

Chalvington with Ripe



Parish Clerk – Paul Richards **Email:** chalvingtonwithripeclerk@gmail.com **Phone:** 07824 312070
Address - Dawtreys, Bracken Lane, Storrington, West Sussex, RH20 3HR

The Minutes of the Ordinary Council Meeting of the Chalvington with Ripe Parish Council (CWRPC) that took place at the Hayton Baker Hall, Ripe on Monday 27th February 2023 commencing 7pm.

Present: Cllr S. Conway (Chair), Cllr A. Dunbar-Dempsey (Vice-Chair), Cllr N. Dashfield, Cllr J. Ruddock-West, Cllr G. White and Cllr J. Ward.

In attendance: WDC Cllr Watts and Paul Richards (Parish Clerk).

Members of the public: 2.

26. Apologies for absence – Cllr F. Pankhurst and ESCC Cllr Bennett.

27. Declarations of interest – none.

28. Approval of the Minutes of the Council Meeting held on 6th February 2023.

Following two typographical changes, Members **AGREED** that the minutes be accepted and that the Chair could sign them.

29. Matters arising – None.

30. Public Session – no questions.

31. ESCC and WDC Reports - ESCC Cllr Bennett had sent his apologies and WDC Cllr Watts provided an update that included:

- WDC had been awarded a £1.7m grant from the UK's Prosperity Fund. The grant will be spent on a number of projects including the maintenance of the Cuckoo Trail;
- The Hailsham Leisure Centre had seen increased usage in January 2023 with over 52,000 reported visits;
- It remains unclear if the Planning Committee South meeting will include the Pollards Solar Farm application on their last agenda before the pre-election period;
- The recently announced Rural England Prosperity Fund may assist the Swallows Business Park expansion. Most units are now let which was good for the local economy and for the recruitment of local jobs; and
- The owner of Deanland Wood Park had advised WDC that he will no longer permit the Park to host a polling station for the May 2023 elections. He recommended that Deanland residents opt to register their votes via a postal ballot. He also advised that photo ID cards would be required to prove identity at all polling stations.

Cllr Ward referred to the recent news that the 143 bus would no longer call in at Deanland Wood Park. He asked if WDC could intervene. WDC Cllr Watts recommended that the Parish Council write to ESCC Cllr Nick Bennett on this matter. The Clerk was, accordingly, asked contact ESCC.

32. Planning.

a) Applications.

- **WD/2023/0239/FA - Meadow View Farm, Poundfield Road, Chalvington** - Removal of condition 3 of WD/2003/0379/F (erection of agricultural dwelling) removal of agricultural occupancy condition.

Members voted, unanimously, to OBJECT to the application.

Chalvington with Ripe Parish Council voted to not support the removal of the Agricultural Occupancy Condition (AOC):

- There are still farms in the parish that are involved in vermiculture;
 - The point of the AOC is to ensure a stock of affordable housing for those employed in agriculture, their families, widows or widowers. Removing the AOC would reduce this stock of housing;
 - The application makes much of the unsustainability of the location of Meadow View Farm and the requirement for travel by motor vehicle to school, GP, shopping etc. That is the nature of farms – that they are in the countryside! If a farm worker was to live in the dwelling then they would have to travel to the GP, but there is a school bus and, crucially, they would not need to travel to work;
 - Lastly, and perhaps most importantly, the application makes much of the fact that the property was purchased by the current applicants for £765,000 in 2021 and would therefore be unaffordable for an agricultural worker either to rent or to purchase. Chalvington with Ripe Parish Council considers that the price paid by the applicant is not a material planning consideration and is irrelevant.
- **WD/2021/2525/F - Martins Wood Farm, Ripe Lane, Ripe** - Off grid 50kw ground mounted solar array and associated equipment to supply farm energy needs. Amended and Additional Plans received dated 10/02/2023.

Members voted, unanimously, to SUPPORT the application.

Chalvington with Ripe Parish Council noted the amended plans including re-routing of the cable and ecology reports. The Council fully supports this application provided that the detailed recommendations and mitigations outlined in the Ecological Impact Assessment and the report by NatureSpace are carried out, including the compliance condition.

- **WD/2022/2536/F - Land off Mill Lane, Ripe** - Retention of existing access approved under WS/2013/1874 and WD/2013/2600/FA. Change of use of land to allow for keeping of horses and erection of stables, tack room and field store with revised location. Amended Site and Block plans, Proposed elevations and Floor Plan.

Members voted, unanimously, to OBJECT to the application.

Members accepted that some of the objections raised by consultees had been addressed in the amended plan. However, there were significant reservations about the revised location of the stables, tack room and field store. Members were at a loss to understand why the original location (for which planning permission has been granted) is not being considered. As we stated previously, there is absolutely no evidence provided that UK Power Networks are going to add battery storage at the Ripe electricity sub station – that is the stated aim of the change of location. Nor is there any evidence that horses' health would be adversely affected by presence of a substation and overhead lines. Indeed, a stable to the immediate east of the electricity substation had been operating successfully for a number of years and there had been no adverse impact on the horses stabled there.

Addressing the revised location identified in the current Planning Application, there is a danger of planning creep in this rural area outside the village boundary and in the open countryside and it could set a precedent for other developments outside of the village which would be unacceptable. Members agreed with the Conservation Officer that screening may have a part to play in reducing harm, but ought never to be regarded as a substitute for well-designed developments within the setting of heritage assets and that it may have as intrusive an effect on the setting as the development itself. So, the copse appears out of place with the surrounding landscape setting of the Conservation Area; moreover, the proposed location for the stable block in the NE portion of the field bears no relationship to other buildings (including the stable block

referred to earlier) which are sited along the road network following the historic settlement pattern.

It is also important to note that the Conservation Area and its landscape setting are appreciated from both the road network and the public rights of way which criss-cross the village and link it with the important landscape context which has had such a significant impact on the manner in which the village has evolved.

Members did not consider that the proposed development would make a positive contribution to, or better reveal, the significance of the Conservation Area contrary to Paragraph 206 of the NPPF.

Members also supported the external lighting conditions outlined in the Environmental Health Report

b) Planning applications refused, approved, referred, withdrawn or appeals

- **REFUSED** - **WD/2022/2588** - **Former Blacksmiths Barn, Chalvington Road, Chalvington** - Knock down existing building and rebuild, following previous planning; and
- **PERMITTED** - **WD/2022/3120** - **Veals Farm, Ripe Lane, Ripe** - Proposed first floor side extension, garage conversion, and internal alterations.

33. Other planning matters.

- a) **WGOD** - Cllr Dunbar-Dempsey advised that WGod had prepared a response to the Government's recent NPPF consultation paper. Members **AGREED**, in principle, that she draft a similar response for Members to consider. Once agreed, she was then asked to submit the response on behalf of CWRPC. She advised Members that their responses were required on or before 2nd March 2023. Members thanked Cllr Dunbar-Dempsey for her effort and hard work for responding to all planning matters on behalf of CWRPC.
- b) **Fletching PC** - Cllr Dunbar-Dempsey advised that WGod had been asked by Fletching PC to assist with a complicated planning application response. She was part of the WGod team assisting this neighbouring parish.

34. Highways, footpaths and rights of way.

- a) The Footpath Officer's report, circulated previously, was reviewed. The Clerk was asked to ascertain the footpath numbers and then send the report to ESCC for action. The Chair thanked the Footpath Officer for his excellent report. Cllr Ruddock-West suggested that the Officer might need additional help from both Councillors and residents to report issues with the footpath network. He suggested that RACCA could assist. Cllr Dashfield added that the parish litter pickers could also offer valuable insight into the state of the paths.
- b) Cllr Ruddock-West referred to the request from Hadlow Down PC to support them in challenging ESCC Highways to spend their resources more wisely. Members considered the request but did not agree to pursue any legal remedy to this issue. They asked the Clerk to draft a response to Hadlow Down offering their limited support.
- c) Cllr Ruddock-West advised that he had written to the ESCC Highways Steward advising her of the poor state of roads across the parish. Her response reported that, in many cases, the problem identified did not '.....meet the intervention criteria'. Cllr Ruddock-West had responded to her report and questioned the relevant criteria.

35. Civility and Respect Pledge

The Chair asked the Clerk to present his report for discussion. Cllr Ruddock-West referred to several points in the report:

- Report item 3.1 – he referred to '*...a small group of residents who objected to the decision to deliver two CIL projects..*' and advised that this was the majority of residents in Ripe and Chalvington. He also added that residents should be able to raise concerns with their parish councillors without these concerns being labelled as abuse, harassment or

vexatious. Cllr White agreed that residents should be able to approach their parish councillors, but the way in which they engage should be measured and reasonable. Cllr Dashfield agreed and said the tone of the request should be considered;

- Report item 3.4 – he referred to the alleged abuse received by the former Clerk and disagreed with the comments made by stating there was no harassment of the Clerk. He also suggested that the decision made by the Clerk, in consultation with the Chair, to report certain resident to the police following the meeting held on 21st July 2021 was a step too far. As a point of order, the Clerk advised that he, at no time, consulted the Chair over his decision to report the matter to the Police. Cllr Ruddock-West said he was unaware of this. The Clerk advised him that this was public information, the details of which are on the Parish Council website. Cllr White asked that Cllr Ruddock-West to stop promoting inaccurate statements. Cllr Ruddock-West responded by claiming that he was sure the Chair knew about this.
- Cllr Dashfield was at a loss to explain why the residents had objected to the proposed CIL projects. Cllr Ruddock-West told her that it was the parish councillors who decided on the CIL projects not the residents. Cllr Dashfield disagreed and stated it was the residents who had come up with the original ideas and then voted on which ones they wanted. Cllr Ruddock-West repeated that most residents in Chalvington and Ripe did not agree with the proposed projects. He referred to the meeting held on 21st July 2021 and stated that over 80 residents in attendance objected to the CIL projects. The residents that were referred to the Police were those that spoke out against the CIL decisions. He ended by stating he supported the recommendation to adopt the Pledge; not for the reasons set out in the report but for the respect to the public and the residents of Chalvington and Ripe. Cllr Dunbar-Dempsey questioned him why he did not include respect to the councillors in his comments. He replied by stating his comments only referred to residents;
- The Chair referred to the process by which CIL projects were identified and then decided upon. She referred to the Working Group, chaired by Cllr White, where the projects, proposed by residents, were reviewed. This review took place under Covid rules in force at the time meaning only 6 people could gather to assess the comments received;
- Cllr Dunbar-Dempsey referred to her 11 years of service as a parish councillor and stated that she had never received so much abuse and harassment as caused by the CIL projects and the residents who protested against them;
- The Chair referred to the evidence presented to the Information Commission Officer (ICO) following a Freedom of Information complaint. The complaint was rejected as vexatious by the ICO. A further 11 FOI requests had found no fault with the parish council. Cllr Ruddock-West stated that the ICO had only received information as presented by the Clerk to them. The Chair and Cllr Dunbar-Dempsey disagreed and stated that the Clerk was asked to present evidence to the ICO for them to determine the complaint; and
- Following this discussion, Members voted, unanimously, to adopt the Pledge. The report is attached as an Appendix to these minutes.

36. Financial matters

- a) Authorisation of payment of accounts – these were none to approve.
- b) The Chair proposed a **RESOLUTION** to exclude the public as per Standing Order item 2c (by reason of the confidential nature of the business to be transacted or for other special reasons) to discuss staff costs as from 1st April 2023. This was agreed and the public and the Clerk were asked to leave. During the confidential session, the parish council noted the

report, circulated previously, and **AGREED** with the recommendation to, as a contingency, re-appoint the locum Clerk, Paul Richards, up to 30th April 2023 if necessary.

37. Date of the next meetings - Monday 3rd April 2023 at 7pm.

The meeting closed at 20:31.

Signed..... Chairman

Date.....

APPENDIX A - CIVILITY AND RESPECT PLEDGE REPORT

REPORT TO	Chalvington with Ripe Parish Council meeting 27 th February 2023
REPORT BY	Parish Clerk, Paul Richards
REPORT SUBJECT	Standards in Public Life
RECOMMENDATION	To support the Civility and Respect Pledge

1. BACKGROUND

- 1.1. Throughout the sector, there are growing concerns about the impact bullying, harassment, and intimidation are having on local (parish and town) councils, councillors, clerks and council staff and the resulting effectiveness of local councils.
- 1.2. The National Association of Local Councils (NALC), One Voice Wales (OVW), the Society of Local Council Clerks (SLCC) and the East Sussex Association of Local Councils (ESALC) have responded to this by setting up a Civility and Respect Working Group to oversee the Civility and Respect Project.
- 1.3. NALC, SLCC, ESALC and OVW believe now is the time to put civility and respect at the top of the agenda and start a culture change for the local council sector.
- 1.4. The Civility and Respect Pledge is being introduced because there is no place for bullying, harassment, and intimidation within the sector. The pledge is easy for councils to sign up for and it will enable councils to demonstrate that they are committed to standing up to poor behaviour across the sector and to driving through positive changes which support civil and respectful conduct.

2. RELEVANCE TO CWRPC.

- 2.1. CWRPC has several of the Civility and Respect principles in place (see section 3.2 below). However, recent experience has shown that the parish council needs to provide a more transparent approach when dealing with contentious subjects to avoid the abusive and threatening behaviour made by a few residents towards staff and councillors.
- 2.2. The parish council has received multiple complaints and Freedom of Information Act (FOIA) requests since 2020 relating to the decision to deliver two Community Infrastructure Levy (CIL) projects. The majority of these requests have been satisfied but a small number have been referred to the ICO as complaints.
- 2.3. In the most recent case, the ICO found in favour of the parish council noting that *"...the complainant's request should be considered as being part of the wider, orchestrated campaign against it"*. He also concluded that this was part of a *"...deliberate campaign to resist the CIL projects...."*
- 2.4. In addressing concerns and complaints from this small group of protesters, the Information Commissioner's office noted that *"..while the ICO considers that public officials can and should be subject to scrutiny and criticism, it appears that the Clerk and certain councillors have at times been subjected to behaviour from some members of the Objectors' Group which goes beyond the level of criticism that a public authority or its employees should reasonably expect to receive. He is satisfied that some people have genuinely felt distressed and harassed as a result of the actions of some members of the Objectors' Group."*

2.5. The abuse and harassment by some members of the Objectors' Group attracted press articles with a headline that led with *".....to outsiders it's a project which sounds innocuous - even laudable"*

3. ABUSE AND HARRASSMENT

3.1. As detailed in section 2.2 above, staff and councillors were subject to a litany of abuse and harassment from a small group of residents who objected to the decision to deliver two CIL projects. The timeline and occurrences of abuse and harassment are listed in Appendix A.

3.2. CWRPC is committed, and supports, the rights of citizens to scrutinise/criticise decisions made by the parish council. However, it should not be the case that officers and councillors are subjected to abuse as noted by the ICO in section 2.4 above.

3.3. In the midst of a *"deliberate campaign"*¹, the parish council took the unusual step and rare decision to introduce a Vexatious Complaints Policy in order to reduce the avalanche of abuse and complaints raised by the Objectors' Group².

3.4. The consequence of the abuse and harassment received from the Objectors' Group resulted in:

- The Clerk resigning due to ongoing harassment;
- Additional costs incurred to appoint an experienced Clerk to manage the hostility facing the parish council. These increased costs resulted in an increase in the precept (amount paid by all council taxpayers);
- Additional costs of answering many FOIA/Subject Access requests – some found to be vexatious. The ICO found in one case that *"....the Commissioner is satisfied that the request in this case was a manifestly unjustified and improper use of FOIA such as to be vexatious."*³. This request was sent from a member of the Objectors' Group. These increased costs resulted in an increase in the precept;
- Sussex Police were called prevent threats of criminal damage when the CIL Bike Posts were installed;
- Sussex Police had to interview, under caution, several members of the Objectors' Group who disrupted a parish council meeting in July 2021. It should be noted that no further action was taken in this instance; and
- Sussex Police investigated a hate crime against one councillor who had received pornographic and very offensive material through their letterbox

3.5. Appendix B provides examples of the campaign undertaken by the Objectors' Group. The Group appears to be supported by the local newsletter that describes itself as *"nothing to do with councils or churches"*. However, the editor has published several misleading and biased articles. It should be noted that some corrections had been made by the newsletter.

¹ Quote from the ICO – see section 2.3

² Quote from the ICO – see section 2.4

³ ICO FOIA decision 21st April 2022

4. THE PLEDGE

- 4.1. By CWRPC signing up to the civility and respect pledge we are demonstrating that the parish council is committed to treating councillors, clerks, employees, members of the public, representatives of partner organisations, and volunteers, with civility and respect in their role.
- 4.2. Signing up is a simple process, which requires councils to register and agree to the following statements:

STATEMENT TO AGREE	STATUS
Our council has committed to training councillors and staff.	In place
Our council has signed up to Code of Conduct for councillors.	In place
Our council has good governance arrangements in place including, staff contracts, and a dignity at work policy.	In place
Our council will commit to seeking professional help in the early stages should civility and respect issues arise.	In place
Our council will commit to calling out bullying and harassment when it happens.	To agree
Our council has agreed that it will treat all councillors, clerk and all employees, members of the public, representatives of partner organisations, and volunteers, with civility and respect in their role.	To agree
Our council supports the continued lobbying for the change in legislation to support the Civility and Respect Pledge, including sanctions for elected members where appropriate.	To agree
Our council will continue to learn from best practice in the sector and aspire to being a role model/champion council e.g., via the Local Council Award Scheme.	Aspirational

5. RECOMMENDATIONS

- 5.1. It is **RECOMMENDED** that CWRPC adopt the Civility and Respect Pledge as listed in Appendix C. The Pledge has been adopted by many local councils across Sussex.

Paul Richards, Parish Clerk
27th February 2023

APPENDIX A – HARASSMENT AND ABUSIVE BEHAVIOUR

1. CIL money is received by CWRPC. CWRPC sends out extensive information asking parishioners to select projects that meet CIL rules.
2. CWRPC receives letters, drawings, and e-mails of suggestions.
3. As it is during Covid lockdown, CWRPC views all the suggestions in the village hall. The Clerk and 6 members of council attend to view the letters. Strict Covid regulations are upheld.
4. A working party is set up of 3 councillors to check if the requests are allowed within CIL guidelines. The 3 represent Chalvington, Deanland and Ripe. The task force recommends the following as they meet CIL criteria.
 - a) repairs to the village hall heating system
 - b) new church gates
 - c) a defibrillator to be held in Ripe village,
 - d) new electricity supply to the island outside the village shop for use during outdoor activities and a set of supports sunk in the ground to support the Christmas tree that is an annual village custom.
 - e) Bicycle posts to prevent bicycles being left in unsuitable and potentially hazardous places when cycling clubs visit the village.There were two other requests-
 - f) a community space.
 - g) a pétanque pitch.
5. CWRPC reports on the findings of the working party at a CWRPC meeting and votes unanimously for items a-e. It is explained that there is no land for a community space or a pétanque pitch (f and g).
6. A group of protestors begin a campaign against CWRPC. They claim that the covenant on the land by the church can be changed to allow a community space and a pétanque pitch. They object to the bicycle posts. Some claim that cyclists should be prevented from using village roads. They do not accept that the council based its decisions on a democratic process. Covid restrictions prevented them from viewing the letters of support.
7. Disruption by members of the Objectors' Group at the July 2021 parish council which led to several residents being interviewed under caution. NOTE – no further action was taken by the Police in regard to this incident.
8. Police called to prevent planned disruption of the lawful installation of the Bike Posts. They were requested as threats were received to disrupt the planned installation.

APPENDIX B - TACTICS EMPLOYED BY THE OBJECTORS' GROUP

- Seek to unseat councillors. Claim they are not elected.
- Start a campaign of malicious postings on Facebook.
- Abuse councillors verbally.
- Use the Bugle (a local newsletter) to post false claims against CWRPC.
- Place posters around the village with malicious claims against members of CWRPC.
- Harass the female Clerk. (She chooses to report their behaviour and resigns. A new male Clerk with 35 years' experience is put in place).
- Disrupt a CWRPC meeting with allegations of abuse towards the Clerk and some councillors. This is reported to the police by the new Clerk.
- Threaten to break up work to install bicycle posts by the Highways Department. The police attend.
- Harass three female members of the council. They feel this is a campaign of misogyny.
- Send in 12 Freedom of Information requests to Wealden Council. A report is sent by the Information Commissioner.
- Put pornography through the letterbox of a councillor.

EVIDENCE

1	July 2021	Sussex Express news article <ul style="list-style-type: none"> • Police called in response to threats of criminal damage to the proposed installation of CIL project bike posts. • Reports of the July 2021 parish council meeting being disrupted
2	October 2021	Ripe and Chalvington Community Association formed – comment regarding fear of arrest.
3	November 2021	Newsletter publishes an inaccurate statement re CIL projects. Retraction requested.
4	January 2022	Sussex Express news article <ul style="list-style-type: none"> • CIL island protests
5	February 2022	Statement from the Chair of CWRPC regarding members of the Objectors' Group interviewed under caution.
6	April 2022	ICO finds FOIA complaint as vexatious
7	June 2022	Critical letter attached to the bike posts
8	June 2022	False and fabricated letter purporting to be a planning application
9	January 2022	Poster re bench
10	January 2022	False and fabricated poster purporting to be from ESCC
11	January 2022	"Stop Thief" poster
12	February 2023	Abusive poster
13	July 2022	Clown reference poster

APPENDIX C – THE CIVILITY AND RESPECT PLEDGE

Chalvington with Ripe Parish Council will:

- Treat all councillors, clerk and all employees, members of the public, representatives of partner organisations and volunteers with civility and respect in their role;
- Put in place a training programme for councillors and staff;
- Sign up to Code of Conduct for councillors;
- Have in place good governance arrangements in place including, staff contracts, and Dignity at Work Policy;
- Commit to seek professional help at early stages should civility and respect issues arise;
- Commit to calling out bullying and harassment when it happens;
- Continue to learn from best practice in the sector and aspire to being a role model / champion council e.g., via Local Council Award Scheme; and
- Support the continued lobbying for the change in legislation to support the Civility and Respect Pledge including sanctions for elected members where appropriate.

Chalvington with Ripe Parish Council Civility & Respect pledge

NOTE – The evidence pack from this report can be found on the CWRPC website.

<https://www.chalvingtonwithrieparishcouncil.co.uk/community/chalvington-with-ripe-parish-council-19894/civility--respect-pledge/>

