

SNETTISHAM PARISH COUNCIL

Minutes of the meeting of Full Council held on Wednesday, 5th August
2020

The meeting was held at 2.00p.m. using Zoom teleconferencing

Present:

Cllr A Todd – Presiding

Cllr D Bocking, Cllr R Garwood, Cllr A Gascoigne, Cllr J Kerr¹, Cllr R Kerr, Cllr L
Standeven, Cllr J Todd

Also in attendance: Borough Cllr I Devereux

Approximately 2 members of the public

Minutes taken by Simon Bower (Clerk to the Council)

Prior to the meeting, Dominic Buscall, of Ken Hill, gave an informal presentation, with slides, to Councillors on the re-wilding project currently happening on the Estate. In summary, he referred to the three main strands of the work – increasing the water level on marshes, replacing lost habitats, and regenerative farming. In particular, he stressed the presentation of this project to the public and other farmers. Beavers had been introduced, and cattle, ponies and pigs would soon be added. Fencing was being erected to keep stock in, rather than people out, and he requested help from Council in getting this message across.

Responding to questions/suggestions: he would be contacting the School; the profusion of poppies was due to reduced herbicide; tourism was a consideration (tours/accommodation etc.), but with a sustainable ethos; research through businesses and universities was to happen looking at the biodiversity, economic and other benefits; some work had left a mess, which was being dealt with; there would be some employment opportunities, for the first time in many years.

Cllr A Todd thanked Dominic, and the meeting proper began.

Meeting started at 2.20pm

2020.08.05.01 – Declarations of interest

There were no declarations of interest

2020.08.05.02 – Apologies for absence

There were apologies from Cllrs Allsop, Baxter and Deverick

2020.08.05.03 – Co-option

Ann Baxter spoke briefly describing her interests, specifically the environment, in support of her written application for **Co-option**. *Council agreed to co-opt Ann to fill the one vacant seat. It also agreed to deem the Acceptance of Office signed², allowing Ann to take part in the remainder of the meeting.*

Prop: Cllr Bocking; 2nd: Cllr Standeven; unanimous

¹ On one or two occasions Cllr J Kerr left the meeting, but was present for all votes.

² Ann formally signed the document on 7th August.

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Date: 9/9/20

The Clerk read the Acceptance of Office statement, to which Ann indicated her consent.

2020.08.05.04 –Public questions.

There were no questions from the public

2020.08.05.05 – Chairman’s remarks

Cllr A Todd noted that the VJ Day events had been cancelled by agreement from all involved groups, it being too difficult to go ahead; the new plaque would be arriving within a week, and there would be a simple wreath-lying ceremony on 15th August – a Burma Star wreath would be presented by Cllr A Todd and the Chair of the local Royal British Legion.

2020.08.05.06 – Approval of minutes

The minutes of the virtual meeting on 1st July, having been previously circulated, were accepted as a true record, and were deemed to have been signed.

Prop: Cllr Gascoigne; 2nd: Cllr R Kerr; 1 abst

2020.08.05.07 – Matters arising

There were no relevant matters raised **arising** from those minutes.

2020.08.05.08 – Ward/Division Councillors’ reports

For **BCKLWN**, Cllr Devereux thanked Councillors for their support during his time in cabinet, apologising for not having given them advanced notice of his resignation. He was continuing to work with some outside agencies in his old role, and would be happy to take up relevant issues until a replacement was appointed, as well as continuing as Borough Councillor for the Village. He expressed his interest in the Ken Hill presentation with regard to coastal defence. Cllr Standeven asked about the grey food bin collections – it was hoped that these could resume, but did require a new vehicle to allow the appropriate staffing.

2020.08.05.09 - Finance

a – Budget monitoring etc.

The Clerk noted that the **Audit** paperwork had all been sent off, and that the formal inspection period continued until 21st August. Barclays balance totalled c.£84K.

b – Expenditure etc.

The Clerk reported that online banking was now set up, and confirmed to be working³. Such payments would now be indicated by underlining in accounts, with a reference to whether their approval was contractual, previously agreed, or needed approval at the meeting. *Council agreed the **payments**⁴ where such approval was required by consensus.*

c –VJ Day funding

As VJ Day events had been cancelled there was no need for this item, and Council moved on.

³ NB – addition for info: due to problems confirming payments were being processed, a second payment to Westcotec had been submitted and paid. This was confirmed with the company, and no payment will now be needed in September.

⁴ All expenditure listed below.

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2020.08.05.10.a - Planning

i – Responses under planning protocol

There were no **Planning Applications** responded to by Council outside of formal meetings to report.

ii – 20/0108

Cllr Allsop had previously proposed a written response to Application 20/01018 – new dwelling, west of Park Farm. *Council agreed to submit this verbatim as its response⁵.*

Prop: Cllr Bocking; 2nd: Cllr Gascoigne; 1 abst

iii – 20/01103

Council raised no objection to Application 20/01103 – variation on conditions, Beggars Roost.

Prop: Cllr Gascoigne; 2nd: Cllr Bocking; 1 abst

iv – 20/01104

Council raised no objection to Application 20/01104 – cart shed/garden room, Beggars Roost.

Prop: Cllr J Kerr; 2nd: Cllr Gascoigne; 1 abst

v – Late applications

There were no late Planning Applications to consider.

2020.08.05.10.b – Amenities

A written report on the Amenities meeting on 28th July was presented.

i.1 – Dog waste signs

Council agreed expenditure to £90 on producing notices with the winning designs from the children's dog-poo poster competition⁶.

Prop: Cllr R Kerr; 2nd: Cllr Garwood; unanimous

i.2 – Lodge Walk benches

Council agreed to expenditure of up to £100 on recycled materials to replace the "lean-to" bench.

Prop: Cllr R Kerr; 2nd: Cllr Garwood; unanimous

Following further discussion, Clerk to seek advice on practicality of using recycled materials, and quotes, for the two concrete benches in the middle of Lodge Walk, and the one in the Market Square.

i.3 – Signs

Council agreed £50, plus installation, for additional signs (re: dogs and maps) at the Common. Exact wording to be approved by email when complete⁷.

Prop: Cllr R Kerr; 2nd: Cllr Gascoigne; unanimous

i.4 – Trees

Council agreed expenditure of up to £125 on four new lime trees for the avenue in Lodge Walk, subject to checking with the Tree Protection Officer.

Prop: Cllr Garwood; 2nd: Cllr Gascoigne; unanimous

⁵ For full text see below.

⁶ An offer to produce these free had yet to be confirmed; the approval for the expenditure noted that, if the offer still stood, that should be taken advantage of instead.

⁷ Again, if the offer for free production applies here, that route to be taken.

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ii – Bridge

Following an email from the Highways Officer relating to the bridge over the River Ingol on FP18, and visits by Councillors, it was agreed to monitor it on a diarised six-monthly basis.

Prop: Cllr Garwood; 2nd: Cllr Standeven; unanimous

2020.08.05.10.c – Governance

Clerk reported that he was working on a Village **Emergency Plan** based on co-ordinating with groups within the Village.

2020.08.05.10.d – Personnel

These matters would be dealt with in private later.

2020.08.05.10.e – Other reports.

Cllr J Todd reported that staff from the YMCA had met with her and the Clerk by Zoom, regarding a **Youth Club**. YMCA very keen and experienced. SPC now needs to communicate with the Memorial Hall over timings and costs. Clerk noted that this was an exploratory process to look at possibilities and options. More details in September, with a view to seeking approval in October – start date target in January. Clerk noted he was attending a **training** session on website and document accessibility.

2020.08.05.11 – Meeting reports

From the **Memorial Hall Trustees**, Cllr Standeven noted that the tennis court was open, and the Hall would be subject to a gradual opening. 30 people are allowed in the Hall, and four on the tennis court.

2020.08.05.12 – Clerk report

The Clerk presented a report⁸ on the role of SPC in relation to the **Memorial Hall**. This was his personal understanding of the legal position following advice from several outside agencies, and he was asking that it be read into the minutes. Following from this, anyone could disagree with the document, but would need to show the specific evidence. The document had also been sent to the Memorial Hall in advance. *Council agreed to adopt this⁹.*

Prop: Cllr R Kerr; 2nd: Cllr Gascoigne; 1 abst

2020.08.05.13 – Correspondence etc.

a – Market Square

Council agreed to allow the Events Committee to use the Market Square for Christmas events for the remainder of this Council term¹⁰.

Prop: Cllr R Kerr; 2nd: Cllr Bocking; unanimous

b – Card-reader

There was discussion of the possibility of purchasing a card-reader, either for Council, or as a Village asset for loan. It was agreed that, rather than go ahead with this, the Events Committee should be asked, if they wished, to request support from SPC for such a purchase, should they go ahead with this.

c – Gallipoli Association request

Contact had been made by the Gallipoli Association regarding potential links with the Village of Anafarta in Turkey. It was agreed by consensus that the Clerk

⁸ Which was in the public domain on the website.

⁹ Full text at end of these minutes

¹⁰ i.e. to December 2022.

should facilitate such links, particularly with the Church and the School, and sharing of information between the two Villages.

d – Market Square

Council agreed in principle, with one objection, to allow a mobile nacho van to use the Market Square on a maximum of one night per week, should they request it¹¹.

2020.08.05.14 – AOB and other requests

Cllr Bocking asked about the possibility of meetings in person, rather than by Zoom. The Clerk confirmed that County and Borough were continuing to use teleconferencing, as were most parish councils. The advice being received was to continue, and he felt this was likely to remain the case until at least October.

2020.08.05.15 – Public questions

Hazel Platt asked about the waste disposal problems following increased use of the Common – Clerk noted previous enquiries on this matter had suggested no change. Cllr Bocking noted that cars were not allowed on the Common and increased use by non-Villagers. Subject to be added to next Amenities agenda. Hazel asked also about the Community Library in the phone box – awaiting shelving and COVID risk assessment. Hazel asked if the document in item 12 above was publicly available – yes, online. Cllr Bocking noted that Walter Grief had passed away – last local resident involved with the Far East campaign; Cllr A Todd noted it had been intended for him to lay a wreath at the VJ Day ceremony. Clerk suggested, with Cllr approval, that when he took photos of the wreath-laying this should be added to the press release at that time.

2020.08.05.16 – Next meeting

It was agreed that the next Ordinary meeting should take place on either 2nd or 9th September¹², by Zoom, probably at 2pm. This to be confirmed nearer the date. A question of whether evening meetings would be better was not pursued.

2020.08.05.17 – Closure of meeting

Cllr A Todd said farewell to members of the public and Cllr Devereux, as Council went into private session as per the agenda. [3.32pm]

2020.08.05.18 – Staff appointment

*Council agreed to appoint Kate Walker as **Admin Assistant**.*

2020.08.05.19 – Contractual details

Council agreed the contract and job description for the above post. Council further agreed that the rate of pay should be based on NJC scales, beginning at point 11, subject to annual review.

Meeting ended at 3.48pm

Abbreviations:

BCKLWN – Borough Council; HMG – Her Majesty's Government; NCC – County Council; (S)PC – (Snettisham) Parish Council

¹¹ There would be no obligation on SPC to provide electricity supply.

¹² Depending on Clerk's leave – yet to be confirmed.

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Additional information

Item 9b – expenditure approved**EXPENDITURE - FOR AUGUST 1ST PAYMENT**

Online banking underlined – method of approval noted

Date	Ref	To	For	Amount	VAT	budget
1/8/20	DD	Eon	Utilities	£109.00	£5.19	admin
1/8/20	<u>Meeting</u>	Ken Hill	Allotments	£700.00	£0.00	misc
1/8/20	<u>Contract</u>	Salaries	Salaries	£3,408.40	£0.00	personnel
1/8/20	<u>Contract</u>	Westcotec	Street Lights	£55.50	£9.25	street lights
1/8/20	<u>Contract</u>	CGM	Grounds	£442.50	£73.75	amenities1
1/8/20	<u>Contract</u>	Heronwood	Grass Cutting	£351.00	£0.00	amenities1
1/8/20	<u>Previous</u>	Volunteers	COVID vol	£637.40	£0.00	contingency
5/8/20	<u>Meeting</u>	ESPO	Supplies	£105.88	£17.65	admin/cont
5/8/20	<u>Meeting</u>	Viking	Supplies	£136.18	£6.96	admin
5/8/20	106341	RBL	Hall	£44.00	£0.00	admin
5/8/20	106342	ABC	Various	£558.00	£0.00	amen1/cont
8/8/20	DD	GoCardless	Computer	£91.86	£15.31	admin
8/8/20	DD	GoCardless	OneDrive	£3.25	£0.54	admin
11/8/20	DD	Eon-approx	Bins	£133.17	£6.34	street lights
20/8/20	DD	BCKLWN	Bins	£127.47	£0.00	admin

Item 10.a.ii - Planning Response (20/01018)

Hi Simon and all councillors

I have studied the drawings and supporting documents for this proposed application, and conclude as follows:-

1. The purpose of the proposed new dwelling is a retirement dwelling for the current owners of Park Farm; allowing their daughter and family to move into the main farm house to continue the smooth running of Park Farm.
2. Under the KL&WN local development framework policy CS02 Snettisham is identified as a Key Rural Service Centre. This new dwelling would ensure Park Farm, as an employer of local people, would continue to contribute towards the region's successful tourism trade which helps sustain local amenities and services.
3. Historic England and Natural England have no comments regarding this application.
4. The Ecology Report suggests the existing site as low risk to ecological receptors and suggests this proposed new dwelling could be of ecological enhancement, which is described in the document.
5. The documents identify the site as a windfall site in compliance with policy NP02 of our NP, and complies with policy H02 to establish approval.
6. Although not mentioned in this application, the Rural Exception Sites identifies the need in a local community to accommodate existing residents and families and to accommodate those who have existing family or employment connections. I would suggest this application fulfils this requirement.

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7. The site to the north is surrounded by an established 1800mm high close-boarded fence which is to remain. The proposed new dwelling will have minimal effect on privacy, light or site view to adjoining properties.

I consider these points all substantial planning reasons to support this application and in light of these reasons, I would recommend to the PC approve this application.

Regards, Stuart

Item 12 – Clerk’s note:

PAPER FROM THE CLERK ON THE PROPOSED UPGRADES TO THE VILLAGE PAVILION

There has been extensive and long-running discussion of the proposed renovation to the Pavilion on the Village Playing Field. I do not propose to outline all the discussions involved, but simply wish to clarify the position as I understand it.

This is inevitably my personal view based on extensive research and experience, but I am presenting it as my formal advice to Council, in the hope that it can resolve many of the issues and provide a way forward. I am making this statement, with the expectation that it may be challenged, but, until I receive advice to the contrary, I do not propose to engage in any further discussion or debate on the subject. I am happy should Council wish to take this document and have it formally reviewed by another body/legal opinion.

Matters of fact:

- The Pavilion is the property of the Memorial Hall Trustees [MHT] (a registered Charity), and only they can decide what to do with it, including disposing of it.
- While it has been claimed that the Pavilion is a Village asset, there is no such legal body as “the Village”, hence the need for it to be vested in an official body.
- The Parish Council [PC] is the Custodian Trustee of the Memorial Hall properties. This is a legal device to ensure continuity, and confers no rights or responsibilities on Council, save that, should the MHT run into difficulties, the PC is obliged to attempt to arrange a new managing body. Note: this does not mean “take over”.
- Council has a legal **right** (Local Government Act, 1972) to provide sporting and other facilities, which it does not currently do – it is not a **duty**. Where there is another body that engages in those activities, Council may assist with funding, separate from its abilities under s.137 of the same Act.
- Charity Law and Council Regulations are binding, but not always consonant. Each body must adhere to the rules which apply to it.
- Any decisions relating to the future of the proposed project must come from the MHT themselves as the owners, following a formal decision to that effect. They cannot be instigated by any other body or individual.

Based on these, advice has been sought. [Note: all of these options are for the MHT, not the PC, to instigate as above.] The principal conclusions are:

1. The MHT cannot “sell” the Pavilion to, and have it run by, the PC as a body, unless such sale can be shown to be to the advantage of the Charity. Note: benefit to the Village is not relevant, only benefit to MHT. [Charity Commission]
2. The PC could be asked to set up a separate charity, operating as a sole trustee, to which assets could be transferred.
3. A separate, new, charity could be formed to manage and run any/all of the MHT assets if transferred.
4. The MHT could proceed with the project themselves.

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Dealing with issues arising from those points:

1. If this route were followed, the PC would have to pay a market price for all the assets, and the Charity would then have a large sum in cash, which they could continue to have as an asset, or dispose of in line with their Governing Documents or other applicable Charity law. The expense to the PC may well be in seven figures, though I have no current valuation of the MHT assets¹³. This is not practical.
2. This involves Council as a body becoming the Trustee of a separate Charity. There could be no exchange of money between the two that is not currently allowed, and it involves another level of administration, with the additional costs, and potential for conflicts of interest. Councillors already have experience of the issues involved from the Townlands situation. There is no benefit to this.
3. Forming a separate charity simply perpetuates any current issues¹⁴. The MHT (and they are not alone!) find it difficult to attract Trustees currently. It seems redundant/pointless.
4. Unless any of the options 1-3 above are taken forward, the route ahead must be determined by the MHT themselves.

Further advice relating to how the MHT might proceed suggests:

- The setting up of an MHT sub-committee to progress the Pavilion project
 - This should include at least one Trustee
 - It should have formal delegation, including spending limits
 - It could include Councillors¹⁵ (though acting as individuals at all times, not Councillors¹⁶)
 - The group should be small and contain specific skill-sets (e.g. finance, fund-raising, design, planning, admin)
 - All large decisions should be referred to the Trustees as a body
- Clear public support, both for the idea, and through funding, must be demonstrated. This would seem to require a presentation, with options, funding requirements, requests for assistance all being sought and evidenced. Information on progress should be continually disseminated.
- Members must be prepared for a long-term commitment to the process; changing personnel midstream is a huge handicap.
- Careful perusal of documents such as the Dersingham Village Hall report is encouraged, to provide positive advice as well as warning of pitfalls.
- Council cannot help with the claiming back of VAT; an analysis of the costs and benefits of the MHT registering for VAT should be an early project.

The role of Council at this point is nil. Nothing can be actioned or considered by SPC unless it is requested by the MHT, and no Councillors should be making comments as such unless sanctioned by Council agreement.

The position the two organisations find themselves in is not ideal. Councillors and the MHT know that I have tried to find solutions to what I regard as an outdated and inappropriate set-up, but we are constrained by the way we are both constituted. There is no blame to be attached either way, and I believe Council should do all it can to assist in terms of advice and public support – when requested.

Down the line, Council may decide to contribute if asked, and in principle has agreed to so in the past. I am on record saying that I personally believe the project is one I would wish to see succeed,

¹³ I have requested the MHT include this on their asset list – it had been erroneously included in the assets of the PC, a situation corrected on the 2019/20 audit.

¹⁴ It is assumed here and in 2 above that the transfer of only some assets is being considered.

¹⁵ There has been a suggestion that Council as a body could be a member. This would require all decisions the sub-committee wished to make being referred to Council as formal motions – no individual Councillor can speak for Council. It would render decision making impossible.

¹⁶ I would recommend that at all times that the title “Councillor” in this context is avoided for clarity

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though it is not any part of my role to comment; I have been defensive, inevitably, when I have sensed that I am being perceived as obstructive.

As your RFO I would recommend the following, though this is a long way off:

- Council has a way of proceeding, and any funding you provide should be based on decisions as transparent as if it were Council's own project.
- Any funding that may be agreed should be consonant with what is donated by Villagers; you may decide to consult on this, or set match-funding level/limits.
- Council should ensure that it monitors how its money is used, if granted.
- Council should make it clear that it is not a "banker of last resort"; inertia is a dangerous reason to proceed with funding in any situation.

In conclusion, you are the guardians of public money. There is no point in having that role and not using it to give to worthy causes and projects. However, the head must rule the heart in all decisions you make.

Simon Bower
Parish Clerk
13/7/2020