

MINUTES OF AN ORDINARY MEETING OF NAYLAND WITH WISSINGTON PARISH COUNCIL HELD ON WEDNESDAY, 13th JANUARY 2010, AT 7.30 PM IN THE VILLAGE HALL NAYLAND

Present: G Battye (Chairman), Mrs R Knox, C Hunt, Mrs M George, Mrs W Sparrow, Mrs E Mimpriss, Mrs P Fuller, R Spencer, Mrs D Hattrell (Clerk), Mrs P Bray (for the press), Ken Williamson, District Manager Babergh – Suffolk Fire Service, Gary Phillips, Deputy Chief Fire Officer – Suffolk Fire Service, PC Chris Garrod and 2 members of the public.

G Phillips from Suffolk Fire Service spoke of the negative publicity in the press surrounding the Retained Fire Service and advised that the situation in Nayland was typical of the rest of the County. In view of demographic changes and specifically people travelling further to work, the presence of sufficient crew members for the Retained Fire Service in villages was a challenge. A comprehensive review of the Retained Fire Service has been undertaken and various recommendations have come out of that review. The Retained Fire Service at Nayland attended to 45 incidents over the past year of which 2 were building fires. The Fire Service work actively in the community on prevention and G Phillips confirmed that the construction of a new Fire Station in the village is evidence of the commitment they are giving to the Retained Fire Service. He was hopeful the building could be used by the community and facilitate good interaction between the Fire Service and the public. K Williamson then spoke specifically about the Nayland Retained Fire Service. He confirmed there are currently the optimum 11 personnel. The aim was to achieve a range of cover availabilities taking into consideration the crew members individual work commitments. At any time, the controller is aware of the availability of appliances throughout the County which are deployed according to the requirements of each incident. Engines are strategically placed in areas where their equipment will be most suitable. The appliance and equipment at Nayland is standard to the County. C Hunt commented that the press reports had a negative impact on the Fire Fighters in Nayland. He asked whether it would be possible to crew the station with more personnel. G Phillips advised that the crew numbers are largely standardised, however, some places have needed to increase the numbers. G Phillips confirmed that K Williamson has done a superb job in rebuilding morale following the press reports and the new Station will also assist. The Chairman raised a point that key workers were not currently given priority for social housing. He asked whether that was something the Fire Service could pursue. G Phillips thanked the Chairman for making this point and confirmed he would take it on board. The Chairman took the opportunity to thank K Williamson and G Phillips for attending. The full document containing the review of the Retained Fire Service and the relevant recommendations will follow and G Phillips and K Williamson would welcome any views from Parish Council members.

1. **Police Report**

PC Chris Garrod attended to provide his report. He introduced himself and his background. He is an additional member of the Babergh East Safer Neighbourhood Team and started his role on 4th January 2010. This new post was created to cover villages around Hadleigh including Oldham, Elmset, Kersey, Nedging with Naughton, Semer, Watfield, Upper and Lower Layham, Nayland with Wissington, Polstead, Shelley and Stoke by Nayland. He will work with PCSO Mandy Coleman to assist with any community policing needs. He has been a Police Officer for almost 14 years and has experience of community policing. He was previously a Community Beat Officer on the Shotley Peninsular until the reorganisation of this role a couple of years ago. He has good understanding of the various roles within the Police Service including Response Policing in Ipswich and Rural Sectors, qualified on specialised teams such as Police Support Unit as a medic, an advanced and pursuit trained driver and also a Relief Custody Detention Officer. With regard to his reports, he is open to constructive criticism and happy to adapt reports to suit our needs. He planned to give an overview of the District and how this relates to our specific parish. Obviously, at the Annual Parish Assembly, he will include an overview for the year. He went onto confirm recent crimes between 1st December and 1st January 2010. There were 2 crimes, 1 theft of a vehicle which was left in a remote area and a minor domestic assault with no injury. To give us some perspective this counts as 1.5% of the 121 crimes reported in the Hadleigh District over the same period. This also is a 50% decrease on the number of reported crimes in the area from the previous year. PCSO Mandy Coleman has advised of problems of car parking on the pavement in Stoke Road and children playing around the new Fire station Construction. They will both be monitoring these areas. He would welcome any questions and comments and can be contacted on either 01473 613500 or email at chris.garrod@suffolk.pnn.police.uk Members took the opportunity to advise PC Chris Garrod of the parking problems outside the school at the afternoon pick up time. PC Chris Garrod noted these concerns and confirmed his usual practice is to put notes on the cars obstructing the pavement advising that if the practice continues, tickets will be issued. He would then issue tickets on the relevant vehicles on future visits. The Chairman

encouraged PC Chris Garrod to become a recognisable police presence in the village and to discuss with local businesses. The Chairman took the opportunity to thank PC Chris Garrod for attending.

2. Public Form

A representative spoke from Transition Nayland and asked for the allotment item to be scheduled earlier on the agenda. Members agreed it could be brought to item 7.

3. District Council Report

District Councillor R Cave reported on mixed messages from Babergh Council regarding delays with waste collection. The public should have been told to leave bins out until they were emptied in view of delays. Communication is being reviewed in this respect. The Chairman thanked the District Council for the work of the refuse collectors in difficult weather conditions. R Cave commented on the timing of written media releases. He considered the speed of the paper record to be an issue. The Clerk suggested that email notification may be more timely. He reminded members that the Boundary Committee Appeal was upheld and the Local Government Review is moving forward. The decision is expected next week. Babergh Council have responded on previous lines favouring 2 Unitary Councils believing that a single Unitary would be too large to engage communities and have fewer elected representatives. Regardless of the decision on Unitary Councils, there is a financial need for councils to share services. Babergh have issued their response to the Schools Organisation Review and they support the aim of raising educational standards and have expressed concern regarding the use of Middle School sites. They were strongly encouraging engagement with Babergh Planners on potential alternative uses. In view of the economic climate Babergh has priorities to assist the Citizens Advice Bureau, voluntary groups and services in rural areas. They are committed to helping the elderly to remain in the community and are supporting school leavers to find employment.

4. Apologies

None were received.

5. Minutes of Previous Meeting

Approval of the minutes of the meeting held on 9th December 2009 was proposed by Mrs Fuller, seconded by Mrs Mimpriss and unanimously carried.

6. Parish Council Vacancy

The Chairman explained that Ms Knight has resigned as a Parish Councillor. The Clerk confirmed that the Babergh Returning Officer has been informed and posters were on display. A period of 14 days is now available for members of the public to request an Election. If sufficient requests for an Election were not made, Babergh Council would write confirming that the Parish Council may co-opt a new member. At that stage the Parish Council could advertise the post.

7. Allotments

The Clerk confirmed the financial implications to the Parish Council's grant income should the allotments be extended by another 4 whole allotments. The single payment scheme would reduce by about 7% and the ESA Grant would reduce by £78.30. The increase in income would therefore not compensate for the reduction in grant income. Notwithstanding this fact, C Hunt proposed that the Parish Council goes ahead to create the 4 new allotments. This was seconded by R Spencer and unanimously carried. It was agreed to take up the offer from Transition Nayland for the ploughing and harrowing subject to confirmation that public liability insurance is in place with the contractors. It was agreed for the contractor to liaise closely with the Allotment Sub-Committee to ensure the work is fully agreed – **Action Clerk to write to Transition Nayland**. Further booklets have been provided from the Rural Payment Agency which was circulated to members.

8. Standing Orders Meeting

The Chairman reminded members of the meeting scheduled for Wednesday 20th January at 7.30pm at New Maltings. The purpose is to finalise standing orders and consider any improvements to the way the Council operates and interacts with the public.

9. Highways

The Chairman spoke of the ice and snow and that it was beginning to thaw. The provision of further grit bins was discussed and it was agreed not to pursue at this point in time. Members agreed to look at the existing bins and check whether they had been replenished and advise the Clerk accordingly – **Action All**. Mrs Mimpriss proposed a strong letter to be sent to our MP urging a change in legislation to ensure that people who clear the ice and snow were protected from liability. This proposal was seconded by the Chairman and unanimously

carried – **Action Clerk**. The Chairman recommended the Suffolk County Council website for categorising roads. This can be found on <http://suffolk.elgin.gov.uk/index.cfm?fuseaction=streetworks.streetworksMap&layers=streetworks>. Mrs George reported that the litter picking has gone ahead with some delays due to the bad weather. Mrs Knox confirmed that the road works in Wiston were due to start on 14th January. She will keep the Clerk informed. The Chairman attended a meeting at Stoke by Nayland on the subject of Highways. Common issues include Heavy Goods Vehicles and he will ensure all members are circulated with full information. Mrs Sparrow raised potential 20mph limits without other measures due to an apparent change in procedure.

10. **Recreation Grounds and Open Spaces**

It was reported that Farrens have not started to use the parking area. The Clerk confirmed that permission was given following the December meeting and they were going to obtain relevant materials. Farrens Construction has agreed to meet with R Spencer and Mrs Sparrow to agree the final specification of the fencing and phone contacts were given to R Spencer for this purpose – **Action R Spencer and Mrs Sparrow**. The Chairman reminded members of the Section 106 monies and the purposes for its use. C Hunt and R Spencer agreed to start considering whether an item of play equipment could be changed – **Action C Hunt and R Spencer**. C Hunt and Mrs Sparrow reported on their recent meeting to consider the highest priority tree work as a result of the risk assessment recently undertaken. They will now draw up a detailed specification to enable the Clerk to approach 3 Qualified Tree Surgeons for quotations – **Action C Hunt and Clerk**. It was noted that the bonfire site is still in an untidy state. Members questioned how the Parish Council could support the process of clearing the site. It was agreed to instruct a contractor to cut the Pops Piece hedge and also to clear the ivy between the old and new burial ground which is causing obstruction – **Action Clerk**.

11. **County Council Report**

County Councillor J Finch was present to deliver his report. He confirmed that the number 1 priority of the County Council was in respect of young people. The services provided for adults had increased by 19% and a further 70 people will not be able to fund their own care in 2010. All these factors have been taken into consideration in the budget. Full details will be in the public domain shortly. J Finch reminded members that the number of young people in care in Suffolk is 730. J Finch confirmed that regardless of the Local Government Review there is need for further collaboration to enable respective Councils to operate. The process has already started and it is recognised there are significant savings to be made. With regard to the pylons, the County Council is gathering information and scrutinising the process to ensure the whole area is represented. The Groton Pylon Alliance now has 18 parishes and is issuing 400 letters to National Grid. The Schools Organisation Review has completed its first phase in the area and a recommendation has been made to Cabinet. The Chairman took the opportunity to thank J Finch for all his work in co-ordinating extra gritting for the village.

Mrs Fuller asked for an extension to 10.00pm.

12. **Village Hall**

Mrs Knox confirmed that the Village Hall has applied for the designated person in respect of licensing to be the whole committee.

13. **Housing Needs**

There was nothing to report.

14. **Finance**

The Clerk confirmed the cash position as at 31st December 2009 as £1000.00 in the current account, £22596.46 in the linked deposit account and £9242.10 in the Capital Investment Fund making a total of £32838.56. The precept form was duly completed. The Chairman referred to the third quarter budget review and no questions were raised.

15. **Accounts for Payment**

Nayland Village Hall (Capital Expenditure – cheque number 400227)	1983.75
Suffolk County Council (Street Lighting Power & Maintenance – cheque number 400228)	1052.04
DK Hattrell (Clerk’s salary – cheque number 400229).....	624.46
Inland Revenue Only (Clerk’s deductions and ERS NIC – cheque number 400230)	214.98
Suffolk County Council (Clerk’s pension – cheque number 400231).....	201.05
Suffolk County Council (Street Light Adaptions – cheque number 400232)	44.93
Anglian Water (Allotments – cheque number 400233)	34.13

Roy A Mortimer (Sweeping & Installing Bag Dispenser – cheque number 400234)	179.40
Nayland Village Hall (Hall Hire – cheque number 400235)	15.00
S Carter (Bus Shelter Clean – cheque number 400236)	20.00

The above cheques were approved for payment.

16. **Correspondence**

The correspondence report had been circulated ahead of the meeting and key areas were discussed. The Chairman read from the Police Report for November. He confirmed that 3 crimes were recorded. A theft of camera, laptop and cash from a car on Bear Street, criminal damage to a vehicle in Court Street and a watch was stolen from Court Street. The Chairman was delighted to announce the Parish Council's nomination, Diana Whiting had achieved a Community Achievement Award. He confirmed that this pleases members enormously and she will be attending the award ceremony on 3rd March. The Chairman went onto confirm that we have advance notice of the Babergh meetings with Town and Parish Councils and he gave tribute to David Hussey, formally a member of the Parish Council, who died recently.

17. **National Grid Proposals**

Following discussion Mrs Mimpriss proposed that the Parish Council wishes to see all new transmission lines underground. However, should this not be possible the existing route should be used. This was seconded by Mrs George and carried with 7 votes in favour and 1 against – **Action Clerk to confirm to National Grid and copy to our County and District Councillors.**

18. **Footpaths**

C Hunt was concerned that the stile on footpath 3 may not be located on land owned by Mr Jones.

19. **Planning**

i) The following decisions were advised by the Planning Authority.

1) B/09/01115/LBC/MC – Butchers, 5 Bear Street.

Babergh Council confirmed that Listed Building Consent had been granted for the external redecoration.

2) B/09/01470/CEU – Perry Farmhouse, Bear Street.

The Parish Council agreed the following evidence in relation to the application for a Certificate of lawfulness of an Existing Use of land to the rear of Perry Farmhouse as garden land.

This Council submits the following evidence to refute the application for a Certificate of lawfulness:

1. This Council was consulted in 2009 by Babergh District Council, concerning the application to Babergh District Council for change of use – subsequently refused – As part of this application, documents were submitted that included the signed application form. This clearly stated that under Section 15: *Existing Use*, “the land was being used as agricultural grazing land for horses until June 2008”.

Members of the Parish Council concur that the land was being used for grazing.

2. This land has always constituted “countryside” and its status is important in preserving the built up area of the village within the AONB and its protective policies. This District Councils own planning guide lines for Nayland have identified it as “agricultural”.

Parish Council members have no evidence that there has been a change until Spring 2009.

3. In a letter dated 1st September 1997, concerning the development of the Perry site, a copy of which is in the PC archive, Sue Carman BDC Senior Development Control Officer (and no doubt on file with BDC) clarified the status of this land:

“the land at the rear of the site the subject of this planning permission does not have the benefit of any planning permission for its use as garden associated with either of the 2 dwellings approved..... the developer is intending to sell this land as paddock to the purchaser of plot number 1. However, if it is used as garden associated with that dwelling then planning permission would be required”.

The Parish Council confirm that it and its boundaries have remained as a paddock during most of the last 10 years. The field, until Spring 2009 has clearly been visible as grass land rather than a garden.

A letter from the same officer dated 23rd October 1997, regarding change of use for this field the subject of this application, states:

“The field to the north of the site is not to be garden associated with plot number 1. Should this not be the intention of the purchaser of the dwelling on plot 1, then planning permission would be required and any permission would only be granted subject to a condition removing permitted development rights to construct ancillary domestic buildings.”

The Parish Council confirm that it has not been a garden during the last 10 years, indeed since the date of this letter. Previous to Spring 2009, the Council has never been alerted to a possible breach of planning control. This would have been followed up by this Council and the District Council. The Council affirm that if the land in question has always been adjacent, rather than incorporated into and with the terrace garden below it. It has been maintained as grassland until the recent works to create a croquet lawn in Spring 2009.

4. In 2004, during a village open gardens event, members of the Parish Council, along with hundreds of other residents were invited to view the whole of the Perry Farmhouse site, including the garden, terraces and their summit.

The Parish Council affirms that at that event, the land in question was grass land. In no sense was the land incorporated into any garden or had any of the layout, furniture, buildings etc. that would indicate that it was being used as part of the Perry Farmhouse’s garden. Had it shown such evidence, alarm bells would have rung since no application for change of use had been submitted. Had there been any suspected breach, the Parish Council would have liaised with the Planning Authority.

The Parish Council received no alerts from members of the public or the local amenity society to suggest that there had been a change of use. The Council affirms that there was a clear distinction between land owned by the owners of Perry Farmhouse, in terms of boundaries, impact and use, between the land under question and the newly terraced garden. The Council notes that in Nayland with Wissington, paddocks often have a regime of mowing whilst remaining in agricultural use but aren’t gardens. Such a change of use would require planning permission. In this case, no application for change of use has been made until 2009.

Whilst recognising that this evidence contradicts application statements, this Council believes that the witness statements, that this response has drawn upon, should deny the granting of a Certificate of lawfulness.

20. **Street Lighting**

There was nothing to report.

21. **Burial Ground**

The Chairman read an email from Mark Taverner, Babergh District Council regarding the monuments in the old burial ground. Full details were passed to C Hunt to investigate – **Action C Hunt**. Mrs George asked for burial fees to be included as an agenda item for the February meeting – **Action Clerk**.

22. **Annual Parish Assembly**

It was agreed that subject to hall availability, the assembly will be scheduled for Monday 26th April 2010 – **Action Clerk**.

The meeting closed at 10.05 pm.