



**MINUTES OF THE MEETING OF THE PARISH COUNCIL  
HELD IN THE JUBILEE PARK MEETING ROOM  
at 7.30PM on October 19<sup>th</sup> 2017**

**Present** Cllrs. Lowings (Chairman), Harvey, Dimoglou, Martin.

**In Attendance** Mrs P Baldwin (Locum Clerk), Ms M. J. Eversfield, Mr. J Miller and 14 members of the public.

- 1) Chairman's opening remarks.** The Chairman welcomed those present and thanked them for attending. He also thanked Mrs Baldwin for again being locum Clerk, and the two prospective new clerks, Ms Eversfield and Mr Miller, who remained to observe the meeting. The Chairman noted that under the standing orders for the meeting to go beyond 9.30pm then there would need to be a vote to continue the meeting. An apology was offered to the public and to one member of the public in particular for an event at the previous meeting. The chairman gave an assurance that this will not happen again. Advice has been sought from NALC and the resignation letter, tendered by the previous clerk, remains confidential, due to employment law.
- 2) To receive apologies for absence.** Cllr Crummett, Cllr Bennett, Cllr Goldsmith.
- 3) To receive disclosures of personal & prejudicial interests.** Cllr Dimoglou declared an interest in item 7.bii, 7cii 8, 9,11, item 12.
- 4) To Hold a Public Session.** Planning application 3PL/2017/1000/F was again the subject of discussion. Cllr Dimoglou, as the applicant, spoke as a member of the public. He asked for it to be noted that of the comments posted online, 13 were not from objectors, only six were, two were comments and the balance were posted by Cllr Dimoglou answering concerns. The view that the school governors are in favour was contradicted by a member of the public who stated that some objected to the application. Cllr Dimoglou said that the new access is simply to divert traffic and make it safer, the access will be abandoned in the future. Lorries will be told not to deliver at school times. It was said that it would be prudent to wait until full planning has been put forward before further comment, there followed comments on the dangerous junction with Well Hill, the map with the application not showing clearly the blind bend, the lack of conditions to prevent more traffic and parking, breaches of the highway code re parking. Cllr Dimoglou must know the bigger picture and needs to be open in order to quash rumours.

Cllr Dimoglou was asked if he would respond to the Parish Council re his failure to represent the wishes of the village. (Ref item 12 on the Agenda.) He was told that it is not mandatory for him to leave the room as he could be granted a dispensation and that he has no alternative but to be answerable to the Parish Council. Cllr Dimoglou has had good time in which to respond and it is not unreasonable to ask him to do so now. Cllr Dimoglou asked for the FOI request to be on the agenda, he was asked for a response so not to be present when it is discussed would be bizarre.

Cllr Dimoglou was again told that it is not mandatory for him to leave the room, he should stay and address the issues, if he chooses not to, all can make their own judgements.

**5) To note any matters from Item 4. that should be raised at a future meeting.** The Freedom of Information Request. Complaint to Standards re Cllr Dimoglou, Cllrs Dimoglou's failure to represent the residents of Yaxham, update on Yaxham Waters. Application no. 3PL/2017/1000/F

**6) District and County Councillors reports.** Cllr Dimoglou said there was nothing of interest.

**6A. To agree and sign the minutes of the previous meeting.**

Cllr Dimoglou commended the Clerk for the high standard of the minutes. They were then approved unanimously and signed by the Chairman.

**7) To discuss planning matters**

**a) To consider the following new planning applications**

i) **3PL/2017/0152/DOC/** This refers to the property finish and levels - noted

**b) To receive the following Planning Decisions since the last meeting**

i) **3PL/2017/1111/VAR Carrington Wood Norwich Road. Discharge of conditions** Approved

ii) **3PL/2017/0812/VAR Yaxham Waters variation of condition 2** Approved. It was noted that the permission included 31 conditions of which 11 and 27 specifically refer to sewerage arrangements.

**c) To Consider the following current planning applications where new material information has been submitted**

i) **3PL/2017/1361/F Land East of Yaxham Rd South of Dumpling Green Erection of 255 Dwellings- new plans published.** Review whether previous objections still remain. The Dereham Transport study recommended improvements to the junction at Tavern Lane, NCC have no objections if the junction is improved. The section on s106 agreements was highlighted as they are not always satisfactory. The applicant has limited affordable housing to 18% it is believed that these should be 40% of the development. The Council's previous objections should still stand and focus on Highways, drainage and other matters with reference to the recent transport study- there has been no consideration of other junctions and the 'knock on' effect of an increase in traffic movements. It was agreed to re state the objections, focusing on Highways and drainage. All in favour, no objection.

**The chairman closed the meeting to allow public comment.** It was said at a meeting with Breckland Council that a bypass would go across the estate and it was asked why a change of mind? Dereham Town Council have not completed their Neighbourhood Plan in time for this plan to be valid. It was also said that Dereham Town Council have not consulted with surrounding villages

**The chairman then re-opened the meeting**

**8pm Cllr Dimoglou noted that he had an interest in the next items on the agenda and he would therefore leave the meeting and not return to it.**

ii) **3PL/2017/1000/F The Old Post Office Clint Green.** The Chairman observed that the Parish Council should listen to and consider public comments and concerns.

The public comments re parking will never alter as all the parking is school traffic. The police have been asked to monitor parking in the past, but they were too busy at the time. The Police have however planned to carry out spot checks this week. This is a shared access to be used by emergency vehicles. Cllr Martin stated the main concern is visibility. The applicant had apparently proposed moving the Post Box and for the front of the shop to also be moved, however these amendments are not shown in the current application. The Parish Council must limit comments to the current plan, the amendments do not mitigate concerns and the plan submitted is misleading by not including the post box. It was decided to repeat the previous objection and to request an accurate plan prior to a decision. All are in favour of the decision to object to the application.

**8) Yaxham Waters – update.** The head of enforcement Breckland Council has offered to brief the council, without the public present. It was suggested that he is invited to meet the Parish Council, in private, at 6.30pm on 16<sup>th</sup> November 2017.

**9) Update from Standards in respect of PC complaint against Cllr Dimoglou.** No update.

**10) Neighbourhood Plan Report.** This was presented by the chairman of NP4Yaxham, Maggie Oeschle. Mattishall Neighbourhood Plan had a 92% yes vote on a 22% voter turnout at their referendum last month. Yaxham had a 92% approval rating with a 58% voter turnout. In view of this it must be questioned where some Parish Councillors allegiances lie. Cllr Dimoglou has decided to distance himself from his fellow Parish Councillor and Breckland Councillor decisions and to disregard the wishes of the community. He is today not prepared to be accountable to the electorate as stipulated in the Code of Conduct.

Members of the Working Group attended a meeting of Breckland's Overview & Scrutiny Commission where the director of planning spoke about improving communication, the need to improve the enforcement process, the lack of a 5-year Housing Land Supply continues to be a problem. Working Group members also attended the Dereham Market Town Initiative. There is to be a third costly traffic survey, Councillors were not impressed by a third survey to report on the same issue. Cllr Martin & Mrs Oeschle attended a rural housing summit convened by George Freeman MP. Comments from the meeting were to be taken back to Westminster, rural counties need a different housing strategy and basic infrastructure to be put in place.

There will be a consultation on 25<sup>th</sup> November on the village wishes in line with Parish Action Points/Community Benefit policies in the Neighbourhood Plan. There will also be a local craft fair on the occasion of the YVAA's 40<sup>th</sup> anniversary. The village has to be grateful to the founders of YVAA, the village hall was built by YVAA in 1987. The event will run from 10.30am-3pm – more details next month.

On 11<sup>th</sup> October 2017 Mrs Oeschle was elected Chairman and Cllr Chairman Martin was elected as vice chairman of NP4Yaxham Working Group.

**11) To Discuss Cllr Dimoglou's FOI Request** There are 6 pages of emails re this FOI request on the website. The request was received on 20<sup>th</sup> August, when the council does not meet during that month. Cllr Dimoglou demanded copies of 6 months' worth of e-mails giving no reason. E-mails between 1<sup>st</sup> March 2017 and 20<sup>th</sup> August 2017 were requested from the Chairman's private email address and from 1<sup>st</sup> February to 20<sup>th</sup> August from the Clerk's formal and private e-mail addresses. The chairman responded within the correct timescale, i.e. by the 20<sup>th</sup> day following the request. As these include private e-mail addresses, matters that may have been sent/received in confidence, and matters that are

confidential, the amount of work involved in providing these e-mails would be excessive. Cllr Dimoglou has not specified what contents he is looking for. Cllr Dimoglou has however alleged that the Chairman and Clerk are acting outside of their powers. The time and work involved would far exceed the Information Commissioners guidelines, which are for a maximum of 18hours of work, in response, charged at £25 per hour. For this reason, the FOI request had been refused. The Parish Council unanimously endorsed the Chairman's response to the request. It was however suggested that in future any e-mails sent to a private address which relate to Parish Council business should be copied to the Parish Council e-mail address.

**12) To Discuss Cllr Dimoglou's failure to represent the residents of Yaxham.** The Chairman suggested that this should go on the next agenda, taking the Clerk's advice as to the wording. He stated that the issue will never go away until Parishioners get an answer from Cllr Dimoglou. The Parish Council cannot provide an answer on his behalf.

**The Chairman closed the meeting to allow the public to speak.** Members of the public said they wanted this item on the next agenda. Members of the public said they feel that if there is no response to the complaint against him, another complaint should be submitted. It is important for more letters of complaint to be submitted to Standards by individuals. If enough complaints are received Standards it was hoped they would deal with the matter. The Parish Council needs to hold him to account. Most of the Parish supports the Neighbourhood plan and don't want what Cllr Dimoglou wants, and believe he is breaking the Code of Conduct. The Chairman responded that Cllr Dimoglou needs to be accountable for his actions. The latest refusal to account for his actions could be the subject of a further complaint. The Neighbourhood Plan is the village's plan and should be adhered to. A member of the public asked if Cllr Dimoglou is contravening the code of conduct if he does not represent the village, does his personal interest prevent him from remaining in the meeting whilst the matter is discussed. The Chairman repeated that a dispensation could be given to allow Cllr Dimoglou to remain in the meeting, having declared any personal interest, and enabled him to respond to the concerns raised. **The chairman then reopened the meeting.**

**13) To discuss financial matters and approve payment**

**a) to note the latest bank balances & bank reconciliation**

<b>Barclays Community Account</b>	<b>£22,089.77</b>
<b>NS&amp;I Account</b>	<b>£ 3,302.86</b>

The acting RFO has produced a bank reconciliation, which had not been done previously for this financial year, was reviewed and the Chairman signed this as an accurate record.

**b) to approve invoices for payment**

Chq	Payee	Detail	Gross	VAT	Net
	Griselda Hubbard	RFO Final	<b>£18.00</b>	-	£ 18.00
	Get mapping Ltd	Parish Online sub	<b>£ 33.60</b>	£ 5.60	£ 28.00
	George Crummett	Kyle Plants for planters	<b>£111.14</b>	£18.52	£ 92.62
	George Crummett	Kyle Plants for planters	<b>£ 89.28</b>	£14.88	£ 74.40
	Garvestone PC	SAM2 Battery (half)	<b>£ 40.00</b>	-	£ 40.00
	Olly Oechsle	Website for 2017	<b>£192.00</b>		£192.00
	Norfolk ALC	NALC Budget workshop	<b>£ 60.00</b>	£10.00	£ 50.00
	Pat Baldwin	Locum Clerk Hours	<b>£ 90.00</b>		£ 90.00
		Total	<b>£634.02</b>	£49.00	£585.02

It was noted that: due to a mix-up the £111.14 had been recorded as being covered by an earlier payment in April 2017, but it had been established this had not been the case and a file note had been made explaining this and an apparently missing invoice for £17; the £89.28 for plants exceeded the original estimate, and was retrospectively agreed. The website invoice had been held at the same level as before, despite the fact that Mr Oechsle had revamped the website which is due to go live on 1<sup>st</sup> December 2017.

**c) To agree the following procurements:**

- i) The defibrillator has been tested and needs new pads as they are over 3 years old and no longer usable. It was agreed to ask for quotes for replacement pads.
- ii) Grass cutting- due to the long growing season extra cuts are needed, it was proposed that three additional cuts at £46/cut be for this year be agreed, and that this should be considered for the 2018/19 budget. All in favour, no objections.

**b) Budget-setting process**

Cllr Martin had prepared a proposed budget/precept spreadsheet, having picked up various points at today's meeting. The budget and precept request is to be agreed at the November meeting. The proposals will be e-mailed to councillors in advance, and to contact either the Chairman or Cllr Martin with any comments on them.

**14) Councillor training.** Cllrs Lowings and Martin attended a budget meeting and came away with some positive ideas. Cllrs Martin and Goldsmith will attend a new councillors course in February. Cllr Martin proposed that he should attend the new Audit Regime training in the New Year and this was agreed.

**15) Correspondence.** Agendas and minutes of Breckland meetings have been circulated, as have the NALC Newsletters 4<sup>th</sup> & 11<sup>th</sup> October. It was noted that the meeting re the A47 improvements on 21<sup>st</sup> September was cancelled.

**16) To Note any items for inclusion on the next Agenda.** The Budget and Precept, Cllr Dimoglou not representing the views of the parish, a further complaint against Cllr Dimoglou, Chris Curtis, Head of Enforcement to provide an informal briefing to councillors re Yaxham Waters and others, in private at 6.30pm. It was noted that the Charity meeting may need to be moved to accommodate this briefing.

**17) To confirm the Date of Next Full Meeting** The next meeting will be on Thursday 16<sup>th</sup> November 2017 commencing at 7.30pm.

**18)** A resolution was proposed and then passed unanimously to exclude the public and to consider appointing a new clerk, RFO and internal auditor. The public and press then left the meeting.

**19) Appointing a new clerk, RFO and internal auditor**

The Clerk had checked with both applicants who had stayed for the main meeting that they were still happy to be considered – and they had confirmed they were. The Interview Panel reported their findings which were then discussed. It was resolved unanimously to appoint Melanie Eversfield as Clerk/RFO on the terms as set out.

**At 9.30pm the Council agreed unanimously to continue beyond 9.30pm,**

Cllr Martin set out the responses to the invitation to provide Internal Audit services to the Council. After discussion it was unanimously agreed to appoint Catherine Moore as Internal Auditor.

**The meeting then closed at 10pm.**