

MINUTES OF AN ORDINARY MEETING OF THE NAYLAND WITH WISSINGTON PARISH COUNCIL HELD ON WEDNESDAY, 8TH NOVEMBER 2006, AT 7.30 PM IN THE COMMITTEE ROOM OF THE VILLAGE HALL, NAYLAND

Present: G Battye (Chairman), Mrs P Fuller, Mrs M George, C Hunt, Ms A Knight, Mrs R Knox, Mrs E Mimpriss, B Smith, R Spencer, Mrs W Sparrow (Clerk), Mrs P Bray (for the Press)
7 members of the public
The Chairman welcomed Mrs Debbie Hattrell, the recently appointed new Clerk

1. **Public Forum**

Ian Wright, Chairman of the Village Hall Management Committee, presented a plan of the drain which it was proposed to dig across Webbs Meadow to solve the flooding problems in the car park. The Environment Agency had agreed to this proposal and the Parish Council's permission was now sought. It was agreed this should be discussed under item 4.

2. **Apologies for absence** -

3. **Minutes of previous meeting**

The minutes of the meeting held on 11th October 2006 were approved and signed by the Chairman. Proposed by Mrs Fuller, seconded by C Hunt and carried with 2 abstentions.

4. **Village Hall**

Car Park Flooding. Mrs Knox reported that the VHMC would be getting quotations for the proposed drain but it was estimated the work would cost in the region of £2,000. While the cost of simple maintenance of the hall was covered by hiring charges, the MC felt the drain project was not big enough to use the capital fund being set aside by the Parish Council. A possible contribution from the Community Council would be discussed at their following week's meeting. G Battye queried whether the Community Council was the appropriate body for this type of capital expenditure but B Smith said there was no restriction on how they used their funds. Mrs Mimpriss felt the whole community through the Parish Council should support the hall and was happy for Council funds to be used. However, Mrs Fuller thought the views of the Community Council should be obtained.

It was agreed that the Council needed a written request from the VHMC, sight of the letter from the Environment Agency and quotations before the forthcoming precept meeting so that the matter could be further discussed. G Battye said he would meet with the Chairmen of the VHMC and Community Council and once again reiterated the Council's thanks for the work that the VHMC was doing.

5. **Housing Needs**

The Clerk reported that Mr Malins, Flagship, had telephoned to say the revised plans for the Harpers Estate houses had been delayed but he would be sending them the next day. They were very similar to the earlier plans but now incorporated the greensward in front of the houses into the gardens, as requested by the Parish Council. The plans would be submitted to Babergh after the Parish Council had seen them. It was agreed to circulate the plans when they were received and to discuss them at the December meeting before commenting to Flagship.

6. **Finance Report**

(i) **Cash position** as at 8th November 2006 from all sources and after paying cheques to be signed at this meeting was given as £22,415.25. This figure included £13,468 in the Capital Fund.

(ii) **Insurance.** A reply from Zurich confirmed that there was no motor insurance provided for any persons under the Council's policy. Anyone using their own vehicle for Parish Council activities would be required to extend their private motor insurance policy for business use. B Smith said Parish Council work was considered to be "charitable work" and he had a statement to this effect on his policy which did not cost any more. All Councillors were advised to check their own policies.

(iii) **Annual Audit, year ending 31st March 2006.** A satisfactory report from the auditors had been received although the Clerk had queried a comment made by the auditors about the Council's loans. She had agreed that additional information would be provided the following year to avoid a reoccurrence of the problem.

(iv) **Bank Accounts.** The Clerk had been experiencing problems with the Council's bank for several months. The system of automatic transfer of funds, as required, from the deposit account to the current account, set up in 1991, had not been working recently leading to considerable problems. The bank's Customer Relations Unit were still investigating and it was agreed to wait until the next meeting to see if further action was needed.

(v) **Date of Finance Meeting.** A meeting of the Finance Working Party was arranged for Monday, 27th November. Mrs Mimpriss invited the Council to have the meeting at her house.

7. Accounts for payment

Roy Mortimer (Grasscutting for October).....	£473.53
Lubbock Fine, Chartered Accountants (Audit Fee)	£293.75
L J Campen (Grasscutting, Webbs Meadow)	£123.37
Babergh District Council (Litter & Dog bin emptying 1.7.06 – 30.9.06)	£84.32
Mrs W Sparrow (Petty Cash)	£40.00

Cheque paid between meetings	
F P Rose (4 weeks Streetcleaning)	£131.50

Mrs Mimpriss proposed approval of the cheques, seconded by Mrs Fuller and carried unanimously.

8. Clerkship

The Chairman reported that since the last meeting Mrs Debbie Hattrell had been appointed Clerk with effect from the 1st January 2007. Her contract details were currently being negotiated and would be ratified by the Finance meeting. The Council would be paying for any intermediate work involved until the handover on 1st January. C Hunt congratulated the sub committee on the hard work involved with this appointment.

9. Correspondence

(i) **Police Report for September.** Two attempted burglaries and two thefts were reported.

(ii) **Nayland Playgroup.** Invitation to attend an Opening Evening on 7th November. The lease on the Playgroup's existing building was due to expire in June 2007 and they hoped to move to a new building in the school grounds. Mrs Knox and C Hunt had attended the evening. C Hunt reported that the local Extended Schools Development Officer who was present said that finance would be available from the schools' budget but the new building would have to be for multiple use. It was not intended the building would be in competition with other village facilities. She would be discussing the new building with the School Head and the management committee of the Playgroup who would have to provide a business plan. Mrs George said the building would be a pavilion type of building sited near the wood on the school field.

(iii) **Nags Building Supplies.** Letter informing the Council that the company had been sold to Travis Perkins Ltd who would be tenants of John Davis & Partners. Copy of an email for information from L Baker, 2 Wiston Road, to Babergh Planning concerning the current planning application for this site

(iv) **Anchor Inn Heritage Farm.** Letter from the Stour Valley Action Group disputing the claims of Bunting & Sons in their recent publicity and emphasising that their plans must be regarded in connection with those for the forthcoming plans for Horkesley Park. Copy of correspondence between Buntings and a resident of Newlands Lane regarding fencing was also noted.

(v) **For circulation.** SALC courses; Suffolk Acre Services; Suffolk Scene; EEAPTC News; Leavenheath PC minutes; Hospice News; SWT Newsletter; Babergh “Abandoned & Nuisance Vehicles Policy”; SCC Respite Services; Countryside Alliance re Post Offices.

10. Footpaths

(i) **Warden.** C Hunt reported that the Sub Committee had met to discuss the appointment of a new Warden following the resignation of Mr Day. They recommended that the position of Warden remain vacant, that footpaths in the parish should be regularly walked and monitored by members of the existing Footpath Sub Committee and reports made to Parish Council meetings. Mrs Knox had prepared a full list of footpaths and all the Sub Committee members were confident that they could cover the paths on a regular basis. A review after 6 months was suggested. G Battye proposed accepting the Sub Committee’s recommendations, seconded by Mrs George and carried unanimously.

(ii) **Hedge Survey.** Mrs Knox said she was still being contacted about a parish survey but she was not able to do this. The Tree Warden was being approached and it was agreed to appeal for volunteers in the Community Times.

11. Town and Country Planning

(i) Decisions received

B/06/01318/FUL – Rushbanks Farm, Bures Road. Change of use of land for storage of 10 caravans (maximum). As amended by Agent’s email. Planning permission granted, subject to approval of landscaping works; no floodlighting of external lighting unless approved; caravans not to be collected or delivered, cleaned or maintained outside hours of 8am to 6 pm; no caravans to be stored above height of 3 metres. The proposed development is not considered to lead to any significant adverse impact upon the landscape quality ... or likely to reduce the amenities enjoyed by occupants of neighbouring property and is acceptable in terms of highway safety and convenience.

A letter from Babergh enclosed a copy of the committee report as the Parish Council had objected. A further letter, in reply to the PC’s query regarding tents erected on the caravan site, stated that an Enforcement file had been opened on this, following similar comments from two neighbours received during the course of the above planning application. The Parish Council would be kept informed.

B/06/01556/TCA – 13 Court Street. Felling of 2 Leylandii Conifer trees. No TPO to be made.

(ii) Applications dealt with between meetings

B/06/01452/FHA – Champion Hill, Nayland. Erection of tennis court with 2.75m high fencing surround. No objections but the Council would like a condition made about lighting. Additional lighting could have implications for the nearby airfield.

B/06/01674/TCA – 14 Stoke Road. Reduce and shape 1 Spanish Chestnut tree. No objections.

B/06/01673/TCA – 1 Gravel Hill. Removal of westward reaching branch from 1 Silver Birch tree and removal of 1 Leylandii tree. No objections.

B/06/01533/LBC – The Cottage, 46 Bear Street. Demolition of rear addition; erection of single storey rear extension; insertion of replacement front door; internal alterations. No objections, subject to the approval of the Conservation Officer regarding design and materials, including the suitability of the replacement front door.

B/06/00035/ENF – Anchor Inn, Breach of control re Lighting Installations. Appeal. PC supported Babergh's Enforcement Order; Appellant's case appeared to accept that existing lighting did not feature in the original application of 2002; PC had no record of any subsequent negotiations with the LPA over the lighting scheme; in this retrospective situation the PC felt that the lighting needed to be toned down.

(iii) **Current applications**

B/06/01532/FUL – Harpers Hill Farm. Change of use from agricultural land to car parking for 10 vehicles in connection with adjacent transfer station.

B/06/01531/FUL – Harpers Hill Farm. Erection of 2m high black chain link and angle iron perimeter fence to act as litter screen.

Mrs Fuller declared a prejudicial interest in respect of these two applications.

G Battye proposed no objections to both, seconded by B Smith and carried with one abstention (Mrs Fuller).

B/06/01672/FHA – 13 Laburnum Way. Erection of single storey rear extension. No objections made to the extension but discussion took place regarding the unadopted sewer on the Heights. G Battye and Mrs Fuller declared a prejudicial interest and left the room. In the absence of the Chairman and Vice-Chairman, C Hunt proposed Mrs George take the chair for this item. Seconded by B Smith and carried unanimously. Several Councillors felt a note about the sewer should be added to this application and others felt a standard note should be added to every application on the Heights, to ensure the planning authority was aware of the sewer problem. C Hunt proposed each application should be treated individually and a note concerning the sewer made where appropriate, this particular one needing a note. Seconded by B Smith, carried with 5 in favour, 2 against.

The Chairman and Vice-Chairman returned to the meeting.

29 Heycroft Way

B/06/00229/ENF - (1) Unauthorised works to TPO tree (2) 1 mobile home. A letter from Babergh dated 10.10.06 stated that Enforcement action was not being pursued re the mobile home because of the imminent arrival of a Reserved Matters planning application. The investigation concerning the tree had been concluded: the tree had been "cobbed" 7 years previously and periodically since. The original TPO which included the group of trees A1 was confirmed in 1970, it would be extremely difficult for BDC to prove the "cobbed" tree was within that group. The site would continue to be monitored following the determination of the Reserved Matters application.

Covenants. A reply from Babergh dated 19.10.06 confirmed that covenants were not controlled by planning legislation but were the responsibility of the imposing body. Activation of the covenant would affect all other properties included in the relevant agreement and the process would require the services of a legal body.

B/06/01688/RES – Submission of details under OPP B/05/01576/OUT – the siting, design, external appearance, means of access and landscaping for the erection of 2 two storey detached dwellings with

detached garages and associated works. This application had been circulated and a copy letter from G Jones to Babergh was also noted.

1. It was agreed that clarification was needed regarding the drainage survey, there were contradictory statements as to whether this was for one or two houses. Mrs George said neighbours would need to know where the septic tanks would be sited.
2. B Smith said the planning authority needed to be confident about boundaries where they existed.
3. The restricted access had been improved. Confirmation needed from Highways that the increased width and new splay was acceptable.
4. Streetlight position needed checking, this could have implications for neighbours if left.

B Smith proposed no objections but the foregoing statements 1-4 to be made. Seconded by Mrs Knox and carried with 1 abstention.

Alston Court, B/06/01710/FHA. Erection of boundary posts & railings. New full application received. The details were the same as for the Listed Building Application received in September to which the Council had made no objections. G Battye therefore proposed returning a similar recommendation in respect of this new application. Seconded by C Hunt and carried unanimously.

(iv) **Correspondence**

Hill Farm, Campion Hill. Letters from Babergh confirming the Public Inquiry would be held at Babergh Offices from 28th November to the 1st December 2006.

Longwood House, Stoke Road. B/06/01238/FUL. Erection of detached building to provide stables, tack room and barn with storage over. Letter from Babergh - the application had been withdrawn.

9 Birch Street. B/06/01457/LBC. Erection of satellite dish. Letter from Babergh stating that the application did not require Listed Building Consent.

12. **Streetlighting**

The Chairman reported four faulty lights.

13. **Burial Ground**

Tree surgery. A letter from Babergh listed works to be carried out to 17 trees in Nayland under a major new contract, following a detailed examination of all trees on Babergh owned or maintained land. The list included felling several trees in the closed burial ground and others in Heycroft Way, Bear Street and Parkers Way. It was agreed to obtain more details from Babergh for discussion at the December meeting.

14. **Recreation Grounds; Open Spaces**

(a) Recreation Grounds. (i) **Boundary wall planting.** R Spencer had completed a plan and specification. Estimates would now be obtained to show the resident to see if he was prepared to go ahead, the Parish Council to appoint the contractor.

(ii) **Damage to boundary hedge.** A letter from the resident at Star House complained about vandalism to her hedge by school children. R Spencer offered to go and talk to the resident and report back.

Mrs Fuller proposed an extension of 20 minutes.

(iii) **Driveway safety.** A letter signed by parents of children at Nayland Primary School expressed concern about the safety of children crossing the pavement at the bottom of the driveway. They asked for warning markings to be made as cars turning into the driveway invariably did not slow down. B Smith declared a personal interest. It was agreed warning signs on the pavement were a good idea and also possibly a stop sign for cars. Highways to be asked for their ideas.

(iv) **Equipment.** A second quotation for repairs had been received. B Smith had met the contractor and a new item had been identified, i.e. the gap between the fence and wall at the bottom of the field. It was agreed to wait until the Finance meeting to compare the quotations. However, the swing adjustment was urgent and the contractor should be asked to go ahead with this item immediately.

(b) Open Spaces. (i) **Flood Channel.** A reply from the Environment Agency confirmed that the channel itself was in the ownership of Buntings. The EA had always carried out maintenance annually but it was hoped the grazing of the land around the channel by the animals would help to improve the appearance of the area.

(ii) **Pumping Station.** Mrs Knox referred to the filling up of the trench in front of the station which made it easier for trespassers to get onto the land. It was agreed to write to the landowner and Anglian Water reminding them about redigging the trench to prevent further incursions, also informing AW that Colchester Borough Council was being contacted about litter.

(iii) **Anchor Inn Heritage Farm.** C Hunt reported that 2 pigs had been killed and dogs had been seen worrying sheep, behind the Anchor. It was agreed dog owners must be reminded to keep their dogs under control and a notice to this effect to be put in the Community Times. Under the Country Code farmers had the power to shoot dogs attacking or threatening livestock.

15. Highways

(i) **Notice Board.** C Hunt reported no further progress.

(ii) **Fen Street & Church Lane.** A reply from Highways stated the areas would be inspected to determine whether an additional gully would improve the drainage. However, due to the poor standard of the earlier resurfacing, reconstruction was needed which would be very expensive and it was unlikely this treatment would be undertaken during the foreseeable future.

(ii) **Stoke Road Gateway.** P Ingram, SCC, had replied that the work would start shortly but would like to know what the Council thought about the suggestion made by D Lowe of Stoke Road, regarding the siting of the gateway before the bend where many accidents have occurred. It was felt this would be quite a long way from the speed limit sign so that motorists might speed up between but would be acceptable if additional roadmarkings such as “Slow” and coloured surfacing were provided. It was proposed by G Batty and seconded by C Hunt to pass these comments on to SCC.

16. Allotments

The Clerk said that two separate Leavenheath residents had asked if it was possible to have an allotment in Nayland as there was no likelihood of there being any at Leavenheath. The sub committee were asked to consider this before the next meeting.

17. Report by District Council

C Hunt passed on a Local Government White Paper “Strong and Prosperous Communities” and a summary of Babergh District Council’s accounts for circulation.

The meeting closed at 9.50 pm.