

HICKLING PARISH COUNCIL
MINUTES OF PARISH COUNCIL MEETING
held on Monday, 5th December 2011 at 7.15 p.m. in the Methodist Hall

Present:

Chairman: S Clarke

Vice Chairman: A Lambard

Councillors: P Berrie, T Ellis, D Scott, K Scott and P Deane

County Councillor: Paul Rice

1. Apologies. District Cllr Simon Partridge and District Cllr Ben Jarvis

2. Declaration of interests in items on the agenda

Cllr Lambard declared a personal interest in the village hall because of the close proximity to her house. Cllr Clarke declared a personal interest in the staithe as her husband is a berth holder and in the cheque payable to herself. Cllr Berrie declared a personal interest in the staithe as a berth holder and in the allotments as he is close to someone who has an allotment. Cllr Deane declared a personal interest in the staithe as she lives opposite the staithe. Cllr D Scott declared a personal interest in the planning applications PF/11/1405 and PF/11/1356 and Cllr K Scott declared a personal interest in the planning application PF/11/1405.

It was unanimously agreed to move the agenda item on the village hall to this part of the meeting as Cllr Lambard had to leave the meeting early.

3. Village Hall

Cllr Clarke read a prepared report which is filed behind these minutes. The report set out the Council's concerns about the Charity's constitution, the lack of financial information from the Charity, the disputed professional fees which the Council withheld from the second stage payment and a payment of £10,000 made by the then Parish Council to the Charity in February 2010, without it being on the agenda for the meeting and which does not appear in the Charity's accounts to 31st March 2010.

Confirmation has been received that the building costs for the village hall have reached £550,000, which triggers the final instalment of the Council's grant, £89,000.

The Charity has threatened to sue the Council for the withheld professional fees. If the Council has to pay over the withheld professional fees of £21,883 then the Council will not have sufficient funds to meet its costs. Therefore the Council agreed to revisit the precept for 2012-13 and to set a higher precept that will cover the costs. The finance committee is preparing a budget and the Council will meet again on Tuesday, 13th December to set the precept.

It was agreed unanimously that the payment of the final instalment should be deferred until the meeting of 13th December, as further legal advice is expected.

Cllr Lambard left the meeting at this point.

The meeting was suspended for public participation.

Public Participation

There were twenty nine residents present. Matters raised included the tidying up of debris left by the contractors for the Mills Estate at High Hill, the bore hole installed at the pond, the precept and the new village hall.

PCSO Jeanette Boardman gave a report of 1 recorded crime since the last meeting.

Standing Orders were reinstated.

4. Minutes

The Minutes of the meeting held on 7th November 2011 were agreed to be accurate, and were signed as correct by Cllr Clarke, as Chairman of the Parish Council.

5. Matters arising

- 5.1 The clerk clarified that letters of resignation had been received from councillors West, Tallowin and Elliott, in addition to the resignation of Cllr Baker.
- 5.2 The pathway to the Methodist Church has been completed.
- 5.3 John Deere has agreed to a goodwill gesture of £450.00 towards the parts costs of the repairs of the mower.
- 5.4 Letters of thanks have been received for the recent donations to the Citizens Advice Bureau, the Dial-a-ride service, the grasscutting at the churchyard and the village newsletter.

6. Planning

- 6.1 **PF/11/1405 [.....] 16 The Green** – erection of first floor/single storey rear extension. The councillors had no objections to the plans. (Cllrs D and K Scott declared a personal interest.)
- 6.2 **PF/11/1356 [.....], Rustic Bungalow, Heath Road** – erection of one and a half storey side and rear extensions, raising of roof and construction of dormer window. The councillors had no objections to the plans. (Cllr D Scott declared a personal interest.)
- 6.3 **BA/2011/0368/FUL [.....], Pleasure Boat Inn** – replacement quay heading. The councillors had no objections to the plans.
- 6.4 **BA/2011/0360/FUL Norfolk Wildlife Trust, Hickling Nature Reserve** – phased erection of a 7.5m wind-powered water pump. The councillors had held a site meeting and had no objections in principle but supported the BA officer in preferring one proposed site over another as there were concerns about noise, bird strike and the visual impact on the area.
- 6.5 Decisions from **North Norfolk District Council**:
 - i) **[.....], Land at Staithe Road** – non-material amendment request for installation of solar panels and alterations to roof lights and paving – approved
 - ii) **[.....], Rosedale Cottage, Heath Road** – erection of two-storey/single storey rear extension and front porch – approved.

6.6 Decisions from **Broads Authority**:

- i) **[.....] Land 130m SW Martham Ferry** – non-material amendment to reduce the length of the proposed jetty by 5.4m – approved
- ii) **Environment Agency, land adj to Hill Common** – provision of access for boats and people - withdrawn

7. Correspondence

- 7.1 The clerk was asked to write to BESL to raise concerns about temporary fencing around the access ramp in Ouse Lane.
- 7.2 Details have been received of grants for new micro enterprises from the Norfolk Coast and Broads Rural Development Programme and have been passed to Cllr Lambard in case the grants could help with the plans for the mobile post office or village shop.
- 7.3 Correspondence has been received from NNDC as the result of a meeting of the Standards Committee; the whole Parish Council is required to attend training on the Code of Conduct and on good governance. As all councillors have already received training during 2011, NNDC has confirmed that no further action is required.
- 7.4 NNDC has sent details of the Stay Warm and Cosy initiative; free surveys will be available to local residents to assess energy efficiency and advice will be given on possible improvements.
- 7.5 Help and guidance remains available for up to a year to any residents who purchased digital equipment through the Switchover Help Scheme.
- 7.6 The set up of a University of the Third Age group in the village is to be considered. Details will be available at the open village hall day on 7th/8th January or from Ann Kinmonth.

8. Treasurer's Report

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Community Account:

Balance b/f 7th November 2011 9,455.22

Receipts:

Transfer from savings account 84,000.00

Allotment rents 164.00

Wayleaves 36.29

Football club ground rent 150.00

Payments:

Dial-a-ride community transport 300.00

Citizens Advice Bureau 100.00

Village Newsheet 100.00

St Mary's grasscutting 325.00

NCC – footpaths map 50.00

Methodist Hall – room hire 12.00

Harry Nudd – supply of timber 50.69

S Clarke – reimb. building supplies 17.28

P James – clerk's fee 500.00

P James – clerk’s exps	27.00
Acle PC – share of stationery and copying	15.00
NNDC – election costs	890.42
HPFRC Charity – 3 rd stage payment	<u>89,000.00</u> * <u>Cheque written but not yet sent</u>
Balance c/f 5 th December 2011	2,418.12
No: 2 Account (+ berth)	17,068.79
Savings Account (less tsf)	<u>6,171.09</u>
Total monies at 5th December 2011	<u>25,658.00</u>

The above payments were approved, *with the exception of the £89,000.00. The transfer from the savings account will not be done until the payment is made to the village hall.

Insurance cover: It was agreed to remove cover for the old mowing equipment. It was confirmed that the bier belongs to the parish and is kept in the church. It was agreed to retain insurance for this. The clerk was asked to arrange for the removal of the cover for the changing rooms and also for the play equipment as this is now managed by the Charity.

A donation for First Responders will be considered at a later date.

9. Parish Council Property Reports

9.1 Chapel Pit

The work on the trees is to be done shortly. An apple tree will be planted in the place of the larger trees. The installation of a pump from a bore hole has been very successful in keeping the water level higher. It was agreed to consider maintenance of the noticeboards at the next meeting.

9.2 Staithe

The post has been re-concreted into place.

The councillors considered the practice of re-letting of berths, where a berth holder wants to use someone else’s berth for a while. It was agreed that the Council must be informed when this takes place and will charge an administration fee of £20.

The Council sent a letter to the berth holders. There are 49 Hickling residents with a wet or dry berth, and 49 non-residents who have a dry berth. The letter set out the Council’s plans for improvements at the staithe, with a Staithe Forum to be held in January, and inviting comments from the berth holders. It is planned to replace the slipways and to increase the space for dry berths.

9.3 Allotments

All rents have now been received.

9.4 Health and Safety

The storage of the lawn mower fuel will be considered at the next meeting. It was noted that the mower storage container will be returned to Bam Nuttall in mid January.

9.5 Website

It was agreed to make the website more easily searchable. Cllr Berrie reported that local artists have kindly donated their pictures to be used on the website.

10 Reports

10.1 Parish surgery

Cllr D Scott gave a report on the recent parish surgery; matters raised included fishing at the Broad and concerns about proposed use of the playing field, (which were passed on to the village hall charity).

10.2 Mobile post office/ village shop

Negotiations have continued with the Methodist Church and the internet connection for the Post Office is to be installed shortly.

A lottery grant has been applied for, for the shop. Tesco at Stalham has expressed an interest in supplying the shop and has offered old shelving, refrigerator units and the help of a business advisor.

10.3 Big Lunch – 3rd June 2012

Discussion of this project was deferred until a later meeting.

11. New Parish Clerk

There were five applications. Two candidates will be interviewed as soon as possible.

12. Co-option

There have not been any nominations.

13. Date of next meetings:

Tuesday, 13th December 2012 at 7.15 p.m.

Monday, 9th January 2012 at 7.15 p.m.

There was no further business and the meeting was closed at 8.35 p.m.

.....
Chairman

.....
Date

Present:

Chairman: S Clarke

Vice Chairman: A Lambard

Councillors: P Berrie, T Ellis, D Scott, K Scott and P Deane

District Councillor: Paul Rice

7.15 p.m. – Public participation

There were 32 residents present. Matters raised included concerns about the village hall and the impact on the village if the Charity Trustees decide to sue the Parish Council for the withheld professional fees. It was reported that the meetings of the management committee were always extremely positive and did not discuss questions about the constitution, AGM or funding.

The Parish Council meeting commenced:

1. Apologies None.

2. Declarations of interests in items on the agenda

Cllr Lambard declared a personal interest in the village hall because of the close proximity to her house. Cllr Deane declared a personal and prejudicial interest in the planning application for her property. The councillors all declared a personal interest in Cllr Deane's application.

3. Planning matters

3.1 PF/11/1436 [.....], Broad Dyke, Staithe Road – erection of side extension and reconfiguration of roof to provide habitable accommodation in roofspace. It was stated that this application would not be discussed as all councillors had an interest in the application.

4. Village hall

It was agreed that correspondence from the Trustees could be discussed as it is marked "without prejudice" but not marked "confidential".

There has been one email from the Charity trustees; the trustees are disappointed that the third stage payment of £89,000 has been delayed and have offered to meet with councillors to discuss the withheld professional fees, but only the professional fees. Cllrs Clarke and Lambard reported on a meeting with NNDC in early December to discuss the £10,000 donation given without full discussion or being on the agenda, the various items of paperwork which support the Council's belief that it was always intended that professional fees should be deducted from the stage payments, and the lack of safeguards for the village in terms of the constitution and the need for an Annual General Meeting open to the residents with sight of the Charity's Accounts. NNDC agreed that these requests appeared reasonable. NNDC also agreed that the Council should be represented on the Trustees.

The councillors reported on the main concerns:

i) **£10,000 donation given in February 2010.** The Charity has stated that the Charity Commission

advised that this donation could be included in the Charity's accounts for the following year. The councillors are puzzled by this and have asked to see this advice. The councillors remain concerned that this payment by the Council was unlawful as there was no resolution to make this payment and it was not advertised on the agenda for the

meeting. It was agreed to request that this donation be returned by the Charity and then the decision to make this donation would be put on the agenda for the Council's meeting and reconsidered. This would enable the donation to be made legitimately.

ii) **Constitution.** The Charity's constitution does not appear to cover the eventuality of the dissolution of the Charity and the disposal of the Charity's assets. The Norfolk Rural Community Council has previously requested amendments to the constitution before it would pay over its grant. No amended constitution has yet been seen. The contract with the Charity mentions that the hall must be available to the public for 75 years so safeguards are needed to prevent the land or building being sold, or development, merger or dissolution being done without the approval of the residents.

The councillors felt that if the third stage payment of £89,000 were paid over to the Charity then the Council would lose the opportunity to request these improvements to the governance of the Charity. It was resolved and agreed by a majority to defer payment of the £89,000 third stage payment until the amended constitution is approved by the PC together with the accounts for the year ended 31st March 2011. NNDC had also advised this course of action. The cheque for £89,000 was signed by the signatories and will be released upon approval of the constitution and accounts.

iii) **Professional fees.** Seven emails, notes and financial documents by the then councillors and clerk state that professional fees are to be deducted from the first stage payment. There is a document which states that this was forgotten. £21,883 of fees was therefore deducted from the second stage payment by the new councillors.

NNDC has suggested a meeting and this was accepted by the councillors.

5. Revised budget and revised precept for 2012/13

The councillors considered a revised budget which allows for legal fees and the amount of the professional fees, in case the Trustees successfully sue the Council for the payment of the fees. A precept of £30,116 has been calculated to leave £6,000 in the Council's funds at 31st March 2013, funds agreed to be necessary to ensure the continuation of the Council and the ability of the Council to carry out essential work at the staithe. It was noted that the professional fees could not be paid over in any case until after receipt of the precept. The precept is an increase of 278% on last year and results in an average precept of £70.72 per band D house for the year.

6. New parish clerk

Stephen Williamson has been appointed as parish clerk. Stephen was welcomed to the Council and will take over from Pauline James on 1st January 2012.

7. To confirm the date of the next meeting: This could not be confirmed at this point. The village hall is already booked for Monday evenings so the Council will have to move its meetings to another night.

There being no further business the meeting was closed at 8.30 p.m.

Signed:.....

Dated: