

**MINUTES OF THE MEETING OF THE PARISH COUNCIL
HELD IN THE JUBILEE PARK MEETING ROOM
At 7.30 pm ON 19th January 2017**

Present: Cllrs Lowings (Chairman), Bennett, Crummett, Harvey and Myhill.

In attendance Mrs K Wilson (Clerk) and 14 members of the public

1. **To receive and accept apologies for absence.**
Apologies received from Cllr Goldsmith
Cllr Dimoglou was not present and no apologies received.
2. **To receive disclosures of personal and prejudicial interests and disclosable pecuniary interests and requests for dispensations from Councillors on matters to be considered at the meeting.**
None.
3. **To hold a public session.**
A resident enquired about the speed sign in the village and was advised that it was due to be re-instated the following weekend.
4. **To receive matters of interest from the District/County Councillor.**
No councillors were in attendance.
5. **To agree and sign the minutes of the Parish Council Meeting on 17th November 2016.**
The Minutes were agreed and signed.
6. To **discuss Planning Matters:**
7. **To review any new planning applications:**

Planning Application: 3PL/2016/1564/HOU Redmayes, Dereham Road, Yaxham

The fact that the new entrance was not much of an improvement on the original was raised but after discussion, all councillors agreed to recommend the application.

Planning Application: 25 Dwellings New Access and Landscaping Land North of Norwich Road 3PL/2016/1499/O

The Chairman stated that Breckland Council had confirmed that its Five Year Land Supply had been confirmed and therefore the current Local Plan was considered up to date and its policies applicable to any current planning applications. He had asked the NP4Yaxham Working Group to review the application in that context and invited the Vice-Chairman of the Working Group to present to the Council.

The Working Group reported:

- Breckland Council has now confirmed it has a five-year land supply and as a consequence:

- the current Local Plan (Breckland Core strategy and Development Control Policies DPD) is considered up to date.
- Planning applications that conflict with the policies in the current Local Plan should therefore be refused unless other material considerations indicate otherwise.
- Settlement boundaries are one such policy (Policies CP14 Sustainable Rural Communities and DC 2 New Housing within settlement boundaries), with the presumption in favour of development within the boundary, and presumption against for proposals outside the settlement boundaries.
- Yaxham is a rural settlement under the current Local Plan (Policy SS1 Spatial Strategy), and Policy CP11 (Protection and Enhancement of the Landscape).
- Emerging Local Plan has little or no weight as yet to be submitted to the Planning Inspector for public examination and report. Therefore Yaxham's newly proposed LSC status has no weight. Nor does the proposed designated development site that this planning application covers. In any event such development was proposed to not occur for 10 years.
- NP4Yaxham has little weight at this stage until the Independent Examiner reports with his comments on the Policies within the Plan, such as STR1 Strategic Gap 3 in which the site is located, the preference for small scale development of up to 10 dwellings, not encouraging flats, car parking and rejecting garage blocks etc.

It is clear that the Planning Application for Land North of Norwich Road for new residential development is outside the Yaxham settlement boundary. Such an application for this site is therefore contrary to policies SS1, CP11, CP14, and DC02 of the adopted Breckland Core strategy and Development Control Policies DPD.

In addition, the proposed development would result in the intrusion of built development into the open countryside detracting from the character, appearance and openness of the site and surrounding rural area. This would furthermore not represent sustainable development because of this harm and the lack of local facilities in the village.

After discussion the Council voted unanimously for the above reasons to object to this planning application and to ask District Councillor Pablo Dimoglou to ensure that this application is called-in for decision by Breckland District Council Planning Committee.

8. To receive correspondence

There was no correspondence.

Item 9 Neighbourhood Plan

a) To receive an update from the Working Group.

The Vice-Chairman of the Working Group gave the chairman's, Mrs Oechsle, apologies and presented her report.

The Plan is with the Independent Examiner. He has asked for some additional work on the Consultation Statement which has been done and Breckland has put this out for consultation. In addition, the Examiner had some questions as regards the Strategic Gaps Policy and there would be a public hearing on 30th January 2017 at 10am at the Village Hall Meeting Room. [Now re-arranged for 21st February 2017, same time and place]. When the Examiner reports back to Breckland the Plan will be taken to referendum of the whole parish.

b) Financial Report

The Working Group started the financial year with a balance of £6,114.53. Expenditure since then, primarily on printing with Eastern Office Equipment and consultancy support by Small Fish. Invoices presented for payment at this meeting are two for Small Fish, covering November and December 2016 work and total £459.02. The balance after that payment stands at £1,985.95, after the Parish Council has reclaimed the VAT on the NPlan expenditure.

Item 10 LSC Status

The Chairman asked the Vice-Chairman of the Working Group to provide a report. Since the previous Council meeting in November 2016, the Parish Chairman, Working Group Chairman, Vice-Chairman and members, have continued to work to oppose Local Service Centre new designation for Yaxham in the emerging Local Plan – supported by Breckland Cllr Paul Claussen. This included attending the Breckland Local Plan Working Group (LPWG) on 14th December 2016. Half the Local Plan consultation responses has been as regards LSC issues, and the largest by parish response was Yaxham – with around 10% of the adult population of Yaxham. All the Yaxham LSC comments were in opposition. The LPWG agreed to defer a decision on Yaxham, ask the officers to fully review the information for Yaxham – and Yaxham’s representatives offered to assist. This led to a separate meeting with the LPWG members at which Yaxham presented a “Dossier” of 158 pages covering all the previous submissions over the past 12 months. The next LPWG meeting is on 3rd February 2017 at Breckland’s offices at 10am.

The Parish Council congratulated the Chairman and others involved in the amount of work that had been undertaken on this subject in the interests of the village and repeated their support to continue to campaign to achieve the removal of Yaxham from the list of LSC’s in the emerging Local Plan.

11. Yaxham Waters - foul sewage

There was no further news on this matter.

Item 12 Standards with regard to Cllr Dimoglou/LGO complaint

The Chairman made a statement:

“Cllr Dimoglou has been found not to have breached the Codes of Conduct of either Breckland Council and Yaxham Parish Council. The Decision Notices make it clear that Cllr Dimoglou does have a pecuniary interest in having put his site forward for consideration in the Local Plan for housing development and that this interest arose on 15th February 2016 when the site was put forward to Breckland.

The Decision Notices find that Cllr Dimoglou did not fail to declare a pecuniary interest; or breach any of the Nolan principles of Public Life of: Selflessness; Integrity; Objectivity; Accountability; Openness; Honesty; or Leadership.

In addition, as regards the 11th February 2016 YPC meeting, before there was a pecuniary interest:

“Councillor Dimoglou remained in a meeting [11th February 2016] that was being consulted upon for a local plan policy that might at some time benefit him if he were to seek an allocation and were that allocation to be approved. Public perception is important, and Councillor Dimoglou would be well advised not to participate in such circumstances in the future.”

As matters stand the above advice suggests that Cllr Dimoglou has a pecuniary interest and therefore would be well advised to leave the room when either the emerging Local Plan or whether Yaxham should be a Local Service Centre in the emerging Local Plan are on the council's agenda.

I am aware that the Breckland Decision Notices are being challenged and the matter is therefore not closed.”

The Clerk reported on the progress of the Local Government Ombudsman complaint by a parishioner.

13. Interim financial report from RFO

A copy of the current report was issued to each councillor present for information.

14. Yaxham Parish Council Precept for 2017

It was agreed to request a slightly increased precept for the following year as the additional grant monies would be reduced and extra costs have been incurred to the Parish Council due to ongoing issues in the village.

15. To discuss Financial Matters.

To approve payments (inc NP4Y)
Payments were approved to Small Fish (consultancy)
David Myhill (bus shelter cleaning)
Mazars .
YVAA (use of meeting room)
Clerk's hours

16 To note any items for inclusion on the agenda of the next meeting.

No items put were forward.

17. To consider passing a resolution under the Public Bodies (Admission to Meetings) Act 1960 (as extended by s.100 of the Local Government Act 1972), that the public and accredited representatives of newspapers be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Local Government Act 1972 by virtue of the paragraph specified against the item.

To note any items for inclusion on the agenda of the next meeting.

To confirm the date of the next full meeting:

This was confirmed for 7:30 pm on Thursday 16th February 2017

The meeting closed at 8.40pm

DRAFT