

# Foulden Parish Council

## MINUTES

Parish Council Meeting held at Foulden Village Hall

**12<sup>th</sup> November 2018 at 7pm**

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Present: Mr. Stephen Parker; Mr. Stephen (Billy) Pye; Mr. Mike Cross;  
Ms. Marianne Christian; Mr. Neil West  
Mrs. Kathryn Cross (Parish Clerk)  
Mr. Fabian Eagle; Mr. Mike Nairn

In attendance: 11 Parishioners

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1. **Chair's opening remarks** Mr. Parker welcomed everyone to the meeting. He advised that the meeting would be recorded to assist with note-taking. **ACTION**
2. **Apologies for absence** Mr. Richard Cooper is away on holiday; Mrs. Jayne Winterbone had unfortunately had an accident and was having stitches in her finger.
3. **Declarations of Interest** None
4. **Minutes of Meetings** Minutes of the Parish Meeting held on 3<sup>rd</sup> September 2018 were approved and signed by the Chairman.

*Proposed: Neil West  
Seconded: Mike Cross*

5. **Update from Norfolk and Breckland Councillors**  
**Mr. Mike Nairn – Breckland Council**

At the moment Breckland is in the process of setting its budget; he reminded the Council that there will be an election next year and that there is a possibility that this may be contested and therefore the Parish Council may need to pay for an election, so this needs to be budgeted in the Precept. The Parish Clerk confirmed that this has already been accounted for in the Precept.

The Local Plan should be instituted by 31<sup>st</sup> August. However, the Planning Inspectorate want certain changes made in particular to the areas governed by the policies H04 and H05 which means essentially that Foulden and other villages will no longer have a development boundary. As soon as this is implemented a review has to be produced within two years. It is assumed that this is because they are unsure, as the Council is also unsure, as to whether they will have their five-year land supply.

With regard to the development of the A11 corridor, an accord has been reached with the electricity local enterprise partnership for East Anglia. They will be outlaying about £2.25m for the power infrastructure that will be needed for the industrial areas going up at Snetterton.

Phase I of the residential development has actually been started at Thetford - opposite Tesco.

Mr. Nairn recently attended a Boundary Commission Review. When it was discovered that Phase IV is not due to start until 2032 it was thought to be a bit premature to make a decision as to where the town boundary would be. (Phase V is planned for 2040).

Thetford will be getting two extra town councillors as a result of the new development.

There will be more residential development at Attleborough and Breckland are now pressing hard for the dualling of the A47, which would hopefully provide the impetus for high tech industry to come into the area, which would be a fantastic achievement in terms of future employment and development.

Ref. the Garden Town north of the A47, the main contractors behind this have not as yet sought any consultation between Breckland and Norfolk County Council. They have come up with this scheme without any real reference to either Breckland or any of the Parish Councils involved. At present Breckland do not feel they can support it and voted accordingly last week.

Stephen Parker asked Mr. Nairn to clarify what the changes would mean for villages like Foulden.

The development area has previously been 10% over 32 years. At the moment they are indicating 30 dwellings maximum over 30 years, but it remains to be seen what comes out of DCLG.

Marianne Christian has read the Breckland Council book where it says that the plans have been scrutinised by the Planning Inspector. It says you are due to consult with the public before the end of the year on a number of changes to the original plans – how is this public consultation going to come about? Mr. Nairn confirmed that this would be coming out within the next few weeks – you will be able to go on-line to make your point. People will be made aware, but Mr. Nairn is not sure yet as to how arrangements are still in the embryonic stage.

Neil West understands that they are looking for adoption by 31<sup>st</sup> August? Mr. Nairn confirmed that it is planned for 31<sup>st</sup> March, although he mentioned 31<sup>st</sup> August earlier in error. Mr. West asked for confirmation that this would be possible in such a short time considering the public consultation still has to be undertaken; Mr. Nairn said that it has to be, he cannot see that there is any way around it.

A parishioner questioned Mr. Nairn about the three-minute limitation of public speaking as he feels that this is in breach of the Article 10 of the European coverage of Human Rights, which allows freedom of expression without interference of public authorities. Mr. Nairn advised that this would have to be taken up with legal authorities. He also advised that the only time a limit is imposed is at planning meetings.

Another Parishioner asked for clarification about the boundaries and the 'Village Envelope' which to his understanding meant that the Parish Council would have to be consulted before any changes could be made. Mr. Nairn stated that discussions had been going on for the last four years; there is another set of consultations coming up.

He explained that the 'Village Envelope' would go and be replaced by an absolute restriction on the number of dwellings that can be built over a thirty-year period and that will be a percentage of those that already exist. The parishioner pointed out that only one year ago it was stated that there would be no more than 10% over 20 years.

#### **Mr. Fabian Eagle – Norfolk County Council**

The Police and Crime Commissioner has stated that he is not going to seek re-election in 2020. Whether that has an effect for his desire to take over the fire service has yet to be seen.

Palliative Care: There is extra support for those leaving hospital and the County Council are investing in a pilot for more people who wish to stay in their own home rather than going into care. This also ties in with the Health Overview Scrutiny Commission and the Clinical Care Commission who are trying to make sure that more palliative care is available, and that people's wishes are taken into consideration.

Schools: there is to be a £120m capital investment in special needs and disabled spaces - this should create up to 500 places for those children with special needs or disabilities;

four new schools and an extra 170 places in existing schools. Unsure at the moment as to where these new schools will be located, but they will be where they are most needed.

Library Service: the service will remain on its current format although they will be removing 92 stops where nobody visits them.

Consultation is now open for a proposed route to connect the A47 to the NDR.

Pot Hold Trial: The Parish Clerk advised that she had not heard anything further. Mr. Eagle advised that he will chase it up.

## 6. **Public Participation**

Ref. the 'Village Envelope', a parishioner questioned the earlier statement that the Council have been negotiating with Breckland for the past four years? The Chairman advised that this was the first he had heard of it. The Parishioner feels that Breckland are doing everything 'by stealth'. His understanding is that, by law, they are supposed to communicate with the local Parish Council – they can't just abolish the development zone as once they take that away, the world is their oyster. He feels that this is something that needs to be protected. The Chairman repeated that he had not heard anything at all and that it must be looked into. He felt that Marianne Christian would be the best person to investigate. She has not heard of a Development Boundary, although she has heard of a Settlement Boundary as this is in all the documentation. She will update at the next meeting.

Marianne Christian

Mr West clarified that the existence of the Settlement Boundary is a line that is drawn around an area inside which development can take place. The removal of the Settlement Boundary puts Foulden into a different category where local planning is concerned – development would be much more limited than if there was a settlement boundary.

The Parishioner did not understand the term Settlement Boundary; his understanding is that the Village Envelope provide a boundary around the village within which building could be authorised, but outside that boundary special dispensation would need to be sought. Mr. West confirmed that building could take place inside a Settlement Boundary, within reason, with the permission of a Planning Officer – to build outside a Settlement Boundary, it would have to be considered by District Councillors.

Another parishioner asked for clarification as to what development the Parish Council thought Foulden should have. She referred to the planning that has just been approved, which had been objected to. Marianne Christian stated that this has not been approved, according to the Case Officer it is 'live' and there has been no planning decision made legally and that it is going back to committee. We are waiting to see what the new case officer's report will be (Carl Griffiths).

## 7. **Recreation Ground**

a) Annual Inspection Report: Mr. Pye advised the report showed up a couple of minor adjustments.

His main concern is dog fouling as people are still taking their dogs on the Recreation Ground. There are signs at both ends banning dogs from the field, but people are ignoring them. It is dangerous and a health hazard to children. He suggested that a fence may be the answer which would tie in with the new development.

A letter needs to go out to every household in the village stating that if it carries on a policy will have to be put in place where the perpetrators will be fined.

Not sure what legislation is required to impose fines, this needs to be looked into.

Billy Pye

b) Removal of Tree Stumps. These have now been removed.

c) Boundary fence in alleyway leading to Recreation Ground from Upton's Way. The Parish Clerk advised that a communication had been received from the Housing Association stating that there are a couple of rotten and loose posts in the boundary of the footpath leading to the playing fields. Before repairing this he wanted to establish whose responsibility this would be, i.e. the Parish Council or the housing

association. The Parish Council do not feel that this would be their responsibility and asked the Parish Clerk to confirm this to the housing association.

Parish Clerk

**8. Village Hall**

- a. The Parish Clerk read out the Village Hall Report as Mrs. Pye was absent from the meeting (copy attached)
- b. Matters arising from previous minutes – asbestos waste cleared away; PAT testing completed.

Certificate for the fire doors? Certificate for the electrics been received but some doubt as to whether fire door certificate received in line with building regulations. Parish Clerk to check with Rose.

Parish Clerk

Asbestos survey – This was recommended to be done by the Fire Officer. Mr. Pye advised that this referred to the electrical box and some areas down the side of the building. He stated that as long as there was no breakage or cracks in the asbestos, then it is fine. He doesn't believe that it is necessary to carry out a survey.

- c. EICR Report – It was felt that the work categorised as C3 in the report does not need to be done as a matter of urgency. There is nothing that needs to be done now, the items can be dealt with next time work is done on the electrics.

With regard to the hot water, people do not use the current boiler as it has to be switched on and then there is a need to wait for the water to heat up. People tend to use the kettles instead. Billy Pye pointed out that the last piece of worktop cannot be completed until we know what is going to happen re. the boiler. Cannot understand why the need for a boiler to add extra radiators at a later date, which it is felt are not necessary. Estimates for an instantaneous hot water boiler to be sourced before next meeting.

Rose Pye

- 9. Land Registry Documents** As Jayne Winterbone was to report on this and as she is absent this item to be deferred to next meeting.

Ms. Winterbone

- 10. Sewage Problems** Mike Cross advised that both he and Richard Cooper had met with Anglian Water on 8<sup>th</sup> October. They were joined by Mick Gotts who has lived in the village all his life and has some historical information. Anglian Water stated that about 80% of the call outs were due to what people were putting down their toilets. They suggested that we educate households more. They will supply us with a leaflet that can be dropped off to each household in the village.

Also, over the next couple of weeks they will do a camera survey of the whole of the village to see if they can find any problems of heavy silting or blockages.

Mike Cross' concern is Tallon End as it appears that the pump occasionally fails which causes a backup, which then causes raw sewage to flow into fresh water flow eventually entering the River Wissey. Anglian Water state that the alarm system on the pumps is obviously set too low and they will readjust this which will alert them quicker.

Unfortunately, until they have done the camera work and we have a report from them, we can't get any more information.

Anglian Water confirmed that the extra proposed housing would not put extra pressure on the system.

- 11. Street Lights:** The street light that was installed in School Road, by the flats, a couple of years ago, is now functioning.

We are still awaiting a quotation for the installation of a new light in School Road by the jitty leading from Walnut Close.

Neil West stated that a street light in School Road, opposite the Walnut Close junction, had already been agreed during the previous chairman's time. He stated that there had been quotations. The Parish Clerk has not seen any such paperwork. In fact, when she asked them for a price some months ago, they said that they would have to undertake a survey to ascertain whether or not there was any power. She will scour previous minutes and paperwork.

Parish Clerk

12. **Highways:**

- a) **HGVs** – Mike Cross commented on the problems ref. HGVs coming through the village, exacerbated by the recent accident and fatality in the village. On 6<sup>th</sup> November he met with David Jacklin, one of the engineers at Norfolk County Council. He took him all around the village – every entrance, Oxborough, Hillborough, the A134 to show him where it is felt the problems are occurring. There is one restriction notice as you come off the A134 giving a two-mile warning notice for HGVs; Mr. Jacklin has no record of this and doesn't know what it is for. He believes it is because of Becketts End as this is at the two-mile point. He has since advised that he has written to their legal department asking them to investigate. If there is a record of there being a restriction on that road, then we can probably develop from that. If there isn't, then we will have to start from scratch via our local Councillor.

We obviously can't prevent HGVs coming to the village that have genuine business here, but what we want to stop is those taking short cuts through the village.

- b) **Overhanging Trees** – Highways have advised of complaints received from people in the village, one in Vicarage Road with reference to trees on the land opposite the houses which have become entangled in the wires and there is concern that these trees are going to fall. We have a problem in that we cannot find who owns the land as they have disappeared. There has also been concern with trees on land along the upper road that leads off opposite Becketts End towards Hythe Road and the Church; just past where the Huskie dogs were, on the bend, there are some trees that are protruding and need cutting back.

It is the land owner's responsibility, but as we cannot locate them the Highways have been in touch with the Boundaries Commission and they are tracing the owners of the land and they will arrange for the work to be done.

Jayne Winterbone

13. **Defibrillator:** As Jayne Winterbone is absent, this was deferred to the next meeting.

14. **New Website:** The Chairman confirmed that the first draft of the Website is up on <https://fouldennorfolk.org>. It is in the very early stages and it will carry on being populated.

15. **New Village Notice Board:** The Parish Clerk advised that she had asked whether the village was going to get a new notice board in the location on White Hart Street where the barn is currently being renovated. Once the renovations are completed the barn doors will no longer be available for people to stick notices, which has always happened in the past. With this being a popular and prominent place for village news to be posted, there is a request for a notice board in the same location. Billy Pye offered to build a notice board to erect in that area, either by the wall or by the new dog bin on the green. The question was asked as to whether permission would be needed from either the people at the Woodcutters Yard, or from Breckland. Billy Pye will ask the people at the woodyard, the Parish Clerk will call Breckland.

Billy Pye  
Parish Clerk

16. **Village Fete 2019:** Mike Cross announced that he was extremely sorry, but due to health problems and a few other factors, he was withdrawing from organising the fete next year. Therefore there will not be a village fete unless someone volunteers to undertake it.

17. **War Memorial restoration:** Jayne Winterbone was to report on this. Therefore, the Chairman suggested that it should be deferred until the next meeting when she can give an update.

There is still some confusion as to who is responsible for the war memorial and Nan Marrs had been under the impression that this would have been decided by the time of this meeting. The Chairman confirmed that Jayne Winterbone has been looking into it and is currently compiling a report on how we should set about ascertaining with whom the responsibility lies.

In the meantime, Nan Marrs advised that Chris Abraham has independently put in an application for a grant. He has been asked to get three quotations. He has received one, which is far too costly and he is awaiting the other two, which he is expecting to come in at around £10-£12K.

Nan also told of the very successful, well attended commemoration at the church on Sunday together with an exhibition relating to the history of the village. This will still be open at the church tomorrow between the hours of 2pm and 4pm.

**18. Campaign for the Protection of Rural England**

Marianne Christian asked that we consider signing the Pledge. All were in favour and Marianne was asked to submit the documentation.

**Marianne Christian**

*Proposed: Mike Cross*

*Seconded: Billy Pye*

**19. To receive such communications as the person presiding wishes to lay before the Council, for information only. None**

**20. Finance:-**

- a. Agree Financial Statements, bank reconciliations and authorise signing of orders for payment:** All reports and orders for payments approved.

*Proposed: Neil West*

*Seconded: Billy Pye*

- b. New Bank Account:** The Parish Clerk explained that, although she had been tasked to find an alternative bank to move to from Barclays, she had made one last attempt to get the on-line access set up. She had spoken to their Business Department at length today and, at the prospect of losing the accounts, jumped into action. They had given their assurances that all passwords and log in details will be sent out within the next 10 days.

- c. Precept:** The Parish Clerk has issued the basis of the Precept for the 2019/20 financial year, taking into account the normal general running expenses of the Parish Council together with any other known expenses that will be incurred next year, e.g. Parish Council elections in May. She asked all Parish Councillors to please give the next financial year some thought and to advise of anything they feel should be included so that it may be discussed and finalised at the January meeting. The Precept MUST be agreed and submitted to Breckland Council by 31<sup>st</sup> January 2019.

**All Parish Councillors**

- d. Internal Auditor:** Chairman still to speak to Gary Sallis.

**Chairman**

- e. Asset Register:** The Parish Clerk has drafted a register which has been distributed to the members. She would greatly appreciate any information that may have been missed or misrepresented in this draft. Would like to be able to publish this following next meeting.

**All Parish Councillors**

**21. Planning**

**a. Proposed School Road Development:**

Should the proposed development in School Road go through, there is a proposal to put a footpath around the playing fields. The Chairman invited the developer, Ian Hales, to talk through this.

Mr. Hales state that, as per the plan, they would be happy to extend the footpath to the existing one from Uptons Way.

The Chairman clarified that the decision the Parish Council needs to make is that, should the planning for the development go through, would we want to have a path going around the field? If so, then the construction, format and details would have to be firmed up.

Neil West pointed out that the Planning Department want to clarify a condition that was in the original approval in relation the developer's offer to

put a footpath from the development to the Village Hall in response to one of Highways concerns. The original condition wasn't felt to be satisfactory by the Planning Departments legal people following a challenge by some residents. Mr. Hales agreed that they would like to make it an obligation.

Mr. West's initial thought was that there is very little detail in the plans put forward; it only identifies a route; it doesn't indicate such items as services, security, safety, grass cutting contract, trees, etc. He has been in contact with the Planning Department to ascertain how much detail they needed at this stage in order to return the application to Committee; their response is that they would be looking for an agreement in principle from the Parish Council - as the Managerial Trustees of the Recreation Ground - to allow the developer to put a footpath of a design and route yet to be agreed. The application needs to be clear, concise and achievable – currently the application they have is not clear and concise and may or may not be achievable, depending on the Parish Council's decision.

Should the Parish Council not give approval, as Mr. West understands it, the committee would have to consider whether the provision of that footpath is a game-changer as far as the development is concerned.

Mr. Hale advised that the development has been recommended for approval and the issue could be put back to committee several times, if the officer feels there is a valid claim, which could take some time. The question is whether or not the Parish Council would like a footpath not.

Mr. West disagrees as a legal challenge was made to the Council's actions in relation to how they dealt with this application, not to the developer as the applicant. As a result of that the Council feel exposed as far as the condition relating to the footpath is concerned and the decision is therefore now held up in Section 106.

Mr. Hale doesn't believe the problem is to do with the condition of the footpath, he feels it is due to the presentation to the committee and it's not the actual decision they are concerned about, it is the process in achieving it.

Mr. West agreed stated that is why the Parish Council need to consider the merits of what is decided today. He agrees that should the PC disagree with the provision of a footpath across the Recreation Ground it is unlikely to change the Planning Committee's decision or prevent the development going ahead. In which case, we would want as much as possible for the benefit of the village.

The Chairman feels that, should the development go ahead, then access from School Road directly on to the playing fields and through to the Village Hall would be beneficial. If that access provided an all-weather path and was lit and fenced off, then that would be a benefit, especially as pathways along many of the roads in the village are non-existent.

The planning officers want to return the application to committee on 26<sup>th</sup> November which doesn't give the PC time to iron out all of the considerations as a Parish Council and Managerial Trustees of that land. Perhaps an agreement in principle subject to approval of the design, approval of the route and approval of anything else to make the footpath acceptable, then that may give the Planning Officer enough to return the application to committee.

Neil West asked whether it would be possible to request for the committee meeting to be deferred to give the Parish Council more time to consider.

Ian Hales was reluctant to delay it, but thought that it had already been moved to 12<sup>th</sup> December, which would give the PC more time anyway.

Marianne Christian is very concerned and not happy to give any approval at the present time. The plans are totally insufficient as the only information at the present time is a map with a yellow line, which tells nothing. It doesn't show the trees; whether the path is in front of the boundary fence or behind it; etc. etc.

Fields In Trust recommend that the removal of trees should be avoided at all costs. The consequences of laying a path on the tree roots need to be taken into consideration, so root protection needs to be a factor.

The Parish Council need to look at the construction and the ongoing maintenance.

At present this is an outline planning application, not a detailed application, and there are many factors that will have to be agreed upon in relation to the format and construction of a path. There is concern that, unless the Parish Council agree in principle to the path subject to conditions, the application will be passed anyway and the village will end up with something they don't want or nothing at all.

Mr. Hales stated that one of the items in reserved matters on the outline planning was Highways, which includes footpaths, access points etc. They still have complete control.

The developer is offering in principle to provide the footpath to a specification agreed upon by the Parish Council, which could include lighting, fencing, root protection etc. The ongoing maintenance would then be the responsibility of the Parish Council.

It was felt that, as a minimum, the following should be taken into consideration:

- Exact route of footpath
- Construction materials
- Fencing, showing access gates
- Trees and root protection
- Lighting
- Safety
- Security
- Benefits to the village
- Maintenance

The Chairman suggested that the developer re-issue details plans to bring back for consideration by the PC and agreement in principle.

A parishioner pointed out that this also needs to be put to the whole village, who should have an opportunity to give their opinions on this.

It was therefore agreed that once the updated plans are received an ExtraOrdinary Meeting will be convened, to which all will be invited. Hopefully, all concerns can be ironed out and a decision to agree in principle taken in good time before the plans go back to the committee.

Mr. Hale agreed to this and will advise the Parish Clerk as soon as the plans are completed, which should be by the end of the week.

- b. **New Planning Applications:** None
- c. **Planning Decisions:** None

**22. Dates of Meetings for 2019**

Monday 7<sup>th</sup> January

Monday 11<sup>th</sup> March

Monday 6<sup>th</sup> May:-

(Annual Meeting & Parish Council Meeting)

Monday 9<sup>th</sup> September

Monday 11<sup>th</sup> November

Meeting Closed at: 9 pm

Date of Next Meeting: 7<sup>th</sup> January 2019

DRAFT