

**Minutes of the Meeting of Kirby Cane & Ellingham Parish Council on Tuesday,  
15<sup>th</sup> November 2016 at 7.30pm in the Memorial Hall, Kirby Cane**

The Chairman asked if anyone present wished to record proceedings

**Present:**

John Cook                      Michael Ingram                      Lesley Lodge                      Julie Pickering  
Deanna Saunders              Michael Wickenden              Iain Wright

Also the clerk to the council, Jane Love, and six members of the public.

1. **To receive apologies for absence:** – apologies were accepted from County Councillor Margaret Stone, Lawrence Cannard and Maurice Eldridge.
2. **Declarations of interest and requests for dispensation:**  
Cllr Iain Wright is a trustee of the Kirby Cane Charity and Cllrs Deanna Saunders and John Cook are trustees of Kirby Cane Memorial Hall. Cllr Saunders also declared that her husband is an allotment holder (6. correspondence) and Cllr Julie Pickering declared an interest in a planning application (13. planning).
3. **To approve the minutes of the meeting of 20<sup>th</sup> September 2016:**  
The minutes of the Parish Council meeting on 20<sup>th</sup> September 2016 were agreed to be correct and were signed by the chairman.
4. **To report matters arising from those minutes:**
  - 4a. 6e. The clerk had recently heard from Stockton Parish Meeting that they would appreciate a commitment of funds as this would help with negotiations with other funding sources. Councillors resolved to wait until their budget discussion in January to see what funds might be available;
  - 4b. 8. copies of the new grant-making policy had been sent to the Parochial Church Councils, and to the Memorial Hall and Football Club, but no applications had yet been received. The cut-off date was 16 December 2016;
  - 4c. 12b.i) pothole at junction of A143 and Church Road/Yarmouth Road & iii) obscured road signs at the entrance to Ellingham West, had been reported. The clerk was advised that the pothole (i) was already in hand and she would check to see what action was being taken. It was subsequently reported that the flashing 50 mile an hour sign did appear to be working, which may be due to varying amounts of leaves on the nearby trees.
5. **Opportunity for public participation:**
  - 5a. A resident reported overhanging growth on trees at the end of Crisp Road where it joins Mill Road, and the clerk would report this;
  - 5b. Residents voiced concern at the difficulties of parking near Ellingham School at drop off and collection times and asked if the Parish Council could take action. The council had previously investigated the creation of a carpark between the school and the A143 but it had proved difficult to contact the landowner. The chairman suggested that a meeting should be organised with the police, County Cllr Stone and the school to see what options there might be. Correspondence from the police on this issue would also be discussed later in the meeting.
  - 5c. A resident commented on the deplorable situation regarding the bus service to the village and the chairman agreed and told the meeting that the council had made numerous attempts to lobby Norfolk County Council on this issue but had not been successful. This would be discussed later in the meeting.
  - 5d. County Cllr Stone sent her apologies and a report which was summarised by the clerk. The full report would be put on the website.
  - 5e. Police report – between 11 October and 15 November there had been 12 recorded crimes in the two villages, which included one theft from a shop, two incidents of criminal damage to vehicles, one report of malicious communication, a public order offence, one theft, one fraud and five assaults. None of the incidents were considered to present a particular concern to the wider community and no current crime trends had

been identified. The local Safer Neighbourhood Team cautioned that there had been an increase in crime at rural churches (theft of lead, etc) across the county and there was normally a spike in heating oil thefts in the colder months.

## 6. Correspondence:

- 6a. The Police & Crime Commissioner had asked Norfolk residents to have their say on how police funding is used. The clerk was asked to respond that there should be more police involvement with the community, and to put the link to the consultation on the website.
- 6b. The Allotment Society had written to ask the Parish Council whether it was happy for a resident to take a plot which would then be used by children from the pre-school. Councillors confirmed they were happy that the Society should run its own affairs and continue to send plotholder agreements to the clerk so that she could sign on behalf of the Parish Council and retain a copy for the council's files and that the clerk should write to the Allotment Society accordingly.
- 6c. The council had received notification that there had been problems with defibrillators, but Cllr Wright had checked and the unit at the Memorial Hall was not one of those affected.
- 6d. As mentioned earlier in the meeting, there had been problems with parking down at the school for some time. The local police had been involved and looked at various issues, although the power to deal with parking offences was transferred to the county council a few years ago. The police had come up with a "road safety contract", according to which the police would write to parents explaining the issues and setting out what is expected of parking in the area around the school, and they would like the PC to support this initiative. The chairman asked the clerk to set up the meeting with the police, county councillor and the school as previously discussed.
- 6e. The Bungay Black Dog Running Club had announced its 2017 marathon for 2 April – the clerk would put the route on the website.
- 6f. The Electoral Review draft recommendations had been announced and seemed to indicate that there will be a change to ward boundaries according to which Kirby Cane and Ellingham would become part of Ditchingham and Earsham ward (ie the Ditchingham part of it). The ward will have two councillors, its current electorate being 4,957, which is forecast to rise to 5,228 if the recommendations are adopted. It seemed that the Gillingham ward, current incumbent Kay Billig, would be abolished. The consultation closes on 9 January 2017.

## 7. Financial Report:

Balance b/f at 20th September 2016	£	9,961.43
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### **Correction:**

Adjustment from September report	£	3.87
	<b>£</b>	<b>9,957.56</b>

### **Credit:**

South Norfolk Council	2nd half of precept	£	8,825.00
HMRC	Vat reclaimed	£	3,293.05
Came & Co	Overpayment on insurance premium	£	21.53

### **Payments to be agreed:**

IMON Site Ltd	September + October grasscutting	£	240.00
IMON Site Ltd	Hedgecutting	£	120.00
KC Memorial Hall	Meeting 15 November	£	10.00
Vital Pest Solutions	Pest control Sept to Nov 2016	£	48.00
South Norfolk Council	Dog bin emptying annual charge	£	78.05
Norfolk Pension Fund	Clerk's pension contribs for Oct+Nov	£	236.04
HMRC	Clerk's tax for November	£	13.40
HMRC	Clerk's tax for December on a/c	£	13.60
Jane Love	Clerk's salary October + November		814.72

Clerk's travel expenses	£	29.25	
Clerk's use of home	£	34.00	
Balance c/f at 15th November 2016	<b>£</b>	<b>20,460.08</b>	*

\*This total includes £2500 reserve towards the cost of a future election, £1821 for the footpath barrier, £3000 in general reserves, £2000 legal & professional reserve and £315.59 remaining of grants to the Memorial Hall to end financial year 2016/17

Councillors approved the list of payments to be made and Cllr Cook, as chairman of the meeting, signed the financial report.

The Clerk pointed out that there was a small error on the September report which had been rectified.

There was funding available from central government via the Norfolk Association of Local Councils for the implementation of the Transparency Code, which covers the costs associated with the requirements to post minutes and other information on a website and other measures. The council approved a claim of £400 to cover the purchase of a new laptop and software to enable the clerk to comply with these requirements.

**8. To consider potential suppliers' charges for 2017/18 financial year:**

The clerk had obtained quotes from suppliers ahead of the 2017/18 budget and councillors were pleased to hear that the grasscutting and pest control contractors were happy to maintain their costs for the coming financial year. Three quotes had been obtained for insurance, and two had come in considerably below the existing supplier. A final decision would be made at the next Parish Council meeting.

**9. To receive a report from the Playground Committee and consider a 50/50 funding request to Norfolk County Council:**

Councillors agreed to submit an application to Norfolk County Council for £1265 towards a new tarmac path linking the playing field carpark with Mill Road.

Cllr Pickering then reported that the Playground Committee had submitted interim reports to grant funders and made further requests for funds, and was very grateful to have received a further £500 from Kirby Cane Charity. A decision was still awaited from the SNC Neighbourhood Fund but the bid for £23,500 (minus a 10.75% landfill operator payment) had been granted by WREN. The Aviva community engagement project was ongoing, and the committee hoped to be included in ASDA in Lowestoft in the New Year, and possibly Tesco in Beccles. The next phase of the project was to install a zip wire and either refurbish the existing large play frame or install a new play dome depending on the success of other funding applications. She reported that so far the committee had raised over £34,000 and was well on its way to completing the project in spring 2017. The chairman thanked Cllrs Pickering, Lodge and Wright for all the hard work they had put in which had already given so much benefit to the local community.

**10. To receive a report on the playing field:**

Cllr Wickenden had been unable to inspect the playing field due to personal circumstances, but hoped to get back his usual inspections very soon. Cllr Pickering reported that her sons had looked at closing the open rails at the top of the slide and clearing soil from the sides of the slide to prevent finger entrapment. They could also tape the exposed areas of wire rope as a temporary measure while a decision was pending on whether to refurbish or replace the existing large play frame. Councillors approved expenditure of up to £100 for this work.

**11. To receive a report on the Memorial Hall:**

The clerk read a report from Maurice Eldridge, the chairman of the Memorial Hall Committee: the main hall had recently been redecorated and many compliments had been received. The front toilets and foyer would be redecorated shortly and other

repairs instigated. Skirting boards would be installed and painted in the new kitchenette the following week. A double-glazed, soundproofed opaque window had been fitted between the two halls and the heaters had been repaired, with two heater guards on order. New light diffusers had been purchased for the front hall and a new security key box and lock had been installed. The committee had held a very successful Hallowe'en party and a Christmas soup lunch was planned for 10<sup>th</sup> December and various events were planned for 2017. The existing clubs were doing well and private party bookings on the increase. A Christmas tree had been ordered for outside the hall and the interior would also be decorated for the festive season. The committee had appealed for more members without success, and had still not been able to recruit an administrator. The committee would be submitting an application for funds for 2017/18 to assist with new flooring for the rear hall. The chairman sent the council's thanks to Mr Eldridge and his small committee for all the hard work they put in on behalf of the community.

## **12. To discuss specific local issues:**

- 12a.** Bus route – residents had echoed councillors' concerns at further cuts to the bus service and asked the clerk to ask County Cllr Stone to the next meeting to see what could be done. The chairman pointed out that this was a serious issue for a small rural community and that the council would continue to fight as hard as possible for improvements to the service.
- 12b.** Highways issues – there were no issues reported. The clerk would report the overhanging trees at the end of Crisp Road.
- 12c.** After some discussion councillors decided not to adopt the BT kiosk on Well Terrace due to the possibility of vandalism and uncertainty about what use could be made of it.
- 12d.** Sale of village shop – the lease of the post office/shop business was for sale as a going concern and therefore there was no issue relating to the listing of the premises with South Norfolk Council as an asset of community value. Councillors commented that it might be helpful if the district council could advise freeholders that listing a property as an asset of community value did not undermine the value of their property.

## **13. To consider planning matters:**

### **Decisions:**

- 13a.** 2016/1951: Mr & Mrs D Quantrill, 14 Yarmouth Road, Ellingham, removal of existing conservatory and construction of single storey extension – approved with conditions 23 September;
- 13b.** 2016/2191: Mr William Brown, 115 Old Yarmouth Road, Ellingham, replacement of single storey extension with two-storey extension – approved with conditions 2 November;
- 13c.** 2016/2218: Mr A Gomme, 4a Mill Close, Ellingham ; variation of condition, amended internal layout and design – approved with conditions 2 November. The owners had reported that trespassers had damaged the fence at the rear of their land, and were advised by the Clerk that they should contact the police about this.

### **Applications:**

Consultation had already been given on 2016/2445, Mr Derek Hood, Row Farmhouse, 34 Yarmouth Road KC – approval recommended as it would improve appearance and preserve condition of building.

### **Additional recent applications:-**

- 13d.** 2016/2234: Mr Carl Humphries, 21 Mill Road, Kirby Cane – retention of garden shed. Councillors had no objections provided the neighbours are consulted, and one commented that the shed should not be used for housing dogs;
- 13e.** 2016/2529: Mr & Mrs C Barrett, 60 Yarmouth Road, Kirby Cane – first floor and rear side extension + double garage and south boundary wall – approval had been recommended, with no objections voiced;
- 13f.** 2016/2588: Mr Alan Pickering, 99 Yarmouth Road, Ellingham – proposed erection of a 2-storey extension adjoining existing premises – no objections provided neighbours consulted

One further application had been received that day direct from Anglian Water for a new access road for water treatment plant on Newgate Lane so that vehicular access would be off Old Yarmouth Road. Councillors asked if the full application could be sent to them, not just to the members of the planning committee, so that they could consider this.

The clerk raised the issue of the purchase of a projector to display the documents for larger planning applications if these arose, and this would be considered for the next meeting.

Cllr Pickering resigned from the Planning Committee and Cllr Ingram was elected in her place.

**14. To receive items for the next agenda:**

Grant funding for Stockton Bus Shelter; possible projector purchase; precept

**15. To receive items for information:**

**15a.** Cllr Wright had attended a briefing on the Greater Norwich Development Plan which will come into effect in 2036. Eight sites in Kirby Cane and Ellingham, largely small plots of land, had been put forward for possible development under this plan, which would be analysed according to the planning criteria and public consultation was planned for the end of 2017;

**15b.** The chairman and clerk had one of their periodic meetings with the Ellingham United Charity on 4 November;

**15c.** Following a request to view the Ellingham Parish Council minutes from 2000 to 2007, the clerk found the file in question and after consultation with the chairman lodged it in the Norfolk Archives where it can be viewed by any member of the public;

**15d.** The clerk had not been able to attend the Norfolk ALC autumn conference, but would attend a Clerk's Information and Networking event on 1 December in Sprowston at a cost of £25 + VAT;

**15e.** Cllr Ingram would attend a Councillor Introductory Training session on 30 January 2017;

**15f.** The clerk was asked to organise a meeting in the main hall of the Memorial Hall for a full meeting with B4RNorfolk regarding broadband following the large turn-out earlier in the evening.

**16. To consider meeting dates for 2017 and a precept-setting meeting:**

Meeting dates were agreed as follows:-

24<sup>th</sup> January (this was subsequently changed to 17<sup>th</sup> January due to South Norfolk Council's new strict requirements for the submission of the precept form)

21<sup>st</sup> March

16<sup>th</sup> May

18<sup>th</sup> July

19<sup>th</sup> September

21<sup>st</sup> November

With an additional meeting on 10<sup>th</sup> January to discuss the budget and precept for 2017/18.

**17. Date of next meeting:** Parish Council Meeting at 7.30pm on Tuesday, 24<sup>th</sup> January (changed to 17<sup>th</sup> January) 2017 in the Memorial Hall, Kirby Cane. There will also be a meeting of the finance committee on Tuesday, 10<sup>th</sup> January.

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At this point it was resolved under the Public Bodies (Admissions to Meetings) Act 1960 to exclude members of the public to discuss confidential matters and the meeting closed to the public at 9.22pm.

**18. To consider correspondence relating to local charities:**

Councillors had all received copies of correspondence relating to the Ellingham United Charities and Sand & Gravel Charities. The chairman and clerk explained their consultations with the solicitor at NPLaw and the advice that had been given, namely that the council did not insure the lands in question, was not registered as owning them, and did not have them on its asset register. Even if the correspondent could prove that the council had once owned them, the law of adverse possession would have long ago extinguished any rights. Also, the council could not be forced to own something it did not wish to own. The solicitor's advice was that if the correspondent wished to take the matter further they would have to apply to the High Court at their own expense for a declaration that the council owned the land, and would have to prove their case to the court's satisfaction and overcome the law of adverse possession. The solicitor's advice was to respond that the council did not own the land and would not enter into any further correspondence on the matter, and the clerk should file any further correspondence and not take any action. His opinion was that no court would criticise the council for this action. Councillors agreed that the clerk should reply to the correspondent accordingly, and add "as previously stated" and "[any correspondence] whatsoever". Councillors also approved that, subject to the outcome of the Ellingham United Charities forthcoming meeting, the clerk should reply to the correspondent to re-confirm that it was not possible to make a donation to the Sand & Gravel Charity.

Signed..... Dated.....  
Chairman