

BARHAM PARISH COUNCIL

MINUTES OF THE PARISH COUNCIL MEETING HELD IN BARHAM CHURCH HALL, ON MONDAY 22nd JULY 2024, 7.00pm

PRESENT:

Chairman Casey Wooltorton, Vice Chairman Cllr Julie Gregory, Cllr Marilyn Lesley, Cllr Bonnie Head, Cllr Graham Head & Cllr Brenda Mitchell

Also present: SCC Chris Chambers, BMSDC David Penny and the Clerk.

The Chairman noted that there will be no Open Forum at the meeting this time (however no members of the public in attendance).

1.7 APOLOGIES

- a. **Apologies for absence.** Cllr Paul Fenn – on holiday.
- b. **Consent/non consent to absence.** Approved the above absence.

SCC Chris Chambers asked to give his report at this point as he has to attend another meeting,

11.7 REPORTS - SCC Chris Chambers informed that he has no formal written report as nothing has happened over the last 6 weeks due to elections. He will meet with the Chairman and representative from Bretts Aggregates on 2nd August to consider the offer of a donation from Bretts to maintain Sandy Lane on an annual basis due to the damage the Bretts lorries cause to the surface of the road. He has already asked planning department to consider a one-way traffic system for Sandy Lane to help reduce the traffic and make it safer. He will keep the PC updated.

Cllr G Head informed that Highways has cut the hedges along the Norwich Road. The workmanship is not up to standard and lots of rubbish has been left behind. When NSK did the cut earlier this year, they did a very good job setting the standard high, it is a shame that Highways have not carried out the same standard of work. Cllr Chambers advised that unfortunately some times its better for the PC to arrange and carry out the work themselves. The Chairman informed that the PC had not budgeted to carry out the work this year but will include in the budget for the next financial year. Then NSK could be asked to do the cutting 2 or 3 times a year.

Cllr Mitchell asked about the Ely Road development and how much social housing is to be included?

BMSDC Cllr David Penny stated that the application to vary conditions (housing mix) had not returned to the planning committee. The proposed mix is 25 shared ownership and 42 affordable housing.

He also informed that due to the recent elections he does not have much to report. However Community Transport has now got 2 providers to cover the 6 areas of mid Suffolk with a dial a mini bus dial a ride service. The cabinet has approved £1.5 million to the Stowmarket Regeneration Fund. The new Government is expected to make major changes to planning.

2.7 COUNCILLOR DECLARATION OF INTERESTS

- a. **Declaration of interests with regards to any item on the agenda.** None
- b. **Dispensation to be considered under 13h of standing order to allow Cllrs Wooltorton, Mitchell, Lesley, Gregory, G Head and B Head to be allowed to vote Other Registrable Interests relating to Barham Country Park, to July 2028, as they are all on the charity Barham Picnic Site Community Project.**

The Chairman informed that it is necessary to grant Dispensations to the above Councillors, due to the number of councillors prohibited from participating in the business of the Barham Country Park being so great a proportion of the Council, that is impedes the transaction of the business. The Councillors listed have all completed a dispensation form, the Chairman asked the PC to approve a dispensation for the period of 4 years for each of the named councillors. This was agreed with a show of hands 6 for and 1 against, proposed the Chairman seconded Cllr Lesley. The Clerk signed the dispensation forms.

3.7 TO APPROVE THE MINUTES OF THE PARISH COUNCIL MEETING HELD ON 22nd MARCH 2024

Already previously approved at the AGM.

Chairman's initials.....

4.7 TO APPROVE THE MINUTES OF THE EXTRA ORDINARY PARISH COUNCIL MEETING HELD ON 16th MAY 2024.

Approved correct, signed by the Chairman, proposed the Chairman seconded Cllr Mitchell.

5.7 TO APPROVE THE MINUTES OF THE ANNUAL GENERAL MEETING PART ONE HELD ON 20th MAY 2024 AND PART 2 HELD ON 3rd JUNE 2024.

Both minutes were approved correct and signed by the Chairman, proposed the Chairman seconded Cllr B Head.

6.7 MATTERS ARISING FROM THE MINUTES OF THE LAST MEETING, WORKPLAN & PLANNING LIST.

Work plan

SCC Chris Chambers still to investigate the following;

Missing barrier on the Coopers Way footpath. The steps leading down from the A14 safety barrier to the lakes in need of repair and would benefit from a hand rail. (Chairman to get prices for 2 directional signs at the top and bottom). Request for 30mph speed limit along Norwich Road to continue to De Sumarez Drive.

Planning

DC/24/02440 non material amendment relating to DC/2102953 re-position detached garage to the rear side of the dwelling. Land South Of Pesthouse Lane, Barham, Ipswich, Suffolk IP6 0RF

Refused by BMSDC.

DC/24/02042 Discharge of Conditions Application for DC/22/03231 Condition 11 (Landscaping)

Land North West Of, Church Lane, Barham, Suffolk. Granted by BMSDC.

DC/24/02977 Application under S73 for Removal or Variation of a Condition following grant of Planning Permission DC/21/02953 dated 17/08/2021 Town and Country Planning Act 1990 (as amended) Erection of single storey dwelling with detached garage and temporary siting a caravan for the duration of building works - To vary Condition 2 (Approved Plans and Documents) to amend position of garage. Land South of Pesthouse Lane, Barham, Ipswich, Suffolk IP6 0RF. No objections raised by the PC.

7.7 TO INCLUDE ON STANDING ORDERS POINT 8. b. VOTING TO CO-OPT OR REJECT POTENTIAL CANDIDATES TO FILL COUNCILLOR VACANCIES.

The Chairman advised that currently the standing orders do not give provision to reject a single application to fill a councillor vacancy by co-option, this means that currently the PC is obliged to fill a vacancy when presented with an application. Therefore the Chairman (with the guidance of the Monitoring Officer) proposes that 8,b is included in the standing orders;

"When considering potential candidates to fill vacancies by co-option, councillors may by majority rule, vote to reject potential candidates".

This was agreed by all, proposed the Chairman seconded Cllr G Head. Clerk to update the Standing Orders.

8.7 TO CONSIDER ANY APPLICATIONS RECEIVED FOR THE VACANCY OF A PARISH COUNCILLOR TO FILL BY CO-OPTION. No applications have been received.

SCC Chris Chambers left the meeting at 7.45pm.

9.7 FINANCE

a. Monthly Payments – to agree the payments for May & June

May payments £2938.05, receipts £677.30. June payments £55,508.94, receipts £0.00. These were approved by all and signed by Cllr Lesley.

b. Monthly reconciliation – to approve the bank reconciliation to June.

As at 30/06/24 the Current Account £82,628.30, Business Account £54,800.26. Includes earmarked reserves £106,046.30 CIL money and £3693.71 towards new play equipment, country park. Cllr Mitchell signed the bank reconciliations.

c. Bank Accounts Quarterly Summary April – June Q1. The Clerk presented this information to the PC.

d. To consider a donation of £1000 to BPSCP Charity towards legal fees for the Freehold transfer of the picnic site.

The Chairman explained that when the previous council was in charge they had made a resolution to pay £1000 to the BPSCP Charity towards its legal costs for the Picnic Site lease. It was agreed by all to honour the payment of £1000 to BPSCP, a unanimous vote was made and agreed in favour to do so. Proposed Cllr Gregory seconded Cllr B Head.

Chairman's initials.....

e. To consider a donation out of CIL money to BPSCP Charity towards infrastructure at the picnic site.

The Chairman asked the PC to consider giving BPSCP Charity money from CIL to help them to get started in its work at the picnic site now that the freehold has been passed over to them. Gt Blakenham PC has already given £10,000 and Mid Suffolk Council has given £8,000.

Cllr Mitchell suggests £15/20,000 this will help towards the cost of a lawn mower, surveys and planning for a preschool. Cllr Wood proposed £15,000, seconded Cllr Gregory. All in favour.

f. Grant Application forms received from Claydon & Barham Community Centre and also from Claydon & Barham Good Neighbour Scheme (donations are considered annually by the PC at the November meeting).

The Clerk reported that grant application forms has been received from Claydon & Barham Community Centre and Claydon & Barham Good Neighbour Scheme. However, she recommends holding off until the November meeting to decide on the donations, inline with the budget forecast. This was agreed by all.

10.7 TO ADOPT A VEXATIOUS COMPLAINTS POLICY.

The Clerk had forwarded the proposed document to all ahead of the meeting. The Chairman informed that he and the Clerk has sought advice from the Monitoring Officer regarding this. As the Clerks 11 hour working week has been taken up with 4/6 hours of work a week dealing with emails from the public. Some could be classed as intimidating and all have involved a lot of the Clerks time in searching for information which has been asked for. This is not acceptable and the PC must protect their paid employee as a duty of care.

The Monitoring Officer recommends that emails could be blocked, the Clerk has done this which has helped the situation.

To assist in stopping any harassment aimed at the Parish Council a "Cease & Desist" letter can also be sent to members of the public warning that a lawsuit may be commenced against them if they proceed with such intimidation. The Chairman would like to propose that the policy and the letter are approved by the PC, seconded. Cllr B Head, all in favour.

District Councillor David Penny informed that the new Monitoring Officer at the council is Mr Tom Barker.

11.7 REPORTS – Councillors to report on any meetings that they have attended since the last Parish Council meeting.

Cllr B Head informed that she is still pursuing Suffolk County Council in getting the bus shelter repainted and cleaned. This work should be carried out by SCC once a year, however the bus shelter in Barham has never been done!

Chairman to have a site meeting with Taylor Wimpey on 24th July, an update on the new development will be given. He will also be meeting with Brett Aggregates on 2nd August, along with SCC Cllr Chambers to discuss the offer of a donation from Bretts to maintain Sandy Lane on an annual basis due to the damage Bretts lorries cause to the surface of the road. Cllr G Head asked the Chairman to mention that the lorries should always ensure they have a tilt covering the full load it is carrying, when proceeded out to the A140.

Cllr B Head would like the Chairman to ask that Bretts sweep the footpath along the Norwich Road up to the Sorrell Horse.

BMSDC Cllr David Penny left the meeting at 8.05pm.

THE CHAIRMAN CLOSED THE MEETING TO THE PUBLIC. THE MEETING WILL CONTINUE IN PRIVATE UNDER S.1(2) OF THE 1960 LGA. THIS IS DUE TO PROFESSIONAL LEGAL ADVICE WHICH IS TO BE DISCUSSED AND ALSO THE SENSITIVE NATURE OF THE ITEM:

12.7 FURTHER TO LEGAL ADVICE RECEIVED FROM THE PARISH COUNCIL SOLICITORS, REGARDING ND SERVICES AND THE WORKSHOP AT BARHAM PICNIC SITE. THE PARISH COUNCIL MUST CONSIDER EITHER TO CONTINUE WITH COURT PROCEEDINGS OR TO PREPARE A COUNTER OFFER.

The Chairman reported that last week he had been invited to attend a meeting with, ND Services, 3 of their witnesses and the PC Solicitor, before instructing solicitors himself to act on his behalf of ND Services and proceeding to court. He would like to give the PC an opportunity to resolve the dispute with a counter offer. He has sent the PC a new invoice dated 12 July 2024 for works he had carried out at Barham Picnic Site clearing the land and carrying out work to the workshop, £2850.00, this does not include VAT. He would also like £400 towards his costs to date. The PC solicitor recommends that the PC consider to pay this counter offer in the hope that ND Services will not continue with court proceedings.

The Chair suggests that the PC considered two options as follows;

Offer to settle for the original invoice amount of £2375 plus £400 court fees totalling £2775, or

Offer the new invoice amount of £2850 plus £400 court fees totalling £3250.

Chairman's initials.....

The Chairman proposed a to split the difference and to make an offer of settlement of £3000.
Cllr Gregory agrees that this is a sensible offer and that it would go against him in court if he refuses to accept, and seconded the proposal. The Chairman will advise the PC solicitor of this decision.
Also it must be made clear to ND Services that if he rejects this offer the PC will be asking, for court purposes, copies of receipts for all materials purchased, along with his witness to provide copies of all emails between himself and Suffolk County Council regarding his application to remove or amend the covenant on the building. Also to strongly advise ND Services to seek legal advice himself.

13.7 DATE OF NEXT MEETING 23rd September & 18th November 2024.

The meeting ended at 8.25pm.

Chairman **Date**