



SWANTON MORLEY PARISH COUNCIL

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SWANTON MORLEY PARISH COUNCIL – CHAIRMAN’S REPORT 2018

Dear Resident,

I am delighted to provide you with this year’s Swanton Morley Parish Council annual report. Ours is a vibrant village and the last year has been another busy period. I would like to take this opportunity to share with you some of our achievements and work to come in the year ahead.

YOUR PARISH COUNCIL TEAM

I would like to pay tribute to our Clerk, Faye LeBon and our Administration Assistant, Kelly Pickard for all of their hard work, much of which is done behind the scenes but without whom, we simply could not function properly. The opening times for our Parish Office located in the village hall are now Monday and Tuesday 10–2 and Friday 10-12. You are welcome to make appointments outside of these opening hours and our staff will endeavour to accommodate this. We currently have a full team of nine Parish Councillors.

YOUR COUNCIL TAX BILL

For the third year running we have kept the increase to the Swanton Morley Parish Council element of your council bill very low. This year this is a very slight reduction of 0.6% which I hope will be welcome news given that there has been some sizeable increases imposed by other authorities. Our budget for this year stands at £92,214.00. It is a fact that we have been helped in this endeavour by an increase in our tax base (the number of houses in the village). We always endeavour to try and obtain grant funding where possible to assist with capital items such as play equipment and small highway improvements. We currently manage numerous village assets worth over £1,000,000 and I believe that we provide good value for money working on your behalf.

VILLAGE HALL

It is now 7 years since the Parish Council became the sole managing trustee of the Swanton Morley Village Hall Trust. I am pleased to report that the Village Hall Trust remains in very good financial shape and has seen a continuing increase in the number of hirers. Faye and Kelly carry out all of the financial, administration and marketing duties for the hall and will provide a more detailed report at the Annual Parish Meeting. The Trust also employs a caretaker, two cleaners and bar staff. In the last year we have installed a disabled/pushchair friendly kissing gate between the village hall field and Harkers Lane to improve accessibility. In the future we will look to construct a footpath between this new gate and the village hall car park. We hope that these measures when completed will encourage more walking and cycling to the village hall. We have also successfully applied for grant funding from Breckland Council for new outdoor adult gym equipment and an outdoor table tennis table. The grants come from money Breckland holds from developer contributions linked to the village and these totalled £5,120.00 and £2,600.00 respectively and could only be specifically used for outdoor sport & recreation equipment. This work is ongoing and will be completed in early Spring. A grant application has also just been submitted to Awards for All so that we can achieve our aim of constructing an outdoor kitchen, servery and storage space to help cater for outdoor sports clubs and events.

PLAYING FIELDS

In the last year we have installed a seesaw at the Gooseberry Hill playing field with the help of £1,200 of grant funding. We are also part way through the process of replacing the bark surfacing under the swings and slide with turf and rubber safagrass matting. The wet weather is hampering our efforts but we hope to complete this very soon.

CHURCHYARD & BURIAL GROUND

Visitors to the church might have noticed that the churchyard has undergone a very pleasing transformation in the last couple of years thanks to the fantastic voluntary effort of Chris Beal. He has worked singlehandedly to improve both the appearance and accessibility of the churchyard and the results have been very impressive. I would like to place on record our sincere thanks to Chris for his ongoing hard work. In the last year we have also refurbished the rose garden in the burial ground and this year we have plans to install some new fencing.

HIGHWAYS

Despite previous promises, Norfolk County Council (NCC) have not yet upgraded the 60 year old concrete footpaths in Thompson Close or Hannah Road. This has been further complicated by discussions we have had with Breckland Council which owns and maintains the grass verges in this area. They would like the Parish Council to take over ownership of these small grass areas but we have advised them that we are unwilling to do so because legal rights of way do not seem to have been established/clarified for homeowners and especially those who currently drive over or park vehicles on the grass. We continue to be very proactive in pressing Norfolk County Council to carry out minor highway repairs in a timely manner but due to their budget cuts it has become increasingly difficult to get repairs carried out. It is not an exaggeration to say that some of our roads are literally falling apart in places and urgent work is required. Please be assured that we shall continue to press Norfolk County Council for action on your behalf. It was very disappointing to note that Hopkins Homes did considerable damage to the road verge and footpath along Rectory Road whilst they constructed their Meadowview development. When we asked Norfolk County Council to approach Hopkins and insist that they install kerbing as a long lasting solution to the damage, we were told that they could not force Hopkins to do this. Reluctantly, in the last year Norfolk County Council carried out this work on our behalf having awarded us 50% grant funding towards the £9,476.00 scheme. In the forthcoming year, further work will be carried out to continue this kerbing work around the Rectory Road/Mill Street 'T' junction and finishing opposite the west gate of the church. Norfolk County Council will carry out this work on our behalf having awarded us 50% grant funding towards the £5,400.00 scheme. In the last year we have also purchased two SAM2 speed detection signs. These flash up the actual vehicle speed and record statistical data which we can pass on to the Police. These signs are moved around periodically at 10 different positions in the village. Since the new Northern Distributor Road was opened we have noticed an increase in the number of very large lorries travelling through the village. This is disappointing considering that the main road through the village was a couple of years ago downgraded from the B1147 to the C888 (this might also explain why our road repairs are taking longer to get done!). We are currently seeking a meeting with the bridges team at Norfolk County Council to ask them to inspect and monitor the old bridges which cross over the River Wensum.

COMMUNITY CAR SCHEME

Swanton Morley Community Car Scheme remains a vital service for the village. This scheme is designed to provide low cost transport for parishioners, who cannot access transport by any other means, for medical related appointments. Drivers are reimbursed a set amount for each mile they travel. The passenger pays 50% of the journey cost with the Parish Council and Breckland Council each paying 25% respectively. This scheme is only possible thanks to the dedication and organisational skills of its co-ordinator, Anne Sadler, who I would like to thank once again for all of her hard work this year, and also the volunteer drivers who give up their spare time to help our community.

NEIGHBOURHOOD PLAN

It is not an exaggeration to say that our Neighbourhood Plan has dominated the work of the Parish Council throughout the last twelve months. I would like to take this opportunity to place on record my appreciation for the work of the Steering Group which is made up of volunteers and parish councillors. The Steering Group spent over thirty hours considering the final policies taking account of the views you, our parishioners, expressed during the various public consultation events which were held. The Steering Group also took account of policies from other Neighbourhood Plans from around the UK which had passed the independent

examination stage of the process. The final draft of the Swanton Morley Neighbourhood Plan along with a wealth of supporting evidence was a very professional piece of work.

We underwent two statutory external consultation periods known as Regulation 14 and then Regulation 16. Both of these periods lasted six weeks and was an opportunity for the public, local authorities, utility companies and a host of external agencies to comment on our Neighbourhood Plan. We were pleased to receive some very constructive and helpful comments from the public, Norfolk County Council, Anglian Water and the Ministry of Defence and these were taken account of in the final draft of our plan. We received very negative comments from a developer called Gladman Homes which was to be expected. You may have read about this aggressive developer in the local press and the problems Mattishall is having with them. What we didn't expect was the responses we received from Breckland Council. These can only be described as being completely negative. They provided no constructive positive comments in an effort to help us and we were very disappointed with their lack of engagement with us during the process.

The next stage in the process was to appoint an independent examiner. Breckland Council provided us with a list of three possible examiners and asked us to list them in order of preference. Having considered the CVs for each examiner our first choice was the candidate that had undergone the industry recognised Neighbourhood Planning training and he had examined a good number of Neighbourhood Plans so it was felt that he clearly had a great deal of experience in this field. Our second choice candidate had not undergone any specific Neighbourhood Planning training and despite being very experienced in planning matters he had examined very few Neighbourhood Plans. The third candidate was apparently not available anyway. It is very important to point out here that the regulations state that the Qualifying Body (Swanton Morley Parish Council) has to consent to the appointment of the examiner. We were subsequently informed by Breckland Council that our second choice candidate had been appointed. When we wrote back to Breckland Council asking why our first choice examiner had not been appointed the response came back, "**Simply he was not Breckland's first choice**". I will return to this point later in my report.

The examination commenced in late September and concluded in November. The examiner decided that the examination would be dealt with only by written representations previously submitted during the consultation periods and without a public hearing.

We are very disappointed to note that when we received the examiner's report he seemed to agree with almost all of Breckland Council's consultation comments and indeed he has struck out several of our policies. In effect his proposed changes have stripped away the most important key policies set out in the Swanton Morley Neighbourhood Plan. Here is a small sample:-

Policies 2 & 3 – These made provision for possible additional development land along Hoe Road East tied in with the need for an additional parking facility opposite the school, widening of Hoe Road East along its narrowest section (which is currently single track), additional parking provision for the burial ground and a footpath to be constructed from Rectory Road to the end of Middleton Avenue.

Policy to be deleted

Policy 4 – This policy has been specifically tailored to provide a local letting policy to ensure that 33% of all affordable housing would be first offered to those people on Breckland's housing register who are Swanton Morley residents or those people with a prescribed link to our village.

Policy to be deleted

Policy 6 – This policy specifically asks that Swanton Morley Parish Council will be a signatory to any planning section 106 legal agreements relating to the provision and future maintenance of new open space provided as part of a new development. At the present time this is something that is agreed between a developer and Breckland Council and then we are told what will happen after the event.

Policy to be deleted

Policy 7 - This policy seeks to designate three parcels of Breckland owned open space as 'Local Green Space' These areas are at Thompson Close, Gray Drive and Middleton Avenue. Breckland objected to the inclusion of Middleton Avenue as it is apparently under review for its development potential. The examiner has agreed with this.

Policy to be amended to delete reference to Middleton Avenue

Policy 13 – This policy sets out minimum numbers for off street parking places depending on the sizes of dwellings for new developments

Policy to be deleted

Policy 15 – This policy sets out the required housing mix for developments of ten or more dwellings and requires a developer to provide a greater proportion of 1, 2 & 3 bedroom properties. This is felt necessary because based on our research Breckland Council has systematically failed to meet its own adopted housing mix in Swanton Morley resulting in a greater proportion of 4+ bedroom properties.

Policy to be amended to delete our requirements and instead adhere to Breckland's adopted policy

The Neighbourhood Plan set out a number of objectives the first of which was ***"To involve local people in an ongoing basis in the process of plan making, monitoring and delivery of development"***. It was extremely disappointing to find that in his initial report the examiner asked that this objective be deleted. In a way this one statement and his attitude to it set the tone for his examination report. This goes to the heart of the government's much lauded Localism Agenda. When we challenged him about this he did agree to leaving it in the plan.

Conclusion

As you can imagine there has been a great deal of disappointment as a result of Breckland Council's stance and that of the examiner. Having reviewed the whole examination process the Steering Group and Parish Council decided to challenge the decisions made by Breckland Council and the examiner:-

Firstly, we appointed a specialist firm of planning lawyers to advise us if Breckland Council had erred in the appointment of the examiner. The response we received back concluded that ***"The appointment of [the examiner] was unlawful because Swanton Morley Parish Council did not consent to it"*** Breckland obviously refute this. We have submitted a formal stage 1 complaint of maladministration to them and as a result they have agreed to revise their procedure for the appointment of future examiners. We reserve the right to submit a stage 2 complaint if this is not done to our satisfaction and could escalate to the Local Government Ombudsman as a last resort.

We have also been working closely with our MP, George Freeman who has so far been very supportive. He raised this matter in a Parliamentary debate and he contacted Breckland Council to ask them to look at this again. A meeting was subsequently held at Elizabeth House with George Freeman, Breckland leader William Nunn, Cabinet member for planning, Gordon Bambridge, Executive Director, senior officers and myself and our Clerk, Faye LeBon representing Swanton Morley. George Freeman addressed the meeting and made it clear to Breckland that what has transpired is not in the spirit of the government's Localism Agenda nor its stated aim that Neighbourhood Plans are there to empower local people to shape the future growth of their village. Breckland representatives responded that in some areas their hands are tied by national legislation. We pointed out to all present that some of our proposed policies are based on others in the UK that had passed the examination process so the inconsistency of the 'system' is hard to understand. We pointed out that the legislation allows for Breckland Council to review the examiner's report and that if they are minded to take a different view based on consideration of all of the existing and any new evidence they can choose to override the examiner. To this end, Breckland Council agreed to put together a timetable for their senior officers to meet with us and explore each of the key policies in more depth. We have already held two productive meetings with them with more to follow. They are producing topic papers for discussion and in turn we are challenging the contents of these as they become available and we have also provided additional information

to support our policies including examples of a recent High Court decision, government backed publications and examples of other UK Neighbourhood Plans. What has become evident during this process is that Breckland have in some cases gone away from their original stance which was mainly, "Your policy requirements do not comply with legislation", to one of "Well yes, it can be done but we would need to change the way we work to accommodate it". This is an important shift in tone.

Ultimately at the end of this process we will be faced with possibly one of four options:-

- 1) Accept the examiner's recommendations and proceed to referendum
- 2) Accept the examiner's recommendations including any items where Breckland might take a different view from him about a particular policy and proceed to referendum
- 3) Withdraw the Neighbourhood Plan and go back to Reg 14 stage which will set us back about one year
- 4) Withdraw the Neighbourhood Plan and proceed no further

We are in a situation at the moment where we have mutually agreed with Breckland Council to extend the 'prescribed date' before they must decide what formal action to take in response to the examiner's report. This was initially 9th April but we have agreed to extend this to 30th April to allow for further work and discussions to take place. Once these discussions come to an end the Steering Group and ultimately the Parish Council will need to consider the four options above and decide how to proceed.

In addition to this we have asked George Freeman to arrange a meeting in London for us to sit down with the Housing Minister and convey our experience of the Neighbourhood Planning system and how it can be improved. We are informed that this may take place before the end of April. I have also been interviewed about this on the BBC Sunday Politics programme as well as Radio Norfolk all in an effort to keep up the pressure on local and to a certain extent national government.

It is a well used cliché but this is something of a David v Goliath story. We will not give up without a fight.

Please can I ask that you are patient while we work hard to complete this process. We will provide further updates when we have more news on our progress.

New Housing Developments

The Meadow View development located on Rectory Road is now completed. The transfer of the green open space and along with it a sizeable amount of money should by now have been transferred to the ownership of the Parish Council. Unfortunately this has not happened. Very near the end of their work on site Hopkins constructed a large French drain feature within the open space to be transferred. They did this without planning permission as this was not shown on any previous drawings. The Parish Council asked Breckland Council to intervene and take enforcement action and this has resulted in Hopkins submitting a retrospective planning application. The Parish Council is of the opinion that this has been constructed to a very poor standard and is not sustainable. We have requested that the drain be excluded from the land transfer and initially we were advised by Breckland Council that Hopkins had agreed to this. Now we are told that Hopkins has reneged on this and told Breckland that we must take on all of the land including the drain. We have refused to do this and the result is that we are in something of a 'stand off'. Breckland Council are now tasked with trying to resolve this. This is very disappointing news because we want to erect a lasting memorial on the site and hold an opening ceremony with their families in attendance to commemorate the fallen soldiers attached to the Light Dragoons after which each road has been named. It is hoped that this will happen later in the summer but everything is very much up in the air until the issue of the land ownership is resolved.

When it comes to planning applications the Parish Council always strives to be well informed and fights very hard to get what we feel is in the best interests of the village both now and in the future. Needless to say, when it comes to planning we cannot possibly hope to please everybody all of the time. I know that the prospect of new housing can for some be an emotive subject. Planning applications can set neighbour against neighbour and friend against friend. This is regrettable. Good communication is always the best way of

alleviating such tensions. Our village is currently growing very fast and given the current direction of travel by both the Government and Breckland Council this will not change in the foreseeable future. Recently the Government published yet another consultation for more proposed changes to the planning system in order to promote more house building and we will need to try and adapt to these changes when they come. What we can do is try and influence how our village will grow and see if we can obtain improvements/additions to our local infrastructure and amenities to compliment the additional housing.

Dates for your Diary

At Christmas we held our second 'Carols on the Green' event on the village green. This was very well attended by local people and along with our Christmas trees and lighting display helped the village get into the festive spirit. Dereham Town Band and Dereham Round Table provided the entertainment and the event was organised by the Parish Council and village businesses. By popular demand we will be holding this event again this year on December 8th. Further details will be provided nearer the time.

In 2019 we are seeking to hold a Swanton Morley Festival which will consist of a number of events organised by village groups, businesses and volunteers. Discussions are at an early stage but we have pencilled in dates from Saturday 13th July – Sunday 4th August 2019 for this Festival. It is hoped that this will be a lot of fun and bring our community closer together. If you think you might be able to help us with this please come along to our next meeting scheduled for 23rd April at 7pm in the village hall bar lounge. All welcome.



ROGER ATTERWILL
CHAIRMAN, SWANTON MORLEY PARISH COUNCIL

2nd April 2018