

DALHAM PARISH COUNCIL

Minutes of the meeting held on Tuesday 18th November 2014

Councillors present: RI Padman (Vice-Chairman), J Atkinson, J Bolton and Jay McCully

Also present: Mrs J Ince (Clerk) and one member of the public. PC J Gowing arrived at 7.45pm. County Councillor L Chambers arrived at 7.54pm.

In the absence of the Chairman, R Padman chaired the meeting.

1. Acceptance of apologies for absence

Apologies were received from I Aylott. District Councillor Carol Lynch also sent her apologies.

2. Declaration of Interest in items on the agenda

No councillors declared an interest in any items on the agenda.

3. Approval of minutes of the meeting held on Tuesday 16th September 2014

It was resolved that the minutes were correct. The Vice-chairman then signed the minutes.

4. Report from the Safer Neighbourhood Team

Four crimes have been reported in Dalham since the last meeting - one domestic crime, a break in at the church and two burglaries of outbuildings where sheds were broken into. No speed checks have been carried out.

5. Report from County Councillor Lisa Chambers

The Energy from Waste plant is in the commissioning phase. The waste is being received and the incinerator is being used to check that everything is working properly.

Highways has a huge backlog which it is working through. The contract with Kier May Gurney is not working very well and this is being looked at by Suffolk County Council.

6. Village hall report

There is no report.

7. Update on list of actions since the last meeting

The following actions are outstanding:

- Close the Santander account (JB)
- Photograph the Council's assets (IA and JB)
- Retrieve the grit bins for Stores Hill (JA)
- Stain the Dunstall Green notice board (JB)
- Request a form for electronic banking (IA)

8. Finance

a) Approval of payments

It was resolved that the following payments would be approved:

- Suffolk Association of Local Councils - 12% share of clerk's Filming and Social Media training - LGA 1972, s111- **£6.00**
- K Hutchinson & Son - verge cutting - Highways Act 1980, s.96 - **£384.00**
- J P Ince - expenses April - July 2014 - LGA 1972, s111 - **£27.35**
- Great Bradley Parish Council - councillor training - LGA 1972, s111 - **£31.46**

b) Summary of the receipts and payments made since the last meeting

It was resolved that the statement of receipts and payments was correct.

c) Final budget for 2015/16

The Council completed the electronic Parish Estimates Form at the meeting. It was resolved that the precept request would be £5,843 an increase of 2.82% which equates to £1.25 per annum per band D property. The Clerk and Vice -chairman then signed the form which will be submitted to Forest Heath District Council.

Action: Clerk

d) E-mail from SALC re new pay proposals for parish council clerks

NALC is consulting councils and trade union members on a pay proposal that both sides believe is best achieved through negotiation. The proposal is for employees to be given a non-consolidated payment (pro-rata for part-time employees) of varying amounts depending on the pay scale of the employee.

9. Planning

a) DC/14/2028/HH - 1 Stores Hill, Dalham - Proposed two storey rear extension

It was resolved that no objections would be made to this application.

- b) **DC/14/2090/TCA - Clare Cottage, 16 The Sounds, Dalham - TCA notification - spruce/fir tree reshaping/balancing by lifting lower branches, crown thinning to keep branches clear of the power lines and reducing overall weight of branches for stability**
It was resolved that no objections would be made to this application.
- c) **Email from SEBC about their Joint Management Document consultation which will take place from 16th - 27th November.**
It was resolved that no response would be submitted.
- d) **Ongoing planning issues**
- **The Woodyard**
Forest Heath District Council has issued an Enforcement Notice for the demolition of two dwellings. The Council has received an e-mail from a resident asking for its view of the development at The Woodyard, Dalham and in view of the desperate shortage of houses in this area and the urgent need to rectify this situation to explain the reasoning behind the Council's thinking.

It was resolved that the Clerk would respond on behalf of the Council saying that it has not taken any view about the need for housing or not. There has been ongoing concern in the village about the Woodyard Development and the Parish Council has asked Forest Heath District Council as the Planning Authority for information about the development.

Action: clerk
 - **The Mill**
No further information has been received. The Clerk was asked to contact FHDC for an update.

Action: clerk
- e) **Document giving guidance on material considerations relating to planning applications - for information only**

10. Clerk's Contract and job Description

The Council reviewed the Clerk's contract and job description. It was resolved that the following items would be added to the job description which lists the Clerk's specific responsibilities:

- To produce and maintain the Parish Council's website.
- To produce a report for the village newsletter.

It was resolved that the clerk's contract would be updated to include her new contact details.

Action: clerk

11. Highways/Rights of Way/Environment Agency issues:

a) **Location of grit piles and procedures for spreading grit (see Suffolk County Council's Winter Gritting Information Pack)**

Councillors were given copies of the Winter Gritting Pack and made aware of the Health and Safety guidance in the pack. It was resolved that J Atkinson would be added to the list of volunteers initially who will be covered by SCC's liability insurance and that he would add any additional names to the list once he has spoken to potential volunteers after the meeting. J Atkinson agreed to complete the list of where the grit piles and bins are located. J Bolton agreed to ask a resident in Dunstall Green Road if he would be willing to be added to the list of volunteers to spread grit.

Action: JA

b) **Speed Management Issues**

No action further action can be taken until the Council hears back from SCC

c) **Update on the preparation of a footpath map and leaflets for Dalham**

Things are progressing. The Council will be updated at the next meeting

Action: JM and IA

d) **Outstanding Highways and Rights of Way issues**

L Chambers agreed to contact G Smith for an update on Highways issues and Ross Corbyn about speed management issues. J Bolton also agreed to speak to G Smith about outstanding Highways issues when she is next at West Suffolk House.

Action: JB

e) **Tree issues**

• **Ownership of Brookside**

Having contacted the Land Registry and the Records Office there is still no clear record of who owns the land. The Clerk had contacted the National Association of Local Councils for advice and their recommendations are as follows:

Can the council make the tree safe?

The council does not own the property and does not have permission from the owner to maintain the tree. In general, a person who enters another person's property to do something without his/her consent is a trespasser. Although it is not likely that legal proceedings would arise from maintaining the tree, this may have influenced the district and the county council's decision not to undertake any maintenance.

If the council takes on responsibility for tree maintenance, I think that it is possible that it could become the occupier of the land for the purposes of occupiers' liability. An occupier is anyone with a sufficient degree of control over land to be able to ensure its safety. If a person was injured by a branch falling from the tree after the council had assumed maintenance responsibilities, it could lead to a personal injury claim against the council. I therefore suggest that before the council decides to take on responsibility for tree maintenance, it contacts its insurers about the matter.

It was resolved that the Council would continue to try to establish ownership of Brookside in the first instance and that R Padman would speak to the residents in Brookside to find out if they have any evidence of ownership in their deeds.

Action: Clerk and RP

e) Environment Agency Issues

- Overgrown vegetation along the river Kennett. The Environment Agency has confirmed a team was sent to Dalham on the 30th September to 03rd October to cut the vegetation out of the River Kennett. The river was then sprayed the river on the 31st October. They have to leave a fringe of half a metre for environmental reasons.

12. Update on the *Filming at Meetings* training attended by the clerk

The Clerk updated the Council on the *Filming and Recording at Meetings* training she attended on 5th November and its implications for the Parish Council. It was resolved that the notes from the training would be circulated to councillors.

Action: Clerk

13. Village issues

- The state of the telephone box**
This item was deferred until the next meeting.
- Bridges**
This item was deferred until the next meeting.
- Suggestion to hold a village spring clean**
This item was deferred until the next meeting.

14. Policy for handling repeat complainants

It was resolved that the Policy for Handling Repeat Complainants would be approved.

15. Data Protection Policy

It was resolved that the Data Protection Policy would be approved.

16. Amendment to the Council's Standing Orders to reflect the provisions of the Openness of Local Government Bodies Regulations 2014

It was resolved that the amended Standing Orders would be approved.

17. Freedom of Information Publication Scheme

It was resolved that the revised publication scheme would be approved and uploaded onto the Council's website.

Action: Clerk

18. Update on the Emergency Plan

This item is still ongoing.

Action: All councillors

19. Update on the discuss the progress of the village welcome pack

This item is still ongoing.

Action: J McCully

20. Neighbourhood Watch

J Bolton received an e-mail from Neighbourhood Watch as they are trying to re-establish it in Dalham. It was resolved that an article would be included in the next newsletter to see if any residents would be interested in volunteering.

Action: Clerk

21. Dates for distribution of the Dalham newsletter

This item was deferred until the next meeting.

22. Correspondence:

a) Letter from SALC about recruiting more candidates to become parish councillors

It was resolved that councillors would e-mail the Clerk with any suggestions about how to recruit more candidates.

b) E-mail from a resident about a FOI request made

It was resolved that the Clerk would draft a letter from the Chairman saying that the Clerk's roles and responsibilities are as outlined in the NALC Governance Toolkit for Town and Parish Councils as appropriate for a parish council. It is part of her job description to deal with Freedom of Information Requests, therefore no additional meeting was required.

Action: Clerk

There being no further business the meeting closed at 9.35pm

Signed (Chairman) Dated