

SWANTON MORLEY PARISH COUNCIL

A meeting of Swanton Morley Parish Council was held in Swanton Morley Village Hall on Monday 12th February 2018. The meeting commenced at 7.30pm.

Present: Mr R. Atterwill (Chairman), Mr K. Tidman, Mr B. Marsham, Mr J. Keen, Mrs B. O'Dowd, Mr S. Westbury, Mr G. Curran and Mr J. Rodrigues. Also in attendance were Mr R. Richmond (District Councillor), Mrs F LeBon (Clerk) and seventeen members of the public.

Matters Raised Under Time Allocated to the Public.

Members of the public requested an update regarding the transfer of the green open space at the Meadow View development to the Parish Council, and the respective opening ceremony for the Light Dragons. Mr Atterwill responded that a site meeting was held on 12th January with representatives from Hopkins Homes and Breckland District Council. Subsequent to this, Breckland District Council has since advised that the green open space will be transferred to the Parish Council, however the French drain will remain the responsibility of Hopkins Homes. A deed of variation for the section 106 agreement will be required to make this happen, and this will be submitted at the same time as the transfer document. At the request of the Light Dragons, the date for the opening ceremony has been postponed until the summer (at a date to be determined). Support was offered from the residents of Meadow View for the opening ceremony, for which Mr Atterwill thanked them on behalf of the Parish Council. He added that in addition to this community event, there is a meeting on 5th March to further discuss the possibility of a Swanton Morley festival in 2019.

A query was raised about the SAM2 signs not being visible in the village. Mr Atterwill advised that one sign suffered from a component fault and had to be returned to the manufacturer. This was now back in the possession of the Parish Council and will be installed in the village later in the week.

A query was raised about future development of the field next door to the Meadow View development. Mr Atterwill advised that no planning application had yet to be submitted, and as yet there had been no approach from the developer to the Parish Council to discuss the proposal prior to submitting the application.

Information was provided as to the 'Right to Light' in relation to the property next to the proposed shop extension development. This has been raised with Breckland District Council and a response is awaited.

District and County Councillor Reports

Mr Richmond advised that the Local Plan inspector has been appointed. The hearings for the inspection will commence in April. There will be twelve hearings and eleven of which will be held at Elizabeth House. Charlotte Brennan has been appointed the Programme Officer and she will liaise with parishes in relation to the inspection.

Breckland District Council has been awarded £10m from central government to enable house building in Thetford.

Officers at Breckland District Council have been keeping him abreast of the work between Swanton Morley Parish Council and Breckland District Council on the Neighbourhood Plan.

He had attended the recent SNAP meeting, at which police expressed disappointment over the number of drivers that were caught drink/drug driving over the Christmas period.

Mr Marsham queried whether Breckland District Council had undertaken a long term contract with the company running the Breckland Lottery. Mr Richmond will find out this information.

The Meeting Went Into Session

1. To Accept Apologies for Absence

Apologies were received from Mr O'Dowd.

2. To Receive Declarations of Interest

Mr Tidman declared a non pecuniary interest in item 12 (allotments).
 Mr Westbury declared a non pecuniary interest in item 12 (allotments).
 Mr Marsham declared a pecuniary interest in item 15b
 Mr Rodrigues declared a pecuniary interest in item 10a
 Mr Keen declared a pecuniary interest in item 10e

3. Minutes from the Parish Council Meeting of 8th January 2018 to be accepted, initialled and signed.

Mr Rodrigues proposed that the minutes of this meeting, be accepted, seconded by Mr Tidman and carried. Mr Atterwill signed the minutes as a true and accurate record of the meeting.

4. Matters Arising from Minutes of 8th January 2018 (For Exchange of Information Only)

None raised.

5. Minutes from the Parish Council Meeting of 22nd January 2018 to be accepted, initialled and signed.

Mrs O'Dowd proposed that the minutes of this meeting, be accepted, seconded by Mr Curran and carried. Mr Atterwill signed the minutes as a true and accurate record of the meeting.

6. Matters Arising from Minutes of 22nd January 2018 (For Exchange of Information Only)

None raised.

7. Minutes from the Parish Council Meeting of 30th January 2018 to be accepted, initialled and signed.

Mr Curran proposed that the minutes of this meeting, be accepted, seconded by Mr Westbury and carried. Mr Atterwill signed the minutes as a true and accurate record of the meeting.

8. Matters Arising from Minutes of 30th January 2018 (For Exchange of Information Only)

None raised.

9. Finance

a) Accounts to approve for payment:

The following invoices had been received for payment. Mr Westbury proposed that the following be authorised, seconded by Mr Rodrigues and carried.

Payee	Detail	Payment Method	Total Amount Payable	Of Which VAT Reclaimable
Faye LeBon / Kelly Pickard / HMRC / Norfolk Pension Fund	Staff Remuneration Packages (January)	Direct to Bank	£2,951.02	-
Information Commissioner	DPA Registration	Cheque 102832	£35.00	-
Eastern Office Equipment	Stationery and Copying	Direct to Bank	£111.37	£18.54
CGM	Grounds Maintenance Jan	Direct to Bank	£118.28	£19.72
Community Heartbeat Trust	Replacement Pads for Defibrillator	Direct to Bank	£33.60	£5.60
E-on	Street Light Electricity	DD	£66.15	£3.15
	TOTAL		£3,315.42	£47.01

b) Income to be Reported

The following income was reported as being received:

Income Received From	Description	Amount
Norfolk Community Foundation	Grant for Table Tennis Table	£2,600.00
RJ Bartram	Burial Fee (Brocklehurst)	£32.79
Allotment Holders	Allotment Rental	£99.66
	TOTAL	£2,732.45

10. Land and Planning

a) To Consider Responses to Breckland District Council for the Following Planning Applications

i. 3PL/2016/1533/H – Wensum Valley Hotel - Erection of visitor centre and change of use of land for campsite, outdoor recreation & centre with associated works and outline permission for 8 holiday lodges (Re-consultation following quashing of previous decision by the High Court by consent on technical legal grounds).

Mr Atterwill raised concerns that Mr Westbury had an interest in this matter, as he was the named claimant in a recent judicial review against Breckland District Council in relation to this application. Mr Westbury confirmed that whilst he had been the named claimant on the judicial review, he was acting on behalf of a group objectors and had not benefitted financially from the case. Subsequent discussions occurred over the ability of councillors to act in an individual capacity as well as part of the corporate body and the necessity to make it transparent to the public as to what capacity they are acting in.

The Clerk read out the previous objection made by the Parish Council. This was based on the application not conforming with policy CP1 (green infrastructure), CP10 (natural environment) and CP11 (protection and enhancement of the landscape).

Mr Atterwill insisted that the land was not deemed as the natural environment as it was formally a gravel pit. Mr Westbury argued that the former gravel pit had been restored to a natural environment, as per the legal agreement with Norfolk County Council, however that work was undone by the next owner.

The previous evidence of unlawful development was discussed and who the landowner was at the time, as was the extent of the historic Roman site that forms part of the development site. It was argued that granting planning permission with conditions was a better way of controlling the site than not granting planning permission at all.

Mr Atterwill reminded the room that the land is currently deemed as agricultural land and as such the landowner was entitled to plough over the land should she wish.

Concerns were also raised about the safety of a camp site so close to deep water.

Mr Marsham proposed that as the application was no different to the previous application, the Parish Council should be consistent and object to the application. Seconded by Mr Westbury and carried.

Mr Atterwill wished for his objection to the decision to be noted.

Mr Keen wished for his abstention to the decision to be noted.

Mr Rodrigues Left the Room

ii. 3PL/2017/1393/F – Elsing Road - Development of car park to provide additional commercial units (Amended plans)

Revised plans for this proposed development had been submitted. Mr Atterwill raised concerns with the space available for delivery lorries to manoeuvre. There is a pinch point by the tree and when staff cars are parked at the rear of the development then there is limited turning space. Mr Marsham suggested that there should be an entry from Pyes Lane and then a one way system. Concerns were raised about construction traffic, but Mr Carrick has advised that he will create a compound to the south of the site.

The Clerk advised that Norfolk County Council highways will be putting in the following recommendations to improve highway safety in the area:

- 1) That the 'one way' system around the triangle outside the shops be formalised.
- 2) That the footpath outside the shops be subject to a 'build out' and a deterrent to parking on the path, such as wooden bollards, be installed. This build out would be

subject to highway specifications to enable delivery lorries and farm traffic to turn left from Elsing Road to Gooseberry Hill.

- 3) A system of double yellow lines to further prevent parking outside the shop. Originally highway would not consider this until they were made aware that Swanton Morley already has double yellow lines within the parish, therefore making it part of the parking enforcement system.
- 4) The reduction of the height of the existing wall to ensure that there is adequate visibility.

Mr Curran felt that the highways suggestions made the site safer, but pressed that the double yellow lines should be extended to promote car parking within the car park. It was agreed after a proposal from Mr Tidman that the Parish Council should show support for the highways proposals, raise concerns about space for delivery vehicles, and ensure that Breckland District Council are investigating the concerns about the reduction of light to the neighbouring property. Seconded by Mr Westbury and carried.

Mr Rodrigues Re-Entered the Room

iii. To Consider any additional comments to Breckland District Council regarding the open space on application 3PL/2018/0014/D – 9 new dwellings on Gooseberry Hill

This item was put onto the agenda at the request of Mr Westbury to ensure that the verges put forward as green open space by the applicant do not count towards the green space calculations for the parish as they are not of any great quality. The Clerk reported that the last open space assessment conducted by Breckland District Council in 2015 showed that the village had a small surplus of outdoor sports facilities, but nearly a hectare deficit in children's play space. Other areas were deemed as amenity space and these were noted but not taken into account into the calculation. The area provided by the applicant would be deemed as amenity space.

Mr Atterwill raised concerns that the applicant did not want any of the roads to be adopted by Norfolk County Council highway. This would mean that any public open space would not be accessible from outside the development.

It was agreed that these concerns should be submitted to Breckland District Council, after a proposal from Mr Westbury and a second from Mr Tidman.

b) To Receive Report on Planning Decisions by Breckland District Council

The Clerk reported the following:

3PL/2016/1388/O – Titan Business Services re: Land Adjacent Brookfield, Frogs Hall Lane – Proposed Residential Development (5 dwellings). Appeal dismissed.

3PL/2017/1189/VAR – Freshfields, Harkers Lane – variation of condition 5. To date a decision has not been made.

3PL/2018/0014/D – 9 new dwellings on Gooseberry Hill. To date a decision has not been made.

3PL/2018/0003/F – 3 new dwellings to the rear of Aslan. To date a decision has not been made.

3PL/2017/1546/VAR – Rectory Road – Variance of planning conditions regarding drainage. To date a decision has not been made.

3PL/2017/1548/O – New dwelling adjacent to Crispins – Gooseberry Hill. To date a decision has not been made.

c) To Receive Update on Breckland District Council's Local Plan.

The hearings for the Local Plan will be held in April. To add to the March agenda so as to allow councillors to decide which hearings Swanton Morley should be represented at.

d) To Receive Report on Transfer of Open Space at the Meadowview Development to the Parish Council and Agree Subsequent Actions.

This was discussed under public participation.

e) To Consider Correspondence from Hastoe Housing Association

Mr Keen was advised that he need not leave the room as there was no update, due to the representative from Hastoe Housing Association having been on holiday.

f) To Receive Update on the Progress of the Neighbourhood Plan

Mr Atterwill reported that the Neighbourhood Plan examiner had removed all the prescriptive policies from the Neighbourhood Plan. This was not acceptable as it leaves the Neighbourhood Plan open to interpretation by developers. A design policy from the Attleborough Neighbourhood Plan was read out and it was agreed that this was completely subjective. Breckland District Council has the opportunity to take a different view from the examiner and discussions are ongoing about specific policies that are of high importance to the parish. It was noted that there had been tremendous support from George Freeman MP. A maladministration complaint had been submitted to Breckland District Council as the Parish Council is of the belief that they acted unlawfully in the appointment of the examiner.

11. Churchyard & Burial Ground

a) To Receive Report from Councillor Responsible for the Burial Ground and Churchyard

The inspections had been completed, and the report read out by Mrs O'Dowd in the absence of Mr O'Dowd.

Churchyard

There was evidence of mole hills being raked over, and the mole traps are in place.

The groundworks for the installation of water pipes had now been filled in.

The surfacing the ramp remains uneven, however it was noted that the land on which the ramp stands should be in the process of being transferred to the church. When this happens the Parish Council can address the matter.

There were trees identified as requiring attention, and there are coping stones which require fixing in place.

Burial Ground

A tree has fallen on the western edge of the burial ground.

A kerbset has been removed.

There are numerous small twigs making the pathway untidy. The Clerk advised that complaints had also been received in the office about this as well. It was agreed to conduct a working party in the spring. This will be added to the next agenda.

12. Allotments

a) To Receive Report from Councillor Responsible for Allotments and Consider any Actions from Recommendations

Mr Tidman will complete the report this week.

13. Street Lighting

a) To Receive Reports of Street Lighting Faults or Matters for Attention

A tree had fallen on a street light on Gooseberry Hill. Mr Banham had straightened and refixed the light into the ground. Landowners are still to be approached about vegetation from private property obscuring street lights. The light outside Hill Bungalow is also to be straightened.

b) To Agree s38 Agreement for the Adoption of Street Lights on Meadow View Development

Legal agreements had been received from the developer's solicitor to transfer the street lights to the Parish Council's ownership under section 38 of the Highways Act. Mr Atterwill proposed that the Parish Council should adopt the street lights, as they have been installed to the Parish Council's specification, seconded by Mrs O'Dowd and carried.

14. Highways

a) To Receive Reports of Highways Faults / Matters for Attention

A complaint had been received about the slippery condition of the footpaths on the Meadow View development. This is to be sent to Hopkins Homes. A request had been made for the

installation of a grit bin, however this is not something that the Parish Council has historically installed in the village. The following highway faults were reported:

A substantial pot hole on Hoe Road North. The Clerk advised this has been reported to Norfolk County Council highways.

Mrs O'Dowd reported a pot hole on Ward Crescent.

Mr Marsham reported a pot hole on Worthing Road on the junction with Hoe Road North. Also flooding on Mill Street between the bridges and the first property going into the village, where the gullies need clearing.

The Clerk reported that a parishioner had sent photographs of recent flooding on Norwich Road. These have been sent to Norfolk County Council highways to strengthen the case for action in this area.

Mr Marsham reported flooding from the drain on the Woodgate/Dereham Road junction by the traffic island.

Mr Atterwill reported a leylandii hedge on Manns Lane growing the highway.

Mr Atterwill reported a vehicle obstructing the pathway Hannah Road.

The Clerk reported that the licenses for the Xmas tree and the seat on Hannah Road have now been received. The trees to the rear of Ainsworth Close were due to be cut back in January, but this is yet another deadline that has been passed. This has been chased, as the report for this was 18 months ago.

A report has been made to the police for the removal of a SORN'd vehicle from Middleton Avenue. Sorn'd vehicles must be kept on private land.

Mr Atterwill reported that the grills on Manns Lane and Hoe Road East were now covered with vegetation.

b) To Discuss the Level of Lorries Travelling Through the Village

Mr Rodrigues raised concerns about the increased number of lorries travelling through the village. The Clerk reported that a traffic survey was conducted prior to the construction of the NDR, and a further one will be constructed afterwards. Mr Atterwill felt the problem would be alleviated when the 'missing link' between the NDR and the A47.

Mr Tidman raised concerns about the bridges, both in whether they can handle the weight of lorries and the lack of priority signage. The Clerk is to raise this to Norfolk County Council highways to see if any studies can be done. Mr Tidman also raised concerns that the signage at Lenwade guiding traffic from the Fakenham Road to the A47 is inadequate.

c) To Receive Update Report on the Resurfacing of Footpaths on Thompson Close

The footpaths on Thompson Close had been on the forward plan for resurfacing. Works are due to commence shortly, but are now being described as 'patching' rather than 'resurfacing'. Mr Atterwill advised that at a recent meeting with Breckland District Council, they had offered these areas of land to the Parish Council, however they are fraught with legal problems due to the makeshift driveways that had been constructed in these areas. As these constructions had gone unchallenged for so long, then it is likely that the homeowners now have some form of prescriptive rights the land.

Mr Westbury suggested that a full resurface of these pathways could be a future parish partnership project.

d) To Receive Update Report on Flooding on Gooseberry Hill

The Clerk reported that the drains had been jetted on 5th February. This is to be monitored to see how long it takes before it starts flooding again.

15. Youth and Playing Fields

a) To Receive Report from Councillor Responsible for Youth and Play Areas and Consider any Actions from Recommendations

Mr Keen reported that the children are now back on the swings at Gooseberry Hill due to it being half term. Mr Marsham will remove the orange fencing from these pieces of equipment.

A complaint has been put in to Breckland District Council regarding the condition of their amenity land on Middleton Avenue/Ward Crescent. The level of cars being parked on that area has caused the land to be badly damaged. This is land where parishioners have planted numerous bulbs over the past two years.

b) To Receive Update Report on Outdoor Sport Play Funding for a Table Tennis Table

The £2600 has been received from the Norfolk Community Foundation for this project. A quote for £1300 had been received to install a concrete pad to install the table on. Mr Atterwill proposed that this be accepted and the balance between the total project cost and the income received be taken from the capital account. Seconded by Mr Tidman and carried.

c) To Receive Update Report on Installation of Safagrass at Gooseberry Hill and the Village Green

Mr Marsham is to obtain a price for the excavation of the bark under the slide and grassed in a similar manner to the areas under the swings.

16. Commons, Open Spaces & Environmental

a) To Receive Report from Councillor Responsible for Common Lands

An updated signage draft for Burgh Common has been received and approved, however creation and installation is being delayed due to a lack of response from Breckland District Council's planning department to the EA as to whether planning permission is required. Mr Richmond will follow up on this.

The Environment Agency has raised the condition of the boardwalks after the recent high waters and resulting vegetation that has been deposited on the boards. The creation of a working party to address this be place on the next agenda.

17. To Receive Update Report on the General Data Protection Regulations

The Clerk attended a course run by the Local Council's Public Advisory Service on 31st January. The GDPR come in on 25th May 2018.

Salient points from this course were as follows:

- 1) The Parish Council needs to appoint a data protection officer. NALC is advising this cannot be the clerk as there is too much conflict of interest. SLCC, Norfolk Parish Support and Training and LCPAS advise that it can be the Clerk as it is a professional position whereby differentiation of the role can be made. This may require a change of contract to add the role.
- 2) The council needs to consider a privacy statement(s). LCPAS has provide some templates.
- 3) Consent will now have to be obtained before storing or passing on personal data. This affects the forwarding on of emails (in particular the IP address will be in a forwarded email, so care must be taken in this process). Consent will have to be taken verbally for phone messages and recorded as such. Consent will need to be written into Village Hall hire agreements.
- 4) All data must be stored securely. Changes are being made to the office so that bar staff can still access the credit card machine, without being able to access personal data. Data must also be stored securely on IT equipment. We are working with the Parish Council's IT contractor to assist with this.
- 5) Data must not be held unnecessarily. A process of archiving is occurring in the office. This will also need to be done with all electronic information.
- 6) It was recommended that all councillors have their own email address so that personal data relating to council work is not mixed up with councillor's personal systems.
- 7) Obviously, the ultimate way to keep council business completely segregated from personal business is for councillors to have their own laptop/tablet. With this the Parish Council retains control of the security of these systems eg: encryption/antivirus. However, there are budgetary considerations for this.

It was agreed that the Clerk should be the council's data protection officer. Further actions such as councillor email addresses and equipment will be deferred until further guidance is issued.

18. To Receive Update on the Swanton Morley Festival

A meeting was held on 29th January to discuss whether there was an appetite for this event. There were eight people in attendance from various businesses and community groups. It was agreed that there was too little time in 2018 to do this, so a week in 2019 was agreed and pencilled in diaries. A further meeting will be held at Swanton Morley Village Hall on Monday 5th March at 7pm. Invitations to attend have been sent to 68 community groups and local businesses.

19. To Receive Update Report on 'Unightly Sites' Put Forward to Breckland District Council

There has been no update from Breckland District Council. Mr Richmond will follow up on this.

20. Correspondence (For Exchange of Information Only)

The complaint about the condition of the footpaths on the Meadow View development had already been discussed.

The Meeting Was Suspended for Further Comment from the Public

It was reported that the PCC will meet next week to discuss the church clock and also the land transfer of the ramp.

It was emphasised that developers need to contribute to the community.

The Meeting Went Back Into Session

21. Any item to be reported for the next agenda

General Data Protection Regulations

Mardler

Annual Parish Meeting Agenda

The Bridges

Working party for Burgh Common and the Burial Ground

22. To Confirm the Date & Time of the Annual Meeting of the Parish Council to be held on Monday 12th March at 7.30pm at Swanton Morley Village Hall.

This was agreed

23. To Receive Proposal to Close the Meeting to the Press and Public for Item 24 as Permitted under s2 of the Public Bodies (Admission to Meetings) Act 1960 as Publicity would be Prejudicial to the Public Interest.

Mr Atterwill proposed the meeting be closed to the press and public, seconded by Mr Tidman and carried.

The Press and Public Left the Meeting

24. To Consider Implications on the Swanton Morley Neighbourhood Plan from Meeting of 7th February 2018

Report on the meeting had been emailed to councillors. Correspondence had been sent to the Parish Council for an agreement to an extension of time before the Neighbourhood Plan goes to referendum, to allow for Breckland District Council and the Parish Council to further review the policies of the plan. Mr Atterwill proposed that the Parish Council agree to this extension, seconded by Mr Westbury and carried.

It was also agreed to not pursue the complaint to the examiner until discussions have concluded with Breckland District Council.

Mr Atterwill will update George Freeman on the progress of the Neighbourhood Plan

25. To Receive Proposal to Close the Meeting to the Press and Public for Item 26 as Permitted under s2 of the Public Bodies (Admission to Meetings) Act 1960 as the Document Relates to the Terms and Conditions of Employment

Financial Year 2017/2018

This was not applicable as there was no update to item 26.

26. To Agree Staff Appraisal Document

To Defer

27. To Finalise 2018/2019 Budget and Associated Precept

The precept was agreed at £78,222.33 after a proposal from Mr Atterwill and a second from Mr Westbury.

The meeting closed at 10.10pm

_____ (Chairman) _____ Date