

NORTH CRAY RESIDENTS ASSOCIATION ANNUAL GENERAL MEETING

Minutes of Meeting held on 1 July 2014, 8pm in St James' Church, North Cray

The meeting commenced with an informal gathering of some 35 members before the formal start of the AGM.

Upon opening the meeting the Chairman, David Cook, thanked everyone for coming, and extended a special welcome to our guests Andy Wilson and Roger Latch of the Chislewick Residents Association, and Paul Laundry of the Sidcup Community Group – and to Cllr Don Massey, whom we congratulate on being re-elected to represent Cray Meadows Ward and for his new position as Cabinet Member for Environment and Public Realm.

1. APOLOGIES

Apologies had been received from Mick Doughty, Tony Morris (both on holiday), Gill Burgess and our new members at the Red House on Bunkers Hill- Carol and Paul Johnson.

2. MINUTES OF THE LAST AGM HELD ON 26 JUNE 2013

These were taken as read, and agreed as an accurate record. Their adoption proposed by Angela Goodman and seconded by Mario Farrugia. Updating issues as they stood last year, the Chairman then reported that:

4.3 Polytunnels at Honeydale Farm: despite all the efforts of the Secretary and Mick Doughty of Barton Road, and the support of Cllr Don Massey, Bexley's Planning Committee ignored the arguments against this Major development on Green Belt and Heritage Land and granted planning permission.

4.4 Stuarts soil grading operation: Cllr Massey's intervention last year seems to have improved the situation, and so we are hopeful that things will be less stressful this year for our members living close by. We have had no recent calls from them raising any concerns.

4.6 Complaint about the Secretary's conduct in respect of No. 78 The Grove: all the correspondence was posted on our website – for members to judge for themselves whether or not the complaint was justified. Not a single response was received in support of the complaint.

4.7 Joining forces with other Organisations: I am pleased to be able to tell you that our Association has now joined forces, in terms of liaison, with the Sidcup Community Group and the Chislewick Residents Association, to work together on issues of common concern that cross the Bexley-Bromley boundary. Regular meetings will now be held between our Secretary, Paul Laundry of the Sidcup Community Group and Andy Wilson, Roger Latch and John Eveson of the Chislewick Residents Association. The major concern at present is, of course, the waste recycling operation at Crittalls Corner. Jean has been attending the High Court hearings on the case against Waste4Fuel brought by the Environment Agency, and I will cover this more under item 6 of the Agenda.

3. HON. TREASURER'S REPORT

In presenting his Accounts, which had been distributed, the Treasurer, Geoff Waldmeyer, outlined their content and said that the Association's financial situation (£4,000) was in good shape. Our membership stood at 353 households, with subscriptions bringing in £706. This was due to the invaluable help of our Volunteer Collectors; but as we do not have enough of these to cover every road any volunteers would be very welcome! Regarding use of the £4,000, we would like members' ideas on how we might spend some of this for their benefit. Ideas floated by the committee are: to commission a sign giving the name of our village (there is none at present); a subsidised coach outing to say the Weald & Downland Museum, to see the North Cray House or to have social get-togethers with invited speakers. After examining the accounts for several years, Mario Farrugia is standing down and so we will need a replacement.

No questions were were forthcoming and adoption of the accounts was proposed by John Harrington and Martin Cunningham, and agreed.

4. CHAIRMAN'S REVIEW OF THE YEAR

The Chairman stated that, as he had reported in the AGM Notification, in recent months there had been a number of ongoing and new concerns which the Association is tackling on behalf of local residents, with one in particular being a potential major threat to North Cray's precious Green Belt and Heritage Land. With the AGM looming Jean and I booked a meeting with Susan Clark, Head of Development Control, and Cllr Massey to bring ourselves up-to-date with latest developments- unfortunately, I went down with a violent viral infection leaving Jean to try to cover everything!

- 4.1 Potential mini-residential estate 139 North Cray Road:** Last year Bexley Council approved the application by the owners to demolish some derelict out-buildings in the garden of Janina House and replace them by two detached residential houses. Encouraged by this success there is now an application to demolish Janina House itself and outbuildings and replace these by six dwellings with 12 parking spaces. At the meeting Mrs Clark, although unable to discuss Bexley's current thinking on whether it would recommend approval or refusal to the Planning Committee, indicated that she saw the proposal as not increasing the mass above what is there now, and viewed the housing development as one not impacting on the 'openness' of the Green Belt as it would be screened from the North Cray Road by trees and was not a prominent site. She said that along with government statements about its wish to protect the Green Belt it was also urging the provision of more housing (affordable housing surely!). She was also concerned that if Bexley refused the application and it went to Appeal, the Inspector would support the applicant.

However, Jean argued that No. 139 was not and should not be regarded as a brownfield site appropriate for residential development. She pointed out that this would be contrary to para 89 of the National Planning Policy Framework, which was designed to protect the Green Belt – albeit Planning noted but totally ignored when giving permission to the earlier application. Jean also argued that just because there were trees screening the view of the site from the North Cray Road, they would not remedy the impact of these houses upon the 'openness' of the Green Belt. She also stressed that if Bexley were to allow a housing development here it would set a serious precedent for other vulnerable Green Belt land in North Cray, eg the Weatherley site, the North Cray Riding School and Manor Farm. Mrs Clark did seem to take on board our arguments against the site being considered a brownfield one and our very real concern about

the precedent that would be set for other sites in North Cray.

The decision is to be delegated to the Planning Committee, and we do not yet know whether or not Development Control will recommend refusal, as we hope they will.

- 4.2 Private Gypsy Sites:** The AGM Notification detailed the current concerns regarding two sites off Bunkers Hill. Our comment to Mrs Clark was that Establishing these pieces of Green Belt & Heritage Land as Gypsy Sites would set a serious precedent for North Cray, where other such land is believed to be owned by Romanies. Moreover, we remain anxious that lack of Enforcement action in respect of the Little Haven Stud Farm (where the Inspector's permission for temporary siting of a mobile home expired in March 2014 and where a further mobile home has been brought on to the site in defiance of the Inspector's decision) might lead to a successful future argument based on "Established Use".

When we raised the issue at a meeting on 22 January we were informed that the whole question of gypsy sites was to be considered in the coming weeks. I might add that we have raised our concerns regarding lack of Enforcement and the apparent non-existence of future planning on dealing with Gypsy needs at every meeting with Sue Clark.

At last week's meeting, Mrs Clark confirmed that she had now met with the 'Gypsy Policy' team. This team has commissioned a Report from a consultant on gypsy needs in Bexley. The findings will become part of Bexley's Core Strategy – the bit that will deal with detailed planning policy; but this is not expected to appear before late 2014. She said that she did understand our concern, but could not tell us much at present about what the Decision on these two sites might be.

So, after five years, we are really no further forward after the outcome of the Public Inquiry in 2009, when it had seemed obvious to us that Bexley's legal representative had no experience in Gypsy law and related legal precedents.

- 4.3 Enforcement:** You will have noticed that the Association has become increasingly concerned at the lack of meaningful Enforcement action being undertaken against unlawful developments – and the private Gypsy site at Little Haven Stud Farm is a prime example. Does Environment Control have inadequate resources or is it simply the fear of costs if challenged? Either way, it would seem that Bexley's residents may not be getting the protection they should have.

At the recent meeting with Mrs Clark, Jean took the opportunity to ask her if she could explain to us why her Enforcement Team seemed to act in cases of apparently unauthorised building or activities only after our Association had reported them – an example being Homewood Stables where, we had been informed, there had been two such developments in recent years without planning approval. Surely proactive action on the part of the Team was desirable, especially in respect of those sites in North Cray which had a history of unlawful development and whose activities are hidden from general view.

Mrs Clark advised that her Enforcement Team was unable to be proactive, and could do no more than be reactive to concerns put to it, as it now consisted of only two and half people (formerly four) who had to spread their efforts over all of Bexley, particularly in places where there were major problems.

I might add here that at the time of the Weatherley Fencing/Asprey Homes planning application

issue there was a meeting on 7 April 2007 of the NCRA plus concerned residents, local councillors and Mrs Clark at the North Cray Community Centre. Mrs Clark was asked about the issue of Enforcement which was so crucial where a commercial/industrial site operated alongside residential property. She replied that, historically, Enforcement had been the 'Cinderella' of the planning department but that it had just increased its quota of Enforcement Officers to six. So, in fact, in the last seven years planning's Enforcement Team's capability has reduced by some 58%!

4.4 General matters

a) Membership: the Chairman pointed out that it is important that the Association is recognised as having the support of the majority of North Cray's residents. We have therefore undertaken a marketing initiative to encourage new and disinterested residents to join us. We prepared two letters – one to households who have previously indicated they have no interest in becoming members and a shorter version to people who have recently moved into the area. The content outlines what we do on behalf of the community and why their support is vital if we are to be recognised by the Bexley Council and other bodies as truly representing North Cray.

These letters were issued as part of the AGM Notification delivery exercise and hopefully we will have some success. We will report the outcome in the Autumn Newsletter.

b) NCRA Funds and Subscriptions The Chairman said that we have always considered keeping a 'fighting fund' to meet the cost of, perhaps, legal advice or representation should a major issue confront us. With no such issue, hopefully, on the horizon and our funds at £4000+ the committee decided to recommend to you that subscriptions are reduced – just for this year – to £1, which will hopefully encourage some new joiners. If you are happy to support this may I have a Proposer and Seconder,

Proposer: Nik Carter. Seconder: Mario Farrugia.

When put to the vote, those for the proposal were 12, those against it clearly outnumbered this by a show of hands. It was agreed, therefore, that the subscription for 2014-2015 should remain at £2.

c) Thanks to all those who helped us through the year The Chairman then expressed thanks to the following:

To **Cllr Don Massey**, who has again provided exceptional support to the NCRA this year and kept us fully up-to-date with any new developments he thought we ought to know about.

On all our behalf's – to all the **Committee** for their help and assistance throughout the year.

A special mention to our **Volunteer Collectors** and to our Membership Secretary, **Angela Goodman** for nurturing and looking after them – their help is invaluable.

Most especially to **Jean Gammons** who has again worked tirelessly through the year in keeping her eye on anything that could possibly adversely affect North Cray and/or its residents and taking action wherever necessary.

5 ELECTION OF OFFICERS AND COMMITTEE

a) Tribute to the late Bridget Harrington: the Chairman said that at this point, on behalf of the North Cray Residents Association, he would like to pay tribute to Bridget – a face much missed at these gatherings. Her loss to her friends and colleagues on the Committee is immeasurable and to John and her family unimaginable.

It is fair to say that without the 'team' of John and Bridget there probably would be no NCRA today and we would not all be sitting here this evening. I take this opportunity to acknowledge – with thanks- the many dedicated years that Bridget gave as both Secretary and Treasurer of this Association. Her passion for the protection of the local community and our precious 'green' environment has been an inspiration to every member of this Committee.

John Harrington responded with his sincere thanks for the kind words from the Committee- which was a dedicated Committee with dedicated Volunteer Collectors. He said the past years had been wonderful years... and he was so glad that the Association has progressed, and is now regarded as the foremost residents association in the Borough.

b) Election of Officers and Committee: the Chairman reported that no nominations for the election of Officers and Committee had been received; but that all were willing to stand again and he proposed that there should be a block re-election of Officers and Committee. Regarding the position of Examiner of Accounts, the Chairman reported that, having audited the Accounts for some years, Mario Farrugia had stepped down; but Michael Heath was willing to serve in his place. However, we did need a Reserve Examiner and he invited volunteers for this post; but none were forthcoming from the floor.

Chairman: the re-election of David Cook as Chairman was proposed by Mario Farrugia and seconded by Jan Brun. .

Officers and Committee: their re-election *en bloc* was proposed by Mr Stevens and seconded by Rupert Brun.

The newly-elected Committee for 2014-2015 was as follows:

John Harrington:	President & Committee Member
David Cook:	Chairman
Jean Gammons:	Hon. Secretary
Geoff Waldmeyer:	Hon. Treasurer
Angela Goodman:	Membership Secretary
Nik Carter:	Webmaster
Jacky Cook:	Newsletter Editor
Michael Heath	
Irene Waldmeyer	
Mick Doughty	
Jan Brun	
Rupert Brun	

Examiner of Accounts: Michael Heath.

6 CURRENT ISSUES

The Chairman further reported on the following several issues of concern.

6.1 Enforcement, Council v The Inspectorate

The Chairman said that, earlier, he had mentioned our concerns regarding Enforcement's capabilities, and we now know that the Team can only be reactive. What is of more concern, however, is the position Enforcement may be taking in dealing with matters which may not be in the best interest of affected residents but is the most expedient and easiest route to ticking the box as 'Done'.

Last year a resident in The Grove had an appeal application for a summerhouse refused by the Inspector following an earlier refusal by Bexley Council – much to the relief of neighbours- as, because of the steep slope of the rear gardens and the height of the base, the summerhouse had direct views directly into, and at the same height of the neighbours' bedroom windows. The Report from the Inspector was crystal clear, the key points including her recognition that the summerhouse's *positioning* resulted in a real loss of privacy and that, as a result, it was contrary to Policy H9 and ENV 39.

However, the Council's position is that they have looked at the Inspector's Decision and have decided to ignore it. Instead, the Enforcement Officer visited the applicants and agreed that if they just took the roof height down a bit it would comply with general regulations on Permitted Development in relation to garden outbuildings etc. However, the Inspector's letter clearly accepted that the building's height could be reduced to meet such regulations but that was irrelevant. She had refused the Appeal application on the basis of the Council's own regulations on the protection of privacy.

From Enforcement's view, however, this was likely to be a problem to deal with so, for expediency, Enforcement appears to have taken the easiest route – to the distress of affected neighbours.

I had written a detailed letter of concern to Mrs Clark only the day before our meeting on 24 June, but we had raised this back in January and received no response. At the meeting on 24 June Mrs Clark said that she had received my letter, but had been unable to do more than quickly scan it, and she said how sorry she was that she had failed to come back to us sooner on this matter. However, she promised to carefully read the points made in our letter and respond to them as quickly as she could once she had liaised with her legal team. Pending this, she made two points:

- i The decision to suspend Enforcement action had been made *in the best interests of the neighbours*, ie to prevent more harmful action against them; and she hoped we understood this. I don't think so – an affected neighbour is here this evening.
- ii It was up to the Association whether or not to approach the Inspectorate, she would not mind if this was done – but she offered little hope of the Inspectorate reversing Bexley's decision as it usually left such matters to the local authority!.

So, the Association's concerns/questions are:

i It was our understanding that councils had to abide by the decision of the Inspector. It seems not. Mrs Clark says the Inspector always leaves it to the local authority what to do and, from an initial conversation with the Inspectorate, it seems that they are not interested in what happens after their decision. So, who has what rights at taking action? For example, affected neighbours against Planning who rely on residents not risking the cost of court action; and

ii If Planning can ignore the Inspector's decision, why are they concerned about an appeal should they refuse the application for No. 139 North Cray Road?

We are continuing to pursue this issue and may seek legal advice here. In the meantime perhaps Don might be able to shed some light on this issue.

6.2 Waste recycling operation at Crittals Corner

The Chairman said that those attending may all have seen the TV and press coverage over recent days regarding this appallingly mis-managed site and the distress it is causing the owners of adjacent properties and local residents generally.

Following Waste4Fuel's failure to comply with the High Court's Order to remove all combustible waste by 1 May 2014 the Environment Agency have taken the operator back to the High Court – the hearing was today. Happily, the Court has refused the operator's application to bring more waste on to the site.

7 Other Business

7.1 60 St James Way: A member (who did not give his name) thanked the Committee for what was being done to resolve the problems caused by a scaffolding business operating there. Cllr Massey reported that an Enforcement Officer had visited, and the person responsible had accepted that the activity cannot be allowed to continue. Action will be taken by the council if the activity does not cease.

7.2 Bexley's Council Tax: the Chairman asked Cllr Massey if he knew what was the general view of people as regards perhaps paying a higher Tax, citing the difficulties of Social Services. Is there a general view that services are not as good as they need to be? Don replied that several councils around the country had conducted a referendum with their residents as to increasing council tax higher than the present ceiling of 2%. In each case residents had voted against this. Councils cannot do all that they used to do any more – there just isn't the funding given central Government funding reductions and increasing amounts that have to be spent on statutory obligations such as Children Safeguarding and Adult Social Care. So services may not be delivered in the same way as previously.

7.3 Future planning applications of concern/Group Email List: the Chairman said that too few letters of objection had been sent last year in respect of No. 139 North Cray Road for it to trigger delegation to the Planning Committee. Perhaps it might be possible to set-up a Group Email list so that the Secretary could alert members when there was an application of particular concern. Nik Carter (NCRA Webmaster) confirmed that this would be possible. The Chairman then asked members to send their Email address in to the Committee so that this can be set up.

7.4 The Chairman then invited Cllr Massey to speak to the meeting.

First, Don said how pleased he and wife, last year's Mayor of Bexley, had been to be able to present to Bridget and John Harrington Bexley's Civic Award specifically for their services to the North Cray Ward. His wife, Sharon, had felt very privileged to serve as Mayor; and they both wanted to say that they had been given magnificent support by the residents in and around North Cray, for which they gave thanks. With all this support, over £55,000 had been raised for the Mayor's Charity. It had been a truly memorable year!

a) Waste4Fuel's site at Crittalls Corner: Don said that this situation was totally dreadful for everyone affected. The Environmental Agency, who had issued the operating licence, were responsible for getting the matter resolved, not Bromley or Bexley Councils nor the Fire Brigade, who were also fed up with the situation. To clear up the mess would cost £m's and who would pay for this if the company went into liquidation? Our MP, James Brokenshire, is very active over this problem, as are his counterparts in Bromley. Hopefully, we are 'getting to the end game' and there will a Judgement soon.

b) 139 North Cray Road: Bexley is in a difficult situation over this one, bearing in mind that the new houses would not create extra mass and that they would be screened from the road. The decision will be delegated to the Planning Committee, where he would be happy to represent us. Don took the opportunity to say that in Bexley there were only two residents associations: the NCRA and the Cold Blow Residents Association. But they needed to be supported by letters from residents, too, if they felt strongly about any planning application – so please do support your Association in this way.

c) Enforcement : We cannot escape the financial responsibilities of local authorities and Bexley needs to save £40m in the next four years. Hard decisions had and will continue to be made to balance the budget. In respect of Enforcement this has been reactive only for several years now.

d) The Grove: Planning law has changed and under Permitted Development rights a replacement summerhouse could be built in almost exactly the same manner. It was an unpleasant situation, but not a lot can be done about it.

e) Bexley's financial situation: Lots of issues were facing us. Soon, through the *Bexley Magazine* and the council's website, a consultation for residents to give their choices on how the budget should be balanced will be available. He urged all to participate! But austerity will be with us for some time to come...

Don then invited questions from the floor:-

f) Foots Cray Meadows & Recycling: Michael Heath (chairman of the Friends of Footscray Meadows) asked about Ward Security for Parks & Open spaces. Don explained that Bexley has a contract for them to provide night cover, but this will end in September 2014. After this, all parks will be left open at night, at present approximately 80 out of 100 are already. This will save approximately £200,000 per annum. The cost of the daytime contract is around £150,000 and this is under consideration at the moment. As Cabinet member for Environment and Public Realm, he has to make a decision on this.

Trevor Jones asked what was covered by Don's new job title. Don explained that for Environment this meant rivers, woodland, waste recycling and a lot of other universal services. Public Realm meant parking, highways, pot holes etc. and getting funds from TFL!

Nik Carter asked who brings waste in for recycling, and said he hoped Bexley were not using places like Waste4Fuel. Don said definitely not! Bexley works very hard on Recycling and is good at getting residents on board. He added that by closing the site in Footscray on Wednesdays only Bexley would save £50,000 per annum.

Trevor Jones asked whether it would be possible for people to visit Cory's recycling plant. Don said that such a visit would have to be arranged direct with Cory, but he would give Trevor contact details.

Malcolm Barr-Hamilton raised the problem of walking the path from Five Arches bridge across the meadows in very wet weather. Don said that the long-term solution would probably be to raise the path and the council was looking into what the cost of this would be and if it was viable.

Bus shelter, Footscray: Betty Rae took the opportunity to thank Don for all that he did last year to get this replaced by TFL, which was very much appreciated.

The meeting closed at 9.20pm