

SWANTON MORLEY PARISH COUNCIL

A Meeting of Swanton Morley Parish Council was held in Swanton Morley Village Hall on Monday 8th March 2010. The meeting commenced at 7.30pm.

Present: Mr R. Atterwill, Mr A. Fleming, Mr B. Marsham, Mr S. Westbury, County Councillor Mr B. Borrett and five members of the public. Also in attendance Mrs F. LeBon (clerk)

Matters Raised Under Time Allocated to the Public

- Mrs Walden asked who authorised the payment for the replacement doors on the hall. Mr Atterwill responded that this was the Parish Council.

The Meeting Went Into Session.

1. Apologies for Absence

Apologies were received from Mr Northall and Mrs Thomas

2. Declarations of Interest

None declared

3. Minutes from Parish Council Meeting of 8th February 2010 to be accepted, initialled and signed.

Mr Fleming proposed that the minutes be accepted as a true and accurate record of the meeting, seconded by Mr Marsham. Carried. The minutes were signed as a true and accurate record by Mr Atterwill.

4. Matters Arising from Minutes of 8th February 2010

None raised

5. To Consider the Position of Vice Chairman

It was agreed that this item should be deferred until a subsequent meeting to allow councillors more time to consider the position.

6. Finance

a) Accounts to approve for payment:

The clerk read an amendment to the published payment to Eastern Office Equipment. Mr Marsham proposed that these payments be authorised, seconded by Mr Westbury and carried

Payee	Detail	Cheque Number	Amount
Faye LeBon	Clerk's Salary Work for Village Hall and Social Club	101701	£356.86 £300.06
Faye LeBon	Clerk's Expenses	101701	£36.98
Norfolk Pensions	Local Government Pension Scheme (only for Parish Council work)	101702	£113.11
HMRC	Clerk's PAYE Work for Village Hall and Social Club*	101703	£89.40 £159.81
EON	Street Lighting (February)	DD	£161.43
Swanton Morley Village Hall	Room Hire (February)	101704	£13.50
Eastern Office Equipment	Stationery, ink and photocopying	101705	£91.43
TT Jones	Quarterly Maintenance and repairs	101706	£566.75
Norfolk RCC	Annual Subscription	101707	£25.00
Bank of England	Public Works Loan Repayment	101708	£8094.35
Trademate	Replacement Doors on Hall	101709	£2530.00
TOTAL			£12538.69

* Includes NI payment

c) Income

Was reported from the following:

Received From	Detail	Amount
Swanton Morley Village Hall	Loan Repayment	£106.74
Swanton Morley Village Hall	Refund of clerk's overtime (Nov/Dec)	£672.21
RPA	HLS Payment	£575.90
RPA	SPS Payment	£571.96
TOTAL		£1926.81

7. To Receive Report on Administration of Swanton Morley Village Hall

All councillors present were in attendance at the Village Hall User Group meeting held on 1st March and had therefore received a financial report at this meeting. A clear picture of the accounts had been obtained and cash flow forecasting was now in place. There still remained a liability to the electricity company however inroads were being made into this. The £2000 award from Calor had been transferred into the village hall account to cover the administration.

Emergency maintenance works are required to install an emergency gas cut off valve in the kitchen, a cool water blender valve in the gentlemen's toilets, and an automatic fire detection system throughout the building. An initial estimate for the latter project was approximately £6000. Grant funding is to be sought for this latter project.

Several user groups are assisting by paying their rents up front, and the social club is now up and running again.

The Charity Commission has been kept informed about all developments and they are happy for the Parish Council to administer the hall until the annual parish meeting on 26th April.

Letters have been sent to all user groups and groups listed on the 3rd Schedule of the trust document to find out whether user groups want to nominate a trustee under the current constitutional set up.

A budget has nearly been completed for the hall, but initial figures suggest that with prudent management the hall should be a viable asset for the village.

The next user group meeting is to be held on Monday 29th March.

8. Land and Planning

a) To consider responses for the following planning applications

i) 3PL/2010/0086/F – Mr and Mrs Brown re: Chrismatt, Town Street – Single Storey Side Extension and New Front Garden Wall

Mr Marsham proposed that there be no objections to this application, seconded by Mr Fleming. Carried.

b) To receive report of planning decisions by Breckland District Council

The clerk reported that Planning Permission had been granted for the following applications:

3PL/2009/0904/F – Swanton Morley Parish Council, BMX track and basketball hoop at Swanton Morley Village Hall.

3PL/2009/1209/F – Mr and Mrs Wilton, extension to the dwelling at The Hawthorns, Woodgate.

c) To receive report on LDF issues affecting Swanton Morley

The proposed changes to the settlement boundaries are due to go to the Breckland District Council Cabinet imminently. When approved by Cabinet they will be put out to further public consultation.

d) To receive update of transfer of lands at Middleton Avenue

There had been no response from Breckland District Council over this matter. The clerk is to chase again.

e) To agree further action on land at Town Street submitted for registration

The clerk advised that Hood Vores and Allwood are in the process of locating in 1852 deed that gives further detail on ownership of the village green.

f) To receive report on withdrawal of claim for adverse possession at Burgh Common

The solicitors at Cemex had provided the council with a draft legal document that would secure the council's payment within one month of Land Registry transferring entitlement of the land to Cemex following the council's withdrawal of its objection. Mr Marsham proposed that this document be formalised, seconded by Mr Westbury. Carried.

9. To agree data protection security policy and funding of £35 to secure registration with the Information Commissioner.

It was agreed that rather than using the recommendations on data retention provided by NALC, the recommendations from the Norfolk Record Office should form part of the Parish Council's Data Protection Policy. The Norfolk Records Office is keen to hold as many record as possible and this was agreed as preferable as their storage facilities are superior than those of the council. Mr Atterwill proposed that this Data Protection Policy be adopted by the council, seconded by Mr Westbury and carried. Mr Atterwill proposed that £35 be paid to the Information Commissioner to register the council as holders of personal data. Seconded by Mr Westbury and carried. Cheque 101710 was drawn to secure this registration.

10. To Consider Request from Mr A. Milne to enter into a permanent arrangement for Right of Way over the village green.

It was agreed that Mr Milne already has an easement across the village green due to his long usage, however this easement is personal and does not pass to any other occupiers of his properties. Mr Westbury proposed that the clerk write to Mr Milne advising him of this and that should he wish to progress the matter of a formal easement for tenants of his proposed properties, then he would need to agree to fund the cost of the District Valuation Office to visit the site so that a fair cost of a permanent easement can be established. This was seconded by Mr Marsham and carried.

11. Grant Funding

a) To receive any update on grant projects

No updates had been received.

12. Allotments

a) To receive a report on allotment project and agree further actions

Mr Atterwill has had informal discussions with Mr Keith about leasing an area of land for the purpose of allotments. A second meeting is to be held when Mr Keith returns from holiday.

The football club are entering into a private arrangement to lease the land next to the village hall for the purpose of holding extra football matches.

13. Street Lighting

a) To receive fault reports / matters for attention

None reported

b) To agree any applications to be an approved contractor for street light maintenance contract

Applications have been received from TT Jones and Amey. An application from MHB Services is to be chased. This is to be deferred until next month when the street lighting tender document can also be agreed.

14. Highways

a) To receive reports of highways faults / matters for attention

The clerk is to follow up with Norfolk County Council regarding the collapsed drain on Town Street as the excess water is becoming dangerous. The clerk is also to chase the replacement barrier in front of the shops, however it was accepted that this work was not as urgent as the collapsed drain.

15. Churchyard & Burial Ground

a) To receive an update report from Mrs M. Thomas on progress of the Sub Committee

The clerk is to arrange a sub committee meeting with Mrs Thomas. Mr Atterwill reported that part of the church wall has crumbled due to the bad weather over the winter period.

b) To consider quotations for mole elimination in churchyard

SM Pest control had already been awarded this work. The clerk is to chase them and find out how the work is going as there are still many molehills in the churchyard.

16. Youth & Playground Equipment

a) To receive an update report from Mr R. Atterwill on progress of the Sub Committee

Mr Atterwill reported that no sub committee meeting had been held this month. However, he reported that brick rubble had been strewn on the village green and the millennium notice board damaged beyond repair. This has been reported to the police.

b) To receive a report on anti-social behaviour reduction project

Mr Atterwill advised that the phone box on Primrose Square had finally been removed, however, the phone line is still there. The clerk is to speak with BT to get this removed. The bus stop sign at Primrose Square has been vandalised, the clerk is to arrange for this to be replaced.

Mr Atterwill reported that he and the clerk are now in possession of anti-social behaviour diaries where incidents can be recorded. Members of the public are welcome to report incidents of anti-social behaviour to the he or the clerk if they do not feel comfortable speaking to the police.

c) To receive update on youth provision project at the village hall

Planning permission has been granted for the BMX track and basketball hoop at the Village Hall. Mr Marsham is to get written quotes for the project and the clerk is to get quotes for a picnic bench. Whilst there is money ring fenced in the village hall account for youth projects, an attempt will be made to get grant funding as well.

d) To receive update on landscaping of old village hall car park

Mr Marsham will recommence work when the weather improves. It was appreciated that the weather this winter had been exceptionally bad.

17. Commons, Open Spaces & Environmental

a) To receive an update report on the progress of the Working Group

It was reported that the volunteers that were due to attend Mill Common to fell the alders had had to be delayed again because of poor weather. They have rescheduled for 24th and 31st March.

b) To receive report on improvements to Burgh Common

Work has commenced on the Burgh Common improvements with material being moved onsite.

The clerk reported that despite the lack of surety as to whether the council is entitled to money under the Single Payment Scheme, the RPA has paid the council an amount of £571.96. The clerk has raised this to the RPA in an attempt to hasten their decision, however she has been advised that investigations are still ongoing from reports done in 2008 so it will not be a quick process. The RPA are unable to suspend payment until the report has been completed.

18. To Receive update on village sign replacement

Updated sketches had been received from Harry Stebbings based upon the council's feedback on the original design. These designs are to be taken to the Annual Parish Meeting for feedback from parishioners. The clerk is also to look for grant funding towards a new sign. The old sign continues to deteriorate, particularly in light of the harsh winter.

19. To Agree Agenda for Annual Parish Meeting

It was agreed that the Annual Parish Meeting to be held on 26th April should commence at 7pm to allow time for an extraordinary general meeting of Swanton Morley Village Hall Trust to follow. This new start time should be emphasised on the agenda to be distributed to every household. Mr Marsham proposed that the draft agenda be approved, seconded by Mr Westbury. Carried.

20. To Agree March Edition of the Mardler

After the correction of a grammatical error, Mr Westbury proposed that the draft Mardler should be adopted and distributed to the village, seconded by Mr Marsham and carried.

It was reported that the Friends of All Saints' Church had requested an open letter in support of the church be included in the Mardler, however this was deemed as not appropriate due to the length of the letter. However, it was thought feasible to distribute the letter along with the Annual Parish Meeting information as long as the Friends' supplied copies of the letter at their expense and that they assisted with distribution as the council presently only has six councillors.

21. Correspondence

A letter had been received from Miss Wicks of Mason Road requesting a litter bin on Farrow Close. It was agreed that the clerk should respond thanking her for her letter, however there was currently no money in the budget for such a facility. However, if Miss Wicks could continue to monitor the situation for the council then if a need is still required in the future then they will readdress the matter.

Councillors considered recent correspondence from Mrs Walden and it was agreed that most of the content was designed to lecture the council and was offensive and personal to the clerk. However, Mr Atterwill did agree that there was a valid point in the letter that fund raising alone would not cover the capital works needed at the hall. It was agreed that the response to Mrs Walden should be to thank her for her letter and advise that the contents had been noted and that she would be welcome to put forward her points of view at the debate to be had about the hall on 26th April.

The Meeting was Suspended

County and District Councillor's Report

There was no report from the District Councillor

Mr Borrett reported that the Mill Street road widening project no longer required a compulsory purchase order as an agreement is now close. However there has been a delay of 3-4 months.

The pot holes that have been caused by the recent spell of bad weather are being repaired, however the weather is still not for repairs, it should be drier and warmer.

Mr Atterwill questioned the County Council's policy on the pay of classroom assistants and individual learning support assistants. Mr Borrett replied that this was the 'Modern Reward Strategy' and the pay of every council employee was being reviewed to bring about equality of pay. As a result the 'grade' of classroom assistants has gone down.

Mr Atterwill also raised concerns about County Hall not having sufficient records on pay and terms and conditions of service of their employees as the people bringing about this new policy were not aware of the grade that some members of staff were on.

Mr Atterwill asked about Norfolk County Council awarding all its contracting work to two 'super-contractors', one not even based in Norfolk, at the exclusion of local businesses. Did Norfolk County Council have a remit for supporting Norfolk businesses? Mr Borrett replied that Norfolk County Council does not have an obligation to have a local workforce, just to achieve best value at a required standard. When questioned how NPS can give best value if it is owned by Norfolk County Council, Mr Borrett responded that the dividends paid out by NPS go straight back to the shareholder, which just happens to be Norfolk County Council.

Mr Atterwill suggested that schools would not be happy having to rely on a contractor that was based in Cambridgeshire. Mr Borrett responded that schools were independent governing bodies and could opt out of the County Council's contracting scheme as they see fit.

Mr Ellis questioned how Norfolk County Council could deliver best value and still pay its Chief Executive in the region of £200,000? Mr Borrett agreed that this salary may appear excessive. Mr Ellis continued by asking why cuts are still being made when council tax is going up by 1.9%. Mr Borrett responded that there were several reasons for this, items such as fuel had gone up, inflation is higher than this and services are being delivered more effectively than they were in the past.

Mr Ellis asked whether the BMX track was to be sited on the owned or leased land. Mr Atterwill responded that it was on the owned land.

Mr Ellis asked whether there was a need for the hall to remain a charity if the Parish Council takes over the administration. Mr Atterwill replied that there was because it was very difficult to disentangle a charitable status. Mr Ellis then questioned whether the social club could form part of the Village Hall and then all its profits could go directly into it. Mr Atterwill replied that this is a possibility as long as the social club is purely supporting village hall events and not opening as a pub would.

Mr Palmer was of the opinion that school's are responsible for classroom assistants but Norfolk County Council are responsible for those children in need of individual support. He also advised that he would be willing to be a PCC contact for the hall. However, before anyone becomes a trustee of this establishment, insurance must be taken out to protect them.

Mr Palmer also advised that the Annual Church Meeting will be held on 21st March and nomination forms are available in the church for positions on the PCC. Mr Atterwill asked who owns the fabric of the church. Mr Palmer responded that the parishioners of the parish own it but the Church of England are the trustees.

Mr Walden expressed her disappointment in the Parish Council's response to her letter. She was of the belief that the Parish Council could not authorise the work on the Village Hall doors. When advised that the Charity Commission had given written confirmation that they were happy for the Parish Council to administer the hall Mrs Walden stated that she did not care what the Charity Commission thought about the matter. Mrs Walden was reminded that these doors had been in a poor state of repair for several years. They were both a security risk and they were letting heat out of the building. Yet no attempt had been made at replacing them by previous management committees of which she was a part.

Mrs Walden went on to object to the £2000 won from Calor to be used to administer the hall. Mr Atterwill responded that this was money made payable to the Parish Council and the Parish Council could do with it what it sees fit.

Mrs Walden was adamant that the hall should not be trading and it should close. She then added that it should only reopen when it has the money to do so. When questioned where the money should come from if the hall was not trading she could not respond. As Mrs Walden was so passionate about this point, the clerk asked whether she would like this as a formal proposal at the extraordinary general meeting. Mrs Walden replied that she would. The clerk is to arrange.

Mr Ellis was of the belief that there had been considerable negligence on the part of past trustees and that the Charity Commission Act states that these past trustees could be held financially liable. Mrs Walden replied that the previous insurance policy had had an extension to cover the trustee's liability. Mr Ellis advised that you cannot insure against negligence. The clerk agreed with Mr Ellis.

Mr Westbury asked Mrs Walden if she believed that previous trustees should be sued if they could be proved negligent. Mrs Walden asked for Mr Westbury's definition of negligent. Mr Westbury responded that this would be if the trustees had broken the terms and conditions of the trust document. Mrs Walden responded that if this was the case and the compliance department of the Charity Commission can prove this, then they should.

Mrs Walden, having not received the response to her letter that she wanted from the Parish Council, announced that she was left with no choice but to send the letter to the press. Mr Atterwill advised that she was completely within her right to do so.

The Meeting Resumed

22. Any item to be reported for the next agenda

- Review of Model Standing Orders.
- Street Lighting Tenders

23. To confirm the date & time of next meeting to be held on Monday 12th April 2010 at 7.30pm at the Village Hall.

Carried.

The meeting closed at 9.30pm

_____ (Chairman) _____ Date