these actions and a Court Judgement was expected by 22<sup>nd</sup> January 2008.
- 8.3. DR asked what would happen if the travellers did not like the new site – Answer they would move but not necessarily return to the chosen site.
- 8.4. BR suggested that there needed to be a meeting to discuss ways to stop a reoccurrence of the problem, however there needed to be full road access.
- 8.5. JB noted that it was difficult to use the bridleway at that point, and it was possible that illegal dog trading was being carried out.
- 8.6. PD noted that he had examined the site and it was squalid with broken glass and mess strewn all over the site.
- 8.7. PD noted that he had considered making a private purchase of the road but council restrictions made the project unviable. There was a complaint about noise, but again WDC had considered the noise was reasonable.

## **9. REPORTS FROM WDC COUNCILLORS JONICA FOX, ROBERT STANDLEY AND BRIAN REDMAN**

- 9.1. JF reported that within Wealden District North there had been two travellers applications for caravans. One had been turned down, but the other agreed because of the lack of alternative sites.
- 9.2. JF noted that there was a lack of overall provision of travellers sites and that Parish Councils should look for potential sites to take three to six caravans. There was a need to provide eleven sites as suitable stopping places. The parishes needed to consider these issues. Each site would of course need planning permission.
- 9.3. On the subject of planning permission RT expressed the fact that 41 traveller pitches were required, 33 ESCC and the balance Brighton and Hove.
- One pitch was equal to one caravan, two vehicles and space. WDC allocation was 18 pitches.
- The problem was to get people to accept the sites, however all counties were required to provide sites and must take travellers into account.
- 9.4. JF noted that the ESSO Garage was still up for refurbishment, but work was not going forward yet.
- 9.5. RS reported that the budget consultation would conclude on the 28 January, and that Wealden District Council had one of the lowest Central Government grants. There would be a 4.2% increase in council tax. Consideration was being given to the introduction of car parking costs throughout the WDC area.

In answer to a question from GP on why WDC had so little Central Government Grant, it was because it was based on relevant need per head and with so many properties above band 'D' WDC did not qualify.

- 9.6. With regard to car parking charges PD remarked that if WDC introduced charging for car parks then it would be necessary to include all car parks, however it was considered by RT that little would happen until the Eastbourne car park charging scheme was settled.
- 9.7. JF noted that all surrounding district councils charged for car parking and WDC was the only one which did not.

## **10. FINANCE REPORT**

- 10.1. CL reported the key issues arising from the circulated monthly Finance Report.
- 10.2. CL reported that the Year End Forecast would be reviewed and adjusted in the December Finance Report at the February Full Council meeting.

## **11. MINUTES OF THE PLANNING COMMITTEE HELD ON 10 DECEMBER 2008**

- 11.1. With the acceptance of one minor amendment the minutes were approved by the Council.
- 11.2. With regard to minute 7P15/4.3 and 4.4 DR asked what the issues were. PD reported that there were two egg laying units, and that the Committee did not have detailed knowledge of raising birds.
- 11.3. It was noted that the former Libra bookshop had been proposed for a change of use from A1 to A2 professional services.

## **12. MINUTES OF THE RIGHTS OF WAY COMMITTEE HELD ON 17 DECEMBER 2007 (7R05)**

- 12.1. There was one minor amendment to the minutes which were accepted by the Council.
- 12.2. With regard to minute 7R5/10.1 GP asked what progress had been made with the trees at Five Ashes Village Hall. It was reported that the tree warden had been informed but was ill at present.
- 12.3. With regard to minute 7R5/3.7 the Clerk reported that as yet no reply had been received to the letter to ESCC.

## **13. MINUTES OF THE YOUTH COMMITTEE MEETING HELD ON 12 DECEMBER 2008 (7Y04)**

- 13.1. There were no changes to the minutes which were accepted by the Council.
- 13.2. DR reported that Ms Moulton had since withdrawn from the selection process. However Mr Scott would be able to assist. A further search for a suitable youth leader would be made.

## **14. REPORTS FROM COMMITTEES NOT MEETING DURING THE PERIOD**

- 14.1. Traffic Committee
  - PD reported that there were no issues currently and no need for a meeting at present.

- Survey work for 20 mile per hour speed limit through Mayfield was taking place.
- Community speed watch seemed to be fact gathering without enforcement, however, it was reported that the police were looking at alternative devices.

14.2. Security Committee

- Meets on 15 January 2008

14.3. Development Committee

- Meets on 21 January 2008

14.4. Court Meadow Management

- DR reported that Dr Coates was now looking for suitable premises outwith the proposed community hall complex.
- The Clerk was requested to organise a regular sweep of the car park because of broken glass.

**ACTION DT**

- The question of car parking charges by Wealden District Council will affect the operation of the Court Meadow car park.

**15. CLERK'S REPORT JANUARY 2008 (7X09)**

- 15.1. With regard to item 2 fourth bullet point JB requested details of the town centre revitalisation meeting.
- 15.2. With regard to minute 7C08/9.2 the Clerk had produced a written answer to the question on administration from PD and had relayed through CL.
- 15.3. Meeting dates would be finalised by 21 January 2008 and sent to the website.
- 15.4. It was noted that the use of the new Wadhurst – Crowborough via Mayfield bus service would need to be monitored.
- 15.5. The steady improvement in website use was noted.

**16. ITEMS OF INFORMATION AND NEXT AGENDA ITEMS**

- 16.1. JD asked whether Parish Councils were in fact able to prosecute District Councils.
- 16.2. PD drew attention to an issue of security at Mayfield Primary School – this would be discussed at the next Security Meeting.

**THE MEETING CLOSED AT 22.17 HOURS.**

**THE NEXT MEETING OF THE MAYFIELD AND FIVE ASHES PARISH COUNCIL WILL BE:**

**VENUE: FIVE ASHES VILLAGE HALL  
DATE: 11 FEBRUARY 2008  
TIME: 1900 HOURS**