

**MINUTES OF THE MEETING OF THE PARISH COUNCIL
HELD IN THE JUBILEE PARK MEETING ROOM
At 7.30 pm ON 20th October 2016**

Present: Cllrs Lowings (Chairman), Crummett, Harvey, Dimoglou,
Goldsmith and Myhill.
In attendance Mrs K Wilson (Clerk) and 28 members of the public

1. **To receive and accept apologies for absence.**
Apologies received from Cllr Bennett

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.**
Cllr Dimoglou declared an interest in items 14, 16 , 17a, 17b and 18 although he felt that in some cases he was not obliged to leave the room he would do so to avoid any contention. He declared that he would leave the meeting after point 13 on the agenda.

To hold a public session.

A member of the Woodland Group said that that the Charity Application form was unsatisfactory as there was no room for the addition of detail or to attach any information to support an application.

A member of the public read a statement in respect of Mr Dimoglou's claims at the last meeting regarding Prior's Field and the siting of a lodge which the member of public believed was illegal in that there was no planning and he asked that Enforcement action should be taken.

A member of the public advised that the speed restriction sign in the village had still not been re-instated and wondered what the situation was regarding progress. The Clerk agreed to chase progress.

Mrs Oeschle spoke about the Vanguard Wind Farm plan and advised that this area was designated for excavation. Most people were unaware of it and had received no information. Mrs Oeschle distributed leaflets picked up at the Vanguard local consultation earlier in the day.

Mr Ian Faircloth asked why his land was put forward as part of the designated Green Space within the Neighbourhood Plan as he claimed Mr Lowings assured him that this land had been removed from the Green Spaces designation. Accordingly he felt he had been misled and called for the resignation of the Chairman. Mrs Oeschle pointed out that the plan was available for all to see at various stages of consultation over a period of some months and it was therefore puzzling as to why Mr Faircloth was raising this issue now and had not chosen to mention it in the preceding months.

Mr Dimoglou asked to speak as a member of the public saying that that at a NP4Yaxham Working Group meeting in July he was 'bounced out of the room' by the Chairman and that Mr Martin had refused to furnish him with a copy of the revised plan and that Mr Martin was intimidating. He also accused Mrs Oeschle of making a defamatory remark. He stated that he would seek a judicial review of the local plan.

Mr Dimoglou also told the meeting that he had made a complaint about Mrs Oeschle in her capacity as a Magistrate. Mrs Oeschle said that she and Mr Dimoglou had both received recorded delivery letters on the morning of the Parish Council meeting stating that there was no substance to his complaint which had been dismissed. Mrs Oeschle complained that the disclosure of the complaint at a public meeting was a breach of confidentiality.

The public session was closed at 7.45pm.

4. **To receive matters of interest from the District/County Councillor.**

There was nothing to report.

5. **To agree and sign the minutes of the Parish Council Meeting on 15 September 2016.**

The minutes were agreed and signed by the Chairman

6. **To discuss Planning Matters:**

7. **To review any new planning applications:**

Reference: 3PL/2016/1213/F New Dwelling – land to rear of Yaxham Mill

Cllr Myhill noted that this application had been put before the Parish Council on two previous occasions where objections were raised. He understood the case went to Appeal and was refused on appeal. He felt the issues relating to previous refusal remained relevant in respect of the entrance from the Norwich Road, although now there was also an access off Stone Road

Cllr Dimoglou said that last time an issue had been the over intensification of the site and now that the site was split from The Mill this was further exacerbated and the entrance opposite the farm was not at all satisfactory.. He cited a comparison with the Lord Nelson Public House in that when it closed the entrance had to be altered and that the same should apply to the Mill, The application was unanimously rejected by the Parish Council.

8. **To discuss Financial Matters.**

To approve payments (inc NP4Y)

To request the purchase of a cash book

Payments were approved for the purchase of a laptop and the Clerk's hours.

Payment was also approved to Small Fish for NP4Y in respect of consultancy work carried out in September 2016

Payment for a £20 - wreath for Remembrance Day was approved.

Payment for the rent of the land in Paper Street was received by way of a cheque.

To receive correspondence

Correspondence was received from a concerned resident about the LSC status in that Yaxham did not fit the criteria for an LSC and she hoped that common sense would prevail as there was no room at the school a fact that has been confirmed by the Diocese

10 To discuss YVAA letter

The letter from YVAA was circulated to councillors for comment at the meeting. The Chairman said that it was appropriate to draw a line under the differences which had been ignited by a single person. Both the PC and the YVAA wanted to work for the good of the village and that it would be beneficial for both groups to move forward. Unfortunately he could not force anyone to personally apologise. Mr Myhill felt a letter of apology should be sent to the Chairman of the YVAA as he was generally supported by the public. Mr Dimoglou agreed he has used the words 'faffing around' when referring to the YVAA which was perhaps inappropriate.

George Crummett said that the Church Room was in far better shape now than it was 50 years ago.

11 To discuss general council compliance issues

The clerk supplied a list of policies that required updating along with the relevant urgency, which were distributed to the councillors to decide who would deal with each issue by the November meeting.

12. To discuss flooding issues between Whinburgh Road/Norwich Road

The Chairman said that he had approached two farmers along this road regarding the significant level of water by the bus shelter in heavy rain plus the impact to nearby residents. There are two large pits at the side of the road on the farmland with 6" diameter drainage pipes which is insufficient capacity to cope with heavy/prolonged flow. It was agreed to write to Highways to see if these pipes can be replaced with something more suitable to prevent further flooding.

Anglian Water had previously given assurances that they do carry out regular cleaning of the pumping station and it was last cleaned in August of this year. It was suggested that significant traces of fat had been

found in the sewer contributing to the poor drainage and the new kerb was contributing to the obstruction of rainwater running into the drains.

13. To agree Parish Council meeting dates for 2017

A schedule of dates was provided by the Clerk and these were agreed. Each councillor was supplied with a schedule.

14. To discuss Yaxham Waters – sewerage issue and stench.

The parish clerk read out a letter from Anglian Water which stated that the newspaper article suggesting that Anglian Water was causing the delay in YW foul sewage connection to the mains was incorrect. To date the whole site had been operating with foul water drainage to two tight tanks emptied by Duffields. There had been a pre-planning enquiry on 8.8.16 for a proposal of 80 dwellings, shop and cafe and AW had stated that there was insufficient capacity within the existing network and a report on the solution would be completed by November 2017.

Council had also received a letter from Breckland Council Environmental Health which confirmed that complaints about noise and smell had been received from residents. The officer had been assured by Mr Dimoglou that connection to the Anglian Water mains would be forthcoming as soon as possible and she 'had sight' of correspondence regarding the foul water connection and Anglian Water stated their final report would be delivered by the end of October.

The Council was asked to seek clarification from Anglian Water over which statement was correct. Was there only one enquiry in August 2016 relating to foul water mains connection for a development of 80 dwellings at Yaxham Waters or was there also an earlier ongoing enquiry/delay with Anglian Water relating to foul water mains connection of all the existing elements on the site by June 2016 as had been promised by Cllr Dimoglou at Yaxham Parish Council meeting in December 2015?

It was suggested that the existing tank is leaking and that this should be investigated for fear of contamination of the Tud which has an SSSI further downstream. In view of what appeared to be misinformation by Mr Dimoglou his suitability for a position as a councillor was questioned by a member of the public.

It was suggested that Breckland Building Control should be contacted as technically the site is still under construction and that a tank inspection should be commissioned it seemed evident that THPD/Mr Dimoglou had failed to comply with the original planning conditions so Enforcement and Building Regs should be notified accordingly.

The Chairman re-iterated that this item would remain on the agenda until a satisfactory conclusion was reached.

15. To agree purchase of designated laptop

Funding was supplied to the Clerk for the purchase of a lap top

16. To discuss NP4Yaxham & Local Plan Consultation

NP4Yaxham Chairman reiterated that the Working Group is a sub-committee of the Parish Council and the same Code of Conduct applies and a councillor with a pecuniary interest cannot therefore participate in any discussion and is required to withdraw from the room.

17. (a) Agree Response to Breckland's Local Plan Consultation by Yaxham Parish Council and NP4Yaxham Working Group including LSC status and designated development numbers and sites.

- **b) NP4Yaxham Update Report, including Financial Report and invoices for payment, and agree that NP4Yaxham Working Group: works with Breckland for the appointment of an Independent Examiner; the submission of NP4Yaxham comments to the Independent Examiner; and works with Breckland to review the Independent Examiner's report back on the NP4Yaxham and any amendments required for it to proceed to referendum.**

Yaxham Parish Council agreed the joint response to Breckland Council's Local Plan consultation with regard to the Local Service Centre Status; the Norwich Road development site LP[113]007 and the Toftwood proposed development for 291 homes which the Parish Council had responded to on 11th February. It was agreed that the NP4Yaxham Working Group works jointly with Breckland to appoint an Independent Examiner for the Neighbourhood Plan; the submission of NP4Yaxham comments to the Examiner and works with Breckland to review the Independent Examiner's report when it returns.

The NPlan4Yaxham Vice-Chairman presented a report updating the financial position.

18. To discuss position with Standards with regard to Councillor Dimoglou

Several parishioners had questions and points to raise so the Chair re-opened the meeting to the Public in view of the exceptional and ongoing issues.

The Clerk confirmed that standards had not supplied any copies of the complaints, nor indeed details of the complainants to the PC which according to their policy should be the case. It was agreed that the PC, and individual complainants, had not been kept informed by Breckland and the whole experience had been unsatisfactory to this point.

Responses from the council have been inconsistent throughout and despite their own policy stating that complaints would be dealt with to conclusion within 40 days, this situation was now at a 100 days and ongoing.

It was agreed at that after 31st October the Parish Council would request a meeting with Anna Graves/William Nunn and copy this request to the local MP.

Mr Dimoglou has copies of the complaints and one resident said she had been bullied by Mr Dimoglou following her complaint.

19. 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.

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

Yaxham Waters – sewage and stench
Yaxham Parish Council Precept

21 To confirm the date of the next full meeting: 7:30 pm on Thursday 17th November 2016

This date was agreed.