

## SWANTON MORLEY PARISH COUNCIL

A meeting of the Parish Council was held in the Village Hall on Monday 12<sup>th</sup> June 2006. The meeting commenced at 7.30pm.

**Present:** Mr R. Atterwill (Chairman), Mrs. R. Northall, Mr C. Clegg, Mr J Carrick, Mr C. Perry, Mrs. Q Wood and 6 members of the public.

### 1. Apologies for Absence

Mrs M Thomas

### 2. Declarations of Interest

- Mrs R. Northall – Personal interests as a member of Norfolk Wildlife Trust and secretary of Swanton Morley Cricket Club.
- Mr Atterwill – Prejudicial interest in the grass cutting contract.
- Mr Clegg – Prejudicial interest in the Old Village Hall

### 3. Minutes from Parish Council Annual Meeting of 8<sup>th</sup> May 2006 to be Accepted, Initialled and Signed.

Amendments to the minutes were read out. Mrs Northall proposed these minutes be accepted, Mr Clegg seconded. All in favour.

### 4. Matters Arising

Item 11 - With regards to Mrs Wood's concerns over the unsatisfactory answer given to Miss Hart at the Annual Meeting about the £40,000 Foundation for Sports and the Arts Grant to fund tennis courts, Mr Atterwill requested at the time that Miss Hart come to see him after the meeting to discuss the matter further. Miss Hart did not take Mr Atterwill up on this offer. Mr Atterwill had spoken to Mr Carrick about the use of these funds and these were never formally allocated to the building of tennis courts, but were used as part of the village hall project, as this is a place to be used for a whole variety of sports and activities. Mr Atterwill had subsequently spoken to Mr Carrick about the possibility of a new all weather sports pitch for the village.

Mrs Northall requested that the clerk write a letter of thanks for Carolyn Heydon for volunteering as tree warden for the village.

Mr Clegg provided a copy of an agreement signed by Norfolk County Council on 6<sup>th</sup> October 1993, stating that Norfolk County Council had purchased the strip of land between Gooseberry Hill and Town Street, on which a wall in need of repair currently stands. Norfolk County Council had previously denied ownership of this land and thus denied responsibility to maintain the wall.

### 5. Finance

**a) Accounts to be approved for payment** – Mrs Northall proposed the following be approved, Mrs Wood seconded. All in favour.

Payment	Amount	Cheque No.	Comments
Clerk's Salary (Miss Woolnough)	£281.22	101232	
Clerk's Expenses (Miss Woolnough)	£37.16	101232	
Clerk's Salary (Mrs LeBon)	£148.65	101233	18.5 hours @ £8.035 per hour
Clerk's Expenses (Mrs LeBon)	£15.83	101233	
E-on	£102.57	D/D	
Mr B Woolnough	£448.00	101234	Maintenance of Village Sign
Norfolk Wildlife Trust	£45.00	101235	Annual Membership Renewal
Mr R Allsop	£958.80	101231	Grass Cutting (March & April)
<b>Total</b>	<b>£2,037.23</b>		

Mrs Northall queried whether there were sufficient funds in the Community Account. Mr Atterwill advised that he would transfer enough money from the Tracker Account to cover these payments.

## b) Income

Income	Amount	Comments
Breckland Council	£373.76	Recycling Credit
<b>Total</b>	<b>£373.76</b>	

## 6. Audit and Financial Statements

**a) Approval of the Council's Financial Statements for 2005/6 and Completion of the Annual Audit Return for 2005/6** – Mrs Northall pointed out a small typographical error in the 2005/2006 Balance Sheet but agreed that the final figures were correct. The Statement of Assurance was agreed by all Councillors. Mr Atterwill signed the Audit as Chairman of the Council and the clerk signed as Responsible Financial Officer.

Mr Atterwill suggested sending Ms Smith a gift for providing the Internal Audit free of charge to the Council. Mrs Northall disagreed as she believed this would set a precedent for all those who provide their services to the Council for free. Mrs Northall proposed that the clerk write a letter to Ms Smith thanking her for her services and to ask whether she wish to re-consider her arrangement of non-payment. Mr Perry seconded. All in favour.

Mrs Northall queried whether the Council's Insurance Cover should be extended to cover the picnic bench in the village. The clerk is to speak to Allianz Cornhill to see if this is covered or if there would be an additional premium.

**b) Obtain Council agreement on electronic maintenance and reconciliation of future ledgers.** – Ms Smith advised in the Internal Audit that it is usual practice these days to keep a form of computerised accounts. Mr Clegg proposed that the Council's accounts be maintained in Excel, Mr Perry seconded. All in favour.

## 7. Public Participation Session

*Mrs Wood proposed the meeting be adjourned and opened to the public. Mr Clegg seconded. All in favour.*

Mr Marsham advised the Council that there are an increased number of children playing around the Waterfall Bridges. Because these are situated in a position where there are no pavements and near to blind corners on the roads, the Council should consider signs for traffic warning them of the danger of children playing close to the road.

Mr Ellis queried whether a grass cutting amount for work in completed in March was allocated to the 2005/06 or 2006/07 budget. The clerk confirmed that this was 2005/06. Mr Ellis reminded the Council of their obligation to publish their Annual Audit on the Parish Council notice board opposite the Post Office. He then requested that a second public participation session be held at the end of each Council meeting so the public can comment on topics discussed within the meeting.

Mrs Walden informed the Council that the Swanton Morley website had not been updated.

Mr Northall, as Chairman of Swanton Morley Cricket club, asked that the Council consider carefully planning applications around the cricket ground. At one time there was only one house around the ground, now houses are slowly encroaching the ground and the fear is that once the cricket ground is surrounded, developers may make an offer on the ground itself.

Mr Northall also confirmed that the cricket ground owned a two metre stretch of land adjoining the main road and had permitted parking for specified persons on this land.

With reference to the Old Village Hall and access to the cottages, Mrs Northall asked Mrs Walden about discussions she had had with Mr Carrick about a precedent set by Hampshire County Council. Mr Carrick advised that the sale of the old village hall must be based on the provision of best value for the village, and not based on another Council's decision.

*Mrs Wood proposed the meeting be brought back into order. Mr Clegg seconded. All in favour.*

## **8. To discuss and agree format of the agenda with regards to public participation**

Mrs Northall proposed that, in addition to the current Public Participation Session, a five minute second session should be held at the end of the meeting to enable the public to comment on subjects covered in the meeting. Mr Clegg seconded. All in Favour.

## **9. Planning**

Mr Atterwill commented that planning applications were not being returned to the clerk quick enough. Mrs Northall suggested that all planning should first go to the Chairman, then to the Vice Chairman, followed by general distribution, finishing with Mr Perry.

### **a) 3PL/2004/1453/F – Mr D Norman, Hazeldean Farm – Amendment to application for erection of a new double garage.**

Mr Carrick proposed that this be approved. Mrs Wood seconded, all in favour

### **b) 3PL/2006/0620/F - Mr & Mrs J Wells, Angel View, Swanton Morley - Side and rear single storey extension.**

Mrs Wood proposed this be approved, Mr Clegg seconded. All Councillors present in favour. Mrs Thomas stated objections in her response to planning correspondence.

### **c) 3PL/2006/0615/F – Mrs & Mrs C K Beal, New Orchard, Greengate, Swanton Morley – Two new dwellings and detached garages.**

Mr Atterwill proposed an objection be sent on the grounds that the plans lie beyond the planning boundary guidelines. Mrs Wood advised that these were only guidelines and the application should be viewed on its own merits and that planning permission had been approved for Lincoln House despite the fact that this lay beyond the specified planning boundaries. Mr Carrick responded that the guidelines were there for a specific reason and that was to keep planning within the boundaries.

Mr Perry proposed an objection, Mrs Northall seconded. Majority decision to object, with four Councillors voting for an objection, one abstention and Mrs Wood voting to approve the plans.

### **d) To receive a report from Mr C. Clegg on the progress of the Planning & Local Development Working Group**

Mr Clegg provided a report as Chairman of the Planning and Development Working Group, stating that they had met with Mr James Campbell of the Policy Department of Breckland Council. Discussions took place as to the term 'Affordable Housing' and how this might apply to the parish. Houses built in the parish since 2001, thus currently included in the Housing Policy, number eleven. None of these are deemed 'affordable'. The Parish Council has yet to respond to the committee with potential sites for development.

## **10. Old Village Hall & Car Park**

Mr Clegg advised that he had sought advice from the Standards Officer with regards to his prejudicial interest in the Old Village Hall. He was advised that he may provide a submission of his views and requested that they be read in the context of the discussion, and referred to the case of Bakewell Management Ltd vs Brandwood (2004) as setting a precedent for his prescriptive right of access.

*Mr Clegg Left the Room*

Mr Atterwill had sought advice with regards to the sensitive nature of this part of the meeting. Mr Carrick proposed that this part of the meeting be closed to press and public. Mr Perry seconded. There was a majority decision to accept this proposal with Mrs Wood and Mrs Northall providing objections.

*This Part of the Meeting was Closed to Press and Public*

**a) To receive update on results of valuation of the old village hall and car park, from Case and Dewing.** Mr Atterwill provided the Council with several valuations. The Old Village Hall as it stands, the whole site, and the site subject to vehicular access to the cottages. These were given with and without outline planning permission. Mr Carrick queried as to why the figures received were different from those provided by the District Valuer's report. Mr Atterwill replied that he had discussed the matter with Zoe Footer at Breckland Council and in his opinion the District Valuer's report had been inaccurate, with Breckland only having an interest in the old village hall car park and not the old village hall building. Mr Perry proposed the contents of this valuation be made available to the public. Mrs Wood seconded. All in favour.

**b) To review email received from Mr Keith regarding land at the new village hall.** – Mr Atterwill provided the Council with an email received from Mr Keith. Mr Perry proposed the contents of this email should at this stage remain private and confidential. Mr Carrick seconded and Mr Atterwill carried the motion. Mrs Northall and Mrs Wood preferred that the information in the email be made public.

*Mrs Wood proposed the meeting be brought back into session. Mrs Northall seconded. All in favour.*

Mr Atterwill made public the valuations for the Old Village Hall

Mr Atterwill read the statement received from Mr Clegg, stating that he had had vehicular access to his property via the Old Village Hall Car Park since 1978. Originally he paid a sum of £1 per annum for this privilege, but this has since lapsed and the Parish Council has never pressed for the money. As he had had unhindered right of way to his property for over 20 years, Mr Clegg requested that a prescriptive right of way should be granted.

**c) To discuss and agree response to letter received from Mrs Walden.** – Mrs Walden provided a letter to the council with a case study involving Hampshire County Council that she believes should set a precedent for her being allowed prescriptive right of access to her cottage. Mr Atterwill stated that as far as he was aware Norfolk County Council does not at present have a policy relating to this matter, but suggested that our Norfolk County Councillor may be able to seek advice that would assist in resolving this issue.

Mr Atterwill had researched historical access to the cottages, and there was originally a pathway to the back of the cottages allowing pedestrian access to the properties, but never vehicular access.

Mr Atterwill advised that he had spoken with the case officer at DEFRA about vehicle access across a village green and that he suggested that councillors should read the case study from the recent Oxfordshire County Council Trap Grounds case. Mr Atterwill also advised the cottage owners should provide the Parish Council with evidence that they have always had vehicular access to their land.

Should each cottage owner be able to prove that they (or the previous occupants) have had unhindered access for over twenty years then proper legal access might be granted. Mr Atterwill confirmed that this had been provided by Mr Clegg, and urged all other cottage residents to research previous owners of their cottages to help them to provide similar evidence.

Mr Atterwill queried where the money for legal fees for deregistering the Old Village Hall Grounds should come from and suggested that the sale of the Old Village Hall and the grounds it stands on could provide the necessary funds.

Mrs Northall proposed the Council take legal advice through the NAPATC. Mrs Wood seconded, all in favour. The clerk is to write a response to Mrs Walden acknowledging her letter and advising her that the Council will respond in due course. The clerk is also to write to NAPATC requesting their advice on this matter.

**d) To discuss and agree which land should be offered in exchange as village green in lieu of the old village hall car park.** – Mr Atterwill provided the Council with some documentation produced by Sketcher Partnership at no cost with two suggestions as to what could possibly be built on the Old Village Hall site, both involving the demolition of the Old Village Hall.

Option 1 – Three two-bedroom starter homes could be built in the footprint of the Old Village Hall.

Option 2 – Three three-bedroom homes, one in the footprint of the Old Village Hall and two set slightly further back. It would be difficult to put further homes on this site because only eight houses are allowed off an unmade road (including the current four cottages).

Mr Atterwill provided some pictures showing the possible style and quality of any potential homes, and suggested submitting an outline planning application to Breckland Council to see if the valuations obtained with planning permission are actually feasible.

Mr Atterwill advised that he had been in contact with Breckland Council about the possible exchange of village green status to the Gooseberry Hill playing field. Mr Atterwill suggested that it would be best to exchange using the Gooseberry Hill site and register this as village green, on the basis that it was central to the village and once the play equipment had been purchased it would be a great asset to the village, secured for future generations. Mr Carrick disagreed because Breckland Council would require £90,000 for the covenant. Mr Atterwill advised that Breckland would not require the money straight away, only when the Old Village Hall had been sold, and the village would be able to claim half of this back through grants to benefit the village. He went on to say that the key to this was to discuss acceptable terms with Breckland Council and ask them to check the accuracy of their valuation.

*Mrs Wood proposed the meeting be extended – All in favour*

Mrs Wood proposed that the Old Village Hall be sold as it is. There was no second so the motion was not carried.

Mr Perry proposed obtaining outline planning permission for the whole site as a phased development. The first phase would be for the footprint of the Old Village Hall, the second phase would be the land to the rear, supporting in principle access to the cottage as part of the scheme, subject to de-registration. This would have to go out to tender. Mr Carrick seconded however Mrs Wood was opposed to this proposal. Motion carried by a majority decision.

**e. To discuss and agree correspondence to be sent to Breckland Council, DEFRA and Mr Keith –**

It was agreed that Mr Atterwill is to send a response to DEFRA, via the clerk, advising them that we will be applying for planning permission. DEFRA will then independently value the site.

Mr Carrick is to send a response to Mr Keith, via the clerk.

Mr Atterwill is to approach Breckland Council with the assistance of Mrs Northall, Mr Carrick and Mr Perry if available. A letter has already been sent to Zoe Footer of Breckland Council requesting that the Gooseberry Hill file be reopened pending the outcome of this meeting

**f. To discuss the future of the old village hall steering group.** – Mr Atterwill asked the Council if they wished the Steering Group to be set up again. Mr Carrick thought it best to wait for the outcome of the planning permission.

## **11. Streetlighting**

**a) To receive fault reports / matters for attention –** It was reported that the dangerous column at Farrow Close has yet to be removed by T. Cartledge, the previous contractor. The clerk is to follow this up.

The clerk advised that the matter of the streetlight on Middleton Avenue had been escalated to management level at Eon who were currently chasing a response from Breckland Council who need to allow permission to lay a cable across their land.

The clerk had recently reported the faulty day burner on Gooseberry Hill.

It was reported that the concrete column on Manns Lane would need replacing in the near future.

## **12. Highways**

**a) To receive reports of highways faults / matters for attention –** Mrs Northall had been contacted by Mrs Orton about the lack of visibility for cyclists at the end of Middleton Avenue because of an overgrown hedge. Mr Atterwill suggested that because Breckland Council own the land they should be responsible for maintenance of the hedge. Mrs Orton had also pointed out the poor state of paths on Gray Drive. The clerk is to respond to Mrs Orton and contact Breckland Council about the overgrown hedge.

Mrs Wood pointed out that the trees at number 5 Ainsworth Close were growing across the path.

**b) To receive a report from Mr C. Perry on the progress of the Working Group -** Mr Perry gave a report on the progress of the Traffic and Pedestrians working group. A detailed report had been received from Fenella Potter at Norfolk County Council with regards to installing Vehicle Activated Signs. To attach a sign to a current lamppost would cost approximately £3,000, whereas a larger sign with no suitable post to attach to would cost in excess of £5,000. Currently there is no cost for maintenance, however there is soon to be an extra cost of £2,000 per sign added to the installation cost to cover maintenance. Mr Perry is to ascertain an accurate date as to when this charge is to be implemented and if necessary Mr Atterwill will call an extraordinary meeting of the council to authorise funding for this project to avoid these extra charges.

Mr Perry reported that the 'Walk To School Week' was a great success and thanked the Village Hall Management Committee and in particular Mr Carrick for assisting with the week by making parking available at the village hall.

## **13. Churchyard & Burial Ground**

**a) To receive an update report from Mrs M. Thomas on progress of the Sub Committee -** There was no report from Mrs Thomas, however, Mr Atterwill advised that an issue had arisen with May Gurney with regards to the laying of the paths in the Burial Ground. May Gurney advised that they had made an error in their measurements and had only accounted for 179m<sup>2</sup> of materials but this should have been 350m<sup>2</sup>. May Gurney will complete the paths but the Council may expect further correspondence from them.

**b) To discuss the future locking of the Burial Ground gates between dusk and dawn. –** Mr Atterwill asked the opinions of the Council that, when a beech hedge replaces the gap in the hedge, the gates of the Burial Ground should be locked from dusk until dawn. Although Mr Broady had advised that he would be happy to carry out this task, Mr Atterwill thought it would be best on a rota system. Mr Carrick

and Mrs Northall thought at this stage this would be unnecessary but to monitor whether the new paths are being used by children for cycling and skateboarding on.  
Mrs Northall requested an up to date map of the Burial Ground and Mrs Wood reported that Mr Plant's burial stone is leaning dangerously.

#### **14. Youth & Playground Equipment**

**a) To receive an update report from Mr R. Atterwill on progress of the Sub Committee** – Mr Atterwill provided a report as Chairman of the Playing Fields Sub-Committee. He advised that £500 had been awarded to the Council from the Norfolk Playing Fields Association bringing the total of confirmed funds to £23,000. A decision on a £5,000 application from Breckland Council was expected on 6<sup>th</sup> June, however a delay in processing had meant this decision had been delayed. Due to their policy on best value, NEWS have requested that our quotations be like for like. Further quotes have been received from alternative suppliers and will be forwarded to NEWS shortly.

**b) To agree the purchase of maintenance materials.** – Mr Carrick is to confirm a price for topping material for the Gooseberry Hill car park and the clerk is to obtain a price for bark for the play area. Mr Atterwill advised that he had asked Mr B. Woolnough if he was willing to paint all the village seats again this year and also to sand and paint the picnic table at the Gooseberry Hill playing field. Mr Woolnough advised that he would be happy to carry this out and provided a written quote of £310. As this was below the Council's £500 limit for competitive tendering all Councillors present agreed to ask Mr Woolnough to proceed with the work. The clerk is to write a letter to Mr Woolnough confirming this.

**c) To discuss inclusion of the grass mound on Gooseberry Hill into the grass cutting contract.** – Mr Atterwill is to ask the grass cutter to include the grass mound on Gooseberry Hill. Mrs Wood requested that the grass cutter cut closer to the fence to prevent poisonous foliage from growing close to the play area.

Mr Carrick advised that Swanton Morley Football Club is to reform and will begin the process for applying for grants for kit and equipment. Mr Atterwill suggested that Awards For All would be worth putting an application in to.

#### **15. Commons, Open Spaces & Environmental**

**a) To receive an update report from Mr J. Carrick on progress of the Working Group** – Mr Carrick provided a report as Chairman of the Commons and Open Spaces Working Group. Tender documents had been sent for the fencing of Mill Common. These are to be opened at the clerk's house on 26<sup>th</sup> June at noon.

A grant of £500 had been agreed to promote fishing on Burgh Common. The clerk is to investigate whether this had been received.

The clerk is to write a letter to DEFRA to withdraw the current application with regards to Mill Common.

#### **16. Correspondence**

None

#### **17. To discuss the points raised by the Standards Officer**

This item was deferred to the next meeting

#### **18. To agree which further Parish Records should be sent to the Norfolk Records Office**

This item was deferred to the next meeting

#### **19. Tree Planting on Ainsworth Close**

**a) To consider the planting scheme from Norfolk County Council and select one of the following options :**

**i) To carry out tree planting at Ainsworth Close as per the scheme**

**ii) To reject the scheme at Ainsworth Close and carry out planting at the Gooseberry Hill Play Area**

This item was deferred to the next meeting

#### **20. County / District Councillors' Reports**

There were no reports

#### **21. Any Item to be Reported for the next agenda**

Mrs Wood advised that three drainage covers between the cottages and the Old Village Hall needed urgently replacing. Mr Atterwill and Mr Carrick to investigate  
Mrs Northall requested that the Community Car Scheme be on the next agenda

**22. To confirm the date & time of next meeting to be held on Monday 10<sup>th</sup> July 2006 at 7.30pm at the Village Hall.**

All in Favour

*This Part of the Meeting was Closed to Press and Public*

**23. To discuss the contract of the new Parish Clerk**

Mr Atterwill circulated a draft contract to the Council. It was agreed that the Council required further time to review and a further discussion be added to the agenda for July.

\_\_\_\_\_ (Chairman) \_\_\_\_\_ Date