

OXBOROUGH PARISH COUNCIL

2020/5
MINUTES

ORDINARY MEETING -via ZOOM

Held via Zoom

Wednesday 16 December 2020, starting at 7.30pm

PRESENT: Mr. Simon Willies	Chair
Ms. Linda Buckingham	Vice Chair (co-opted Councillor)
Mr. Ian Monson	Councillor
Mr. Bernie Chapman	Co-opted Councillor
Mr. Mike Nairn	Member of the council, appointed Under Section 91 of the Local Govt Act 1972

14 Members of the Public (via ZOOM)

Oxborough Parish Council (Temporary Appointment of Members) Order 2020

Whereas following resignations to Oxborough Parish Council (PC), 2 Councillors are required to ensure the PC remains quorate. Under Section 91 of the Local Government Act (LGA) where there are so many vacancies in the Office of Parish Councillors that the PC is unable to act, the District Council may, by order, appoint persons to fill all or any of the vacancies until other councillors are elected to take up office.

District Councillor, Mr. Mike Nairn, appointed as member of the Parish Council of Oxborough, until an election or co-option has been held to fill such vacancies as shall constitute and re-establish a quorum in the PC where upon such appointment will cease; order dated 10 December 2020.

The statutory Notice of Vacancy posted 6 November (following the resignations of Councillors Paul Gilluley and David Hotchkin). Unless within 14 days ten electors had requested an election, the PC will fill the vacancies by co-option as soon as practicable. No requests received by Breckland Council, co-option proceeds - 2 applications received.

A second statutory Notice of Vacancy posted 9 December (following the resignation of Councillor Graham Allison). Deadline for BC is 4 January 2021.

1. ELECTION OF CHAIR

The clerk requested nominations for Chair. Cllr Monson nominated Cllr Willies, this was seconded by Cllr Nairn and Cllr Willies accepted, signing the Declaration of Acceptance of Office.

6. CO-OPTION FOR THE ROLE OF COUNCILLORS - 2 VACANCIES

The Chair welcomed Ms. Linda Buckingham and Mr. Bernie Chapman as co-opted Members; each signed the Declaration of Acceptance of Office.

2. ELECTION OF VICE-CHAIR

The Chair requested nominations for Vice-Chair. Cllr Monson proposed Cllr Buckingham, seconded by Cllr Willies. The Chair asked if there were any other nominations - none. He asked for a show of hands - unanimous- and Cllr Buckingham accepted, signing the Declaration of Acceptance of Office.

The Chair talked about how over the last few months the Parish Council had experienced a period of unrest, especially concerning the playground project and including the recent inquorate situation. He felt optimistic now that new members had joined the PC, bringing back stability. He hoped for a resolution on the playground project before the funding deadlines, achievable by working alongside the Village Hall Committee and local residents. And he thanked Mr. Graham Allison who had served as Parish Councillor for 5 years.

Open Forum (questions regarding the Agenda)

Mr. Paul Gilluley asked if Cllr Monson would account for his decision to refuse the request to amend the covenant, which prevents the installation of any structure on the village green. Cllr Monson advised that he would address this at the appropriate agenda item. Mr. Cooper queried how the PC would agree with the Village Hall Committee on their decision to remove Mr. Allison (as the PC representative) from the committee, following his resignation as a Parish Councillor.

The Chair responded that as this was not an agenda item, there could be no discussion, adding that Mr. Allison had resigned as a Parish Councillor, which meant that he no longer represented the PC.

3. APOLOGIES FOR ABSENCE

None

4. DECLARATION OF INTEREST AND ANY REQUESTS FOR DISPENSATION

Cllr Monson declared an interest in agenda item number 14, but that he would be prepared to respond to any questions raised on him.

5. DECLARATIONS OF RECORDING AND SOCIAL MEDIA USE

Parish Clerk will be recording the meeting via zoom application.

7. MINUTES OF THE LAST MEETING

The Minutes of the last meeting held on 14 October 2020 had been circulated to all councillors and displayed on the Notice Board (and website). The Chair proposed that the Minutes should be accepted, this was seconded by Cllr Monson; a show of hands was unanimous, so they were approved as a true record and signed by the Chair

8. DISTRICT COUNCILLOR REPORT

Last week, in his role on the Overview and Scrutiny panel, BC has a guaranteed 5-year land supply until 2023/24. Brecklands sustainable policy is to be developed to reduce carbon footprint substantially over the following years; grants will be made available to businesses to enable this to happen. Breckland has distributed £23m to local councils to support them through the covid-19 pandemic.

Written Report: As we move towards the New Year, I am hopeful that we are in sight of the end of the Covid-19 pandemic with the introduction of the Pfizer vaccine and the likely approval of the Oxford vaccine. The vaccine campaign has started with two centres; The James Paget Hospital and the Norfolk and Norwich University Hospital. They will be calling forward those to be vaccinated starting with those over 80 years of age, Health Workers and Care Workers and then those over 75 years, followed by those over 70 and so on. In the interim, we are urging everyone to be cautious and adhere to the advice regarding social distancing etc. Breckland District Council has continued to function and deliver its services in the face of a raft of problems. The Staff and Officers are to be congratulated that within three days of the initial "lockdown", the vast majority were able to work from home due to the sterling efforts of the IT Department. To date, the vast majority of staff and officers continue to work from home. Since March, there have been no face-to-face meetings. One question is how this would have been possible if it had not been for Computer Applications such as Zoom and MS Teams. It has enabled the council to continue to function virtually seamlessly. You will be aware of the Government's White Paper on the Reform of Planning Law which has been out for consultation. Breckland DC has submitted its response as there are numerous aspects in the proposals which are at odds with the views of the Council. Our views are shared by other Councils and the Leader of Breckland District Council, Cllr Sam Chapman-Allen has been able to lobby our MP, Elizabeth Truss on behalf of the Council.

At this time, all Town and Parish Councils are in the process of preparing their budgets in order to set the precept for the next financial year. Their process is also ongoing in Breckland and we will be bringing forward our budget in January.

The Silver Social presentations have now been a feature for nearly four years now. They have been a source of entertainment and been able to introduce a lot of our residents to a variety of arts and crafts. Obviously, with the onset of the pandemic, the presentations have continued on-line using Zoom and other online applications. Their program is published on the BDC website. As you will be aware, the Leader of the Council has been producing a briefing every week which has been circulated to all members, and the Town and Parish Councils. These have been of tremendous use in keeping all of us abreast of the current situation.

In conclusion, I would take this opportunity to wish all residents a Merry Christmas and a Happy New Year.

Questions: The Chair asked if the District Council would be directly involved in the vaccination roll out; Cllr Nairn responded no, the NHS would be in sole charge, although Breckland would be able to offer the use of sports centres, if asked. The Chair thanked Cllr Nairn for standing in as a member of the PC to enable the meeting to proceed.

9. COUNTY COUNCILLOR REPORT

None. Cllr Nairn extended apologies on his behalf.

10. PLANNING - MOTION TO CONSIDER WHETHER THE PC SHOULD RESPOND TO ANY OF THE PLANNING APPLICATIONS, AND IF SO, WHAT TO RESPOND

1. 3PL/2020/0900V: 23 The Green (Variation of Condition No2 on 3PL/2019/0108/HOU Proposed two storey side extension - revised design (Variation of Cond's). Permission granted.

2. 3PL/2020/0422/F: Fen Farm, Oxborough Road (Mr Will Chapman) New wooden log cabin with jetty on Land Adjacent the River Wissey. Would be used as a rest room / shelter when tending to the adjacent pumping station. (retrospective). Permission granted

11. FINANCE

a. To receive bank balance and reconciliation.

Cllr Monson was concerned that the budget might be overshot due to the payment for the tree inspection (as the budget has no allowance for this) but the clerk reassured the council this would not be the case. Cllr Willie also pointed out that there had been

no budget set for the playground, but the deposit (30%) had been paid which skewed the figures. Cllr Monson mentioned that the funds received for the playground project should be protected, and the clerk confirmed that the year-end accounts would clearly show the funds as restricted. The Chair proposed to accept these, seconded by Cllr Monson, show of hands was unanimous, passed.

b. To consider authorisation of payments and to sign cheques;

Payment:

1. TSB - Monthly bank charges
2. Poppy Appeal - annual wreath donation request (cost of £17 but budgeted £30 donation). Cheque previously raised. Mr. Paul Gilluley has offered to compensate the PC for the full amount of £30, as he did the year before. Cash received and banked
3. CGM - hedge cutting-£278.87 plus VAT
4. Treecare Consultants Ltd - beech tree inspection- £580 plus VAT

The Chair proposed to accept these payments, seconded by Cllr Monson; a show of hands was unanimous, passed. Cllr Monson signed both cheques and the clerk will add her signature.

Receipt:

1. Mr. Paul Gilluley - £30 donation for the Poppy Wreath payment
2. Precept £1523 (6 months)

Cllr Monson expressed his thanks to Mr. Gilluley for once again making the reimbursement for the Poppy Wreath payment and the council agreed that a letter of thanks should be sent (action Clerk). The Chair observed that following the recent resignation of Mr. Hotchkin, the signatures on the bank account need updating. Add to the Agenda for the next meeting.

12. CORRESPONDENCE RECEIVED

a) Norfolk Police

1. PC 898 Gilluley (Community Engagement Officer)
 - (i) supplied information concerning guidance on holding an event for Remembrance Sunday.
 - (ii) call for volunteer to take on role as a cadet trainer. Contact Michele Fallows at Cadets@norfolk.police.uk
 - (iii) On 15 December Supt Lou Provart, the new District Commander for Breckland and West Norfolk will be holding a strategic level briefing along with the Local Policing Inspectors and Operational Partnership Inspector. This will be via Teams (download for free from the internet): Paula will send the link to a maximum of 2 councillors. **Cllr Willies attended, and although little applied to the village, he commented on just how much Paula (PC 898 Gilluley) has worked on this.**
 - (iv) Scam Awareness Alerts: Police will NEVER call and ask for your bank account details, bank card or credit card details or ask you to withdraw cash to hand over to couriers. If you get a call like this hang up and report it to Police.
 - (v) Paula is seeking views from community contacts in becoming part of a local SNAP member. This is an exciting opportunity to engage with your community and local police, working together to identify local issues and priorities within your neighbourhood with a view to keeping your neighbourhood as safe a place to live, work and visit. Email Paula.Gilluley@norfolk.pnn.police.uk or call 07766990802 for further details.
2. Police in Norfolk are urging people to stay safe and be sensible as England prepares to enter a second phase on lockdown on Thursday (5 November 2020).
3. The Norfolk Independent Advisory Group would like to invite members of the public along to a virtual Annual General Meeting on 1 December. To register to receive a link to attend the event then please email: fay.crangle@norfolk.police.uk

b) Breckland Council

1. Cllr Sam Chapman-Allen issued letter on some further direction and guidance for holding Remembrance Sunday event.
2. Planning White Paper: The Planning for the future consultation proposes reforms of the planning system to streamline and modernise the planning process, bring a new focus to design and sustainability, improve the system of developer contributions to infrastructure, and ensure more land is available for development where it is needed. Go to https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/907647/MHCLG-Planning-Consultation.pdf -open for consultation until 29 October 2020.
3. Damaged street sign (Eastmoor Road) -clerk reported the issue to the council (2/11/20). BC have instructed Serco to replace the sign within the next 60 days of their notice
4. Alexandra Elliott contacted about the casual vacancy situation (for 2 councillors to be co-opted) - official Notice displayed, deadline for applications 26 Nov. Outcome: No letters received, so the Parish Council can proceed with the co-option -the 2 new members must sign a Declaration of Office (to include an undertaking to abide by the Code of Conduct) and complete a disclosure of interest form. Applicants are Ms. Linda Buckingham and Mr. Bernie Chapman.
5. Weekly Leaders briefings from Cllr Chapman-Allen.
6. Notice of Vacancy following the resignation of Councillor Graham Allison - displayed on the website and village Notice Board. Unless within 14 days of the date, (deadline 4 Jan 2020) ten electors for Oxborough have requested to hold an election, the PC will fill the vacancy by co-option as soon as practicable.
7. Order under Section 91 of the Local Government Act 1927: following the resignations of 2 councillors, the PC is no longer quorate, Cllr Mike Nairn has been appointed as a member of the PC, until an election or co-option has been held to fill the vacancies and re-establish a quorum.

c) Norfolk County Council

1. Guidance received on Remembrance Sunday events in light of current Covid-19 restrictions (clerk note - a Risk Assessment has been carried out - see Notice Board and website - for the village ceremony on Sunday 8 November)
2. Daily News Release emails received
3. Temporary closure of Stoke Road in the parish of Wereham - AW manhole repairs (my ref WTRO2130), 18-19 Nov 2020.
- d) Email from Mr. Jeff Cutler regarding the stalled installation of the play equipment...been informed by Oxborough Farms Ltd that there is a covenant on the land forbidding the erection of any structures...has the PC attempted to reach any form of compromise...an alternative location on piece of land in the Village Hall grounds, adjacent to the recycling containers...risk assessment required. **This will be discussed at agenda item number 14.**
- e) Email from Mr. Dave Watkins: 'any provisions are in place for the upkeep of Kelvin's bench on the village green'. He suggests it could be maintained by a periodic rubbing down and treatment with teak oil. **This will be discussed at agenda item number 16.**
- f) Email from Mr. Paul Gilluley whereby he has offered to once again pay for the Poppy Wreath donation of £30.
- g) Carers Matter Norfolk - request 'to reach out to more carers in your community who may benefit from our support'. The service can be contacted via the advice line 0800 083 1148 or via our website on www.carersmatternorfolk.org.uk.
- h) Parish Precept Requirement 2021-22. Submit completed 'Form B' by 31 Jan 2021.
- i) Paul Walmsley, Census Engagement Manager, Office for National Statistics -request for help in 'encouraging your community to take part in Census 2021.Please visit The Census 2021 website www.census.gov.uk which has comprehensive Census information. There are also part time temporary LOCAL JOBS available at www.censusjobs.co.uk'. Census Day will be Sunday 21 March 2021.
- j) Solicitor Natalie Lane from Hugh James confirmed "Natural England is content with your proposal on the basis that it sees no implications for the grant obligations"
- k) Norfolk Community Foundation (grant of £1000 received towards the playground project) - request for progress report (submitted by the clerk).
- l) NALC - invitation to become members "More about us, our team and what provide for our subscribers can be seen on our website <https://www.norfolcalc.gov.uk/norfolk-association-of-local-cou.html> " special subscription rate of £85.82 for the year 2021/22. For the following year, it would be £99.43.
- m) Clerk requested quote from Nick Hindle Stonemasons (Wroxham) for cleaning the war memorial -£265 plus VAT (valid Mar 2021)
- n) Email from Mrs Jackie Palmer-Hibbert: "there are a few branches, which are just hanging, or broken on a tree outside on the village green (adjacent to the pub lane). Also, surely it's about time the Lime tree on the pound was pollarded. It's far too tall and not ever been done (since moving to Oxborough). With so many people parking under the tree, or around it, there might be a claim, if not dealt with soon". **Cllr Monson reminded the council that the lime tree is under a TPO: that it would be necessary to communicate with NCC regarding the potential for remedial work to be carried out and also liaise with BC regarding permission to carry out the work. Cllr Chapman recalled how some years back the tree had undergone some examination but that it does not look very good recently, and Cllr Monson added that there are now some fallen branches, although vehicle owners should be aware that they park at their own risk. Cllr Chapman proposed these steps, seconded by Cllr Buckingham - all in agreement. The clerk will take the necessary action.**
- o) Letter of resignation from Councillor Graham Allison
- p) Letter from Oxborough Farms Ltd advising that "cannot give our consent for the restrictive covenant to be lifted so that this proposal could go ahead"
- q) Tesco Bags of Help - award of £1000 towards the playground project

13. HIGHWAYS

Email from David Jacklin, regarding Eastmoor bridge: the bridges team are looking to carry out repairs to the bridge railings and also need to access the pipes to carry out further inspections / works. In order to achieve this, they need the adjacent ditches to be cleaned by the landowner(s). "The water is flowing but very slowly and this, along with us jetting it once the ditches are cleaned, should improve the situation".

14. UPDATE ON THE STALLED INSTALLATION OF THE PLAY EQUIPMENT ON THE VILLAGE GREEN

Cllr Monson made the following statement: in 2002, Oxborough Farms Ltd offered up for sale the field at the centre of the village, as the Countryside Agency (CA) had launched the Doorstep Green initiative. Oxborough Doorstep Green Action Group (ODGAG) was formed comprising (clerk's correction) 8 villagers including a parish councillor. It took another 2 years to plan, and in early 2004 the draft heads of term were exchanged, which included the Restrictive Covenant (designed so the green remained an open space):

This sale will be subject to a restrictive covenant in favour of the vendor. The restrictive covenant will limit the use of the land to that of a village green and will prevent the construction of any form of building or development other than that shown on the Doorstep Green creation plan (no.2)attached.

Both parties agreed the heads of terms. This was included in the land transfer document dated Nov 2005. He is duty bound to honour and respect the wisdom of those who negotiated the transaction. Cllr Monson expressed regret in not remembering this covenant when the playground project was first discussed (in July 2019), but that the PC should have remembered also. He hoped that an alternative site for the playground equipment could be found.

The Chair thanked him and invited his fellow councillors to raise questions. Cllr Chapman asked if the covenant could be removed, as the village had many more children (the same as when he was a child) and hence the need for a playground on the green. Cllr Buckingham had reviewed the various legal documents and concluded that the covenant was legally binding. The Chair added that a way around this covenant had been proposed and asked Mr. Monson if there was a possibility of some compromise. He responded that his hands were tied adding that it was in the long-term interests of the village to keep the green clear and protected forever.

Cllr Willies suggested that times had changed and again asked if a way forward could be found, but Cllr Monson reiterated the legal binding covenant. The Chair allowed Mr. Paul Gilluley to comment: he advised that Natural England (NE) [replaced the defunct CA] had confirmed that they had no objection to the playground (Email from solicitors Hugh James “NE is content with your proposal on the basis that it sees no implications for the grant obligations”) and that, as stated in the Land Registry document, it would only need a letter from Oxborough Farms Ltd consenting to the playground project. Cllr Willies suggested it would be costly and time-consuming (maybe a few years to resolve) to take legal action, but maybe the PC should seek legal advice. Cllr Chapman added that he thought there is no other suitable alternative location for the playground, as it is the safest spot, remembering how there used to be goalposts on the green, which had looked good at the time. Cllr Buckingham suggested that as the funds needed to be used by the deadlines (March and April 2021), there might be a risk that the funds would be lost, so perhaps better to look for an alternative solution. The Chair advised that the Village Hall Committee had been open to allowing the playground to be sited alongside the village hall, although local residents would need to be consulted first. The Chair said to look at the LR paperwork, to see if anything could be done. Cllr Chapman suggested contacting NCC and also BC for advice. Cllr Buckingham said that NE should be approached; Cllr Willies pointed out the email received from NE, concluding that a similar correspondence from Oxborough Farms Ltd looked unlikely.

15. BEECH TREE WORKS -REPORT RECEIVED - WHAT ACTION SHOULD BE TAKEN

Cllr Chapman voiced his concerns at the likely condition of the tree, but he had not received a copy of the report. So the councillors reviewed (clerk shared screen via zoom) the report received from Treecare Consultants, summarising that the beech tree requires crown reduction in the short-term and re-inspection in 5 years’ time. The Chair asked the clerk if a copy had been sent to the tree officer at Breckland Council - not sure but will action this. Cllr Monson proposed that Oxborough Farms Ltd would be willing to pay for the crown reduction, haven discussed the issue with the tree inspector team, in whom he felt confident could do a good job of it. The Chair thanked Cllr Monson for his proposal, which was seconded by Cllr Buckingham. The clerk will correspond with the tree officer at Breckland Council, regarding obtaining permission for the works to be carried out and Cllr Monson advised that this would best be completed next autumn, when the sap is going down.

16. PROPOSED MAINTENANCE SCHEDULE FOR THE UPKEEP OF MEMORIAL BENCHES ON THE GREEN

The Chair invited villager, Mr. Dave Watkins, to speak about this, further to his email in correspondence received. He thought that the bench should receive a suitable treatment, maybe annually, such as applying oil. Cllr Chapman asked Mr. Watkins if he might be volunteering to carry out the work and he said that he might be. Cllr Monson added that it had been a big mistake to neglect the earlier benches installed so long ago, as they were all in very poor condition. Councillors agreed that the PC would pay for the materials, which would be made available to volunteers. Cllr Buckingham agreed to this, adding that she might also know of one volunteer in particular. The Chair thought that the treatment should be carried out at the earliest in Spring, although Cllr Monson favoured early Summer. All the councillors agreed also that the other benches should be treated - maybe one bench each year. Add to the Agenda for the next meeting. The Chair thanked Mr. Watkins for his contribution.

17. TO CONSIDER ALTERNATIVE CONTRACTOR FOR GRASS CUTTING ON THE GREEN

Cllr Chapman asked if the PC could seek 3 tenders - the clerk advised the councillors that the current contract with CGM had one more year to run - so she would request quotations from 2 further contractors, for cutting the grass and for hedge cutting also. Cllr Chapman added that the hedge had been previously very well cut by Ben Lambert.

18. A.O.B

The Councillors were asked for any other business - only the Chair re-iterated the need to update the signatories at the TSB, and to consider the representative for the village hall committee. Both to be added to the Agenda for the next meeting.

Public participation

19. TO RECEIVE INFORMATION OR SUGGESTED ITEMS FOR CONSIDERATION AT THE NEXT MEETING

Mr. Cooper commented on whether the land leased to the national trust and used as car parking, could be instead used as a location for a playground. And regarding the restrictive covenant between Oxborough Farms Ltd and the PC, what should be defined as a structure, as the benches and the memorial stone both comprised metal fixings.

Date of next meeting: 27 January 2021

The Chair thanked everyone for their contributions.
The meeting closed at 8.45pm.

APPENDIX A		
OXBOROUGH PARISH COUNCIL		
Meeting 16 Dec 2020		
Report: Accounts reported against the budget quarterly		
IAW Statement of Internal Control and Annual Review of Effectiveness of Internal Control (section Financial Reporting)		
BUDGET 2020/21	Budget	Actual
Estimated Gross Payments		
Auditors	0.00	0.00
Accountants (see note 1)	25.00	25.00
Training	150.00	0.00
Clerk's wages/expenses	1201.20	0.00
HMRC(see note 2)	220.00	626.32
CGM (grass maintenance - 15 cuts)	612.00	614.40
CGM (herbicide treatment -twice)	66.00	66.00
Hedge maintenance (2 cuts)	480.00	334.64
St. John the Evangelist donation	175.00	0.00
Royal British Legion donation	30.00	30.00
Insurance	201.10	162.21
Village Hall Hire	84.00	0.00
Bank charges	60.00	45.00
Playground Project (set off against various grants)	0.00	3714.84
	3304.30	5618.41
Estimated Receipts		
Village Green Hire	90.00	0.00
National Trust Lease	150.00	0.00
Precept	3046.00	3046.00
VAT Refund	204.00	0.00
Donations	0.00	30.00
Grant received for Playground Project (see note 3)	0.00	3000.00
	3490.00	6076.00
Bank Reconciliation		
Bank Balance b/f	13038.34	
Add Receipts:		
Precept	1523.00	
Donation	30.00	
	sub-total	1553.00
Less Payments:		
Bank charges	10.00	
CGM (herbicide treatment)	33.00	
Royal British Legion donation	30.00	
CGM (grass cutting)	307.20	
	sub-total	380.20
Balance @ 26 Nov 2020	14211.14	
Note 1. Due to Covid-19, previous year's cheque banked late		
Note 2. VAT duplicated payments received £407.92 - returned to HMRC. Due to Covid-19, previous year's cheque banked late £218.40		
Note 3. £2000 received from Hewars Charity / £1000 from Norfolk Community Foundation/ £9699 from National Lottery		