

# **ELMSWELL PARISH COUNCIL**

## **Minutes of the Annual Meeting of the Elmswell Parish Council**

held on

**Monday 18<sup>th</sup> May 2020 at 7.00 pm**

on-line via the Zoom internet video conferencing facility  
as authorised by and in accordance with The Local Authorities (Coronavirus)  
(Flexibility of Local Authority Meetings) (England) Regulations 2020

Present: Cllrs Barker, Edmunds, Friend, Hawes, Mansel, Pallet (Chairman), Roots, Schofield, Shaw.

Attending: SCC Ward Member Mrs Jane Storey  
District Council Ward Member Helen Geake  
Parish Clerk Mr Peter Dow  
Assistant Clerk Mrs Ann Brett  
1 member of the public

20.05.01 **Proposal: Cllr Barker;**  
**That Cllr Pallet be elected as Chairman of the Council for the coming year**  
Seconded Cllr Roots  
**Proposal carried**

20.05.02 **Noted:**  
That the Chairman's Declaration of Acceptance of Office will be received on the 22<sup>nd</sup> May.

20.05.03 **Noted:**  
3.1 An apology for absence to be noted from Cllr Burch.  
3.1.1 The Chairman read from a letter sent to him by Cllr Burch by way of explaining his absence on grounds that he considers the on-line process undemocratic given that not everyone has internet access and that the 'virtual' nature of the proceedings denied proper debate, although he could propose no alternative in the circumstances.  
3.2 The Chairman drew the Meeting's attention to the resignation of Cllr Osborne on personal grounds and the Meeting agreed that the Clerk should send him a letter of thanks for his Council service.

20.05.04 **Noted:**  
The following when any Members' Declarations of Local Non-Pecuniary Interests and/or Disclosable Pecuniary Interests in subsequent agenda items were invited and to note any additions or deletions to the Council's Register of Interests:  
4.1 Cllr Schofield declared a Local Non-Pecuniary Interest in Agenda item 30.3, the Planning Application at 27 Orchard Close as his house backed on to the garden of the Application site.

25.05.05 **Proposal: Cllr Edmonds;**  
**That Cllr Barker be elected as Vice Chairman of the Council for the coming year**  
Seconded Cllr Friend  
**Proposal carried**

20.05.06 **Noted:**  
That there were no reports from the Planning Committee or the Complaints Committee as neither body had been convened during the year.

20.05.07 **Noted:**  
A report from the Council Chairman for the year 2019/2020.

- 20.05.08 **Resolved:**  
That, as per the Annual Governance and Accountability Return under the Accounts and Audit Regulations 2015, this Council approves the accounts for the 12 months ended 31.03.20, tabled as Appendix A and authorises the Chairman and the Responsible Finance Officer to sign them as approved.
- 20.05.09 **Resolved:**  
That this Council receives and approves the Risk Assessments scheduled at Appendix B as being a proper assessment of the risks facing the Council and that they demonstrate that appropriate management of those risks is in place and that the Chairman of this Meeting should sign the Financial Risk Assessment therewith tabled as properly reflecting the levels of the Council's financial risk.
- 20.05.10 **Resolved:**  
That Council acknowledges receipt on 28.04.2020 of the Internal Audit Report on the year ending 31.03.20, commissioned from Heelis & Lodge as authorised under 19.11.19 and tabled as Appendix C, noting that Council continues to maintain effective governance arrangements including a robust framework of financial administration and internal controls and the Clerk's undertakes to address 2 Recommendations within the Report.
- 20.05.11 **Resolved:**  
That this Council approves the Annual Governance Statement, tabled as section 1 of the Annual Return to the External Auditor, at Appendix D as demonstrating a sound system of internal control including the preparation of the accounting statement at section 1 of the Annual Return for the year ended 31.03.20 and that the Council Chairman and the Parish Clerk be authorised to sign a Statement of Confirmation of such approval.
- 20.05.12 **Resolved:**  
That this Council approves the Accounting Statement, tabled as Section 2 of the Annual Return to the External Auditor, at Appendix E as being a fair presentation of the Council's financial position and of its income and expenditure for the year ended 31.03.20 and that the Council Chairman be authorised to sign a Statement of Confirmation of such approval.
- 20.05.13 **Noted:**  
The following Annual Reports;  
13.1 A written report from Cllr Friend as Transport Officer  
13.2 A written report from District Council Ward Members Cllr Sarah Mansel & Cllr Helen Geake  
13.3 A written report from the Village Tree Warden  
13.4 A written report from the BWMA  
13.5 A written report from SCC Ward Member Cllr Mrs Jane Storey
- 20.05.14 **Noted:**  
Confirmation of their status as Officers of the Council following;  
14.1 Tree Officer (Mr John Ibbetson)  
14.2 Footpath Officer (Cllr Burch)  
14.3 Village Recorder (Pending)  
14.4 Transport Officer (Cllr Mike Friend)
- 20.05.15 **Noted:**  
The confirmation of Representatives of Council on the following bodies;  
15.1 Elmswell Poor's Land Charity (Mrs Linda Abbott to 2022, Ms Sol Indurain to 2020, Mrs Julia Taber to 2020, Cllr Dick Burch to 2020)  
15.2 Blackbourne & Wesley Management Association (Cllr Burch & Shaw, Mr Peter Hancock)  
15.3 Elmswell Amenities Association (Cllr Friend)  
15.4 NHS West Suffolk Clinical commissioning Group Health Forum (Ms Ann Richards)  
15.5 Neighbourhood Plan Group (Cllr Schofield)
- 20.05.16 **Noted:**  
Membership of the Council's Committees as being:  
16.1 Planning Committee (Currently all Members except Cllr Friend)  
16.2 Complaints Committee (Currently all Members except Cllrs Hawes & Schofield)  
NB Chairman & Vice Chairman of Council are members *ex officio*

- 20.05.17 **Noted:**  
The continuing membership of the following organisations, current subscriptions indicated in brackets:  
17.1 Community Action Suffolk (FOC)  
17.2 Suffolk Association of Local Councils (£1000.00)  
17.3 Suffolk Preservation Society (Campaign to Protect Rural England) (£36.00)  
17.4 National Community Land Trust (CLT) Network £75.00  
17.5 MARPA (Mid Anglia Rail Passengers' Association) (6.00)
- 20.05.18 **Noted:**  
The assurance from Messrs. Burnett Barker, Solicitors, that all Deeds and other documents held on behalf of the Council are in order.
- 20.05.19 **Noted:**  
The confirmation of the signatories to the Council's cheque account with the Co-op Bank as Cllrs Burch, Edmonds, Hawes, Mansel, Roots & Shaw, any two to sign, and that registration for on-line banking is in place for Cllrs Burch, Edmonds, Roots, Mansel & Shaw.
- 20.05.20 **Noted:**  
The appointee third member of the Elmswell Newsletter monthly Parish Council report editorial board as Cllr Friend.
- 20.05.21 **Resolved:**  
**That this meeting notes and acknowledges that;**  
(i) **the Elmswell Parish Council continues to satisfy the conditions as set out in the Parish Council (General power of Competence) (Prescribed Conditions) Order 2112 of the Localism Act 2011;**  
(ii) **and is eligible to act under the General Power of Competence established in the Act;**  
(iii) **and intends to continue to act under the Power for as long as eligibility criteria remain satisfied.**
- 20.05.22 **Noted:**  
That the current Casual Vacancy on the Council was properly notified to the District Council Returning Officer and that statutory notices were posted, including on the Council's website..
- 20.05.23 **Resolved:**  
**That the Minutes of the Council meeting dated 16<sup>th</sup> March 2020, as tabled, be agreed as a true record.**
- 20.05.24 **Noted:**  
24.1 A written report from District Council Ward Members Cllrs Helen Geake & Sarah Mansel.
- 20.05.25 **Noted:**  
The following when any questions or comment was invited from Councillors or the public on any District Council or County Council matter or on any matter on this Agenda;  
25.1 Cllr Mansell spoke to confirm that, to the best of her knowledge, progress, by way of a partnership arrangement with Suffolk County Council continues towards the refurbishment of the District Council owned bungalows at Thedwastre Close which had suffered oil seepage some years ago.
- 20.05.26 **Noted:**  
The following correspondence to this meeting;  
26.1 With a resident seeking to purchase land from the Council at Blackbourne Meadow, circulated to Councillors with no response suggesting action on the matter.  
26.2 With Suffolk Police / Youth Offending & prevention Service re criminal damage at Blackbourne, circulated to Councillors.  
26.2.1 The Clerk was asked to query with the Police why there would appear to be no penalty for or recompense in respect of the damage caused.  
26.3 With a resident re possibility of supplying 30mph stickers for wheelie bins in the village.  
26.3.1 The Clerk was asked to make an assessment of the number of such stickers required for households on the feeder roads through the village where speeding is a problem and to present a report on possible costings.
- 20.05.27 **Noted:**  
That the Meeting received the Clerk's report tabled as Appendix F.

20.05.28

**Noted:**

That when any Complaints Committee business for information, to be noted, or for inclusion on a future agenda was invited none was forthcoming.

20.05.29

**Noted:**

- 29.1 **Reference DC/20/00864**  
Discharge of Conditions for Application 3469/16 – Condition 16  
Land to the East of Borley Crescent APPROVED
- 29.2 **Reference DC/20/00901**  
Erection of single storey rear extension...  
32 Miller Close GRANTED EPC supported
- 29.3 **Reference DC/20/00931**  
Erection of single storey rear extension  
5 Gardeners Walk GRANTED EPC supported
- 29.4 **Reference DC/20/00717**  
Erection of 2no. first floor and single storey side extensions...  
22 Pightle Close GRANTED EPC supported
- 29.5 **Reference DC/19/05878**  
Erection of 1no dwelling...  
Land North of Dagwood Farm, Ashfield Road REFUSED EPC objected
- 29.6 **Reference DC/20/00503**  
Discharge of Conditions Application for 3469/16 – Condition 10  
Land to the East of Borley Crescent APPROVED
- 29.7 **Reference DC/20/00344**  
Erection of single storey front and side extension  
Sycamore View, Church Road GRANTED EPC no comment
- 29.8 **Reference DC/20/01384**  
Discharge of Conditions for DC/19/02897 groundworks...  
Crossways Farm, Kiln Lane APPROVED

20.05.30

**Noted:**

Planning Applications referred from MSDC for comment:

- 30.1 **DC/20/01677**  
**Outline Planning Application (access to be considered, all other matters reserved) Site remediation works (Phase 1) and the erection of up to 65 dwellings with the safeguarding of land for the potential future delivery of a relief road, public open space and associated landscaping (Phase 2)**  
Land to the West of the Former Bacon Factory  
Councillors objected to this application for the following reasons;  
The decision ref DC/19/03924 to refuse Permission for the original iteration of this Application was well-founded and sat well with the core objections of Elmswell Parish Council, viz:
- 1 The site is outside of the Settlement Boundary and is not a Preferred Option in the emerging BMSDC Joint Local Plan. It represents ad hoc development without the safeguards of any strategic planning and, as such, is an unsustainable location on which development should not be approved.
  - 2 The proposal found no support during the pre-application consultation process from either Elmswell Parish Council or the public. It imposes further strain on the infrastructure provision which is already stretched to accommodate 634 houses in Elmswell with Planning permission currently being built-out or soon to commence construction. Of specific concern are:
    - 2.1 Highways infrastructure which, at the School Road / Church Road junction, is already over the safe operating capacity, as confirmed by SCC Highways, and where no mitigation is suggested or offered.
    - 2.2 Highways infrastructure where the clear guidance enshrined in the Suffolk Design Guide is for 150 dwellings served by a single access road, this stricture already breached by the host development here on the Bacon Factory site and now further to be ignored in a proposal which seeks to allow 265 dwellings to be accessed from the increasingly busy single junction at Ashfield Road, a 56% uplift on the accepted safe limit.
    - 2.3 Educational provision which is already stretched by extant proposals requiring the expansion of Elmswell Primary School on its constricted site to accommodate 420 pupils and which, by Suffolk County Council admission, still leaves a residue of Elmswell children required to be bussed elsewhere when all current housing development is realised. All of the primary schoolchildren from the new housing proposed here would have to travel by bus to receive their primary education.

3 The addition of the public green space to the north of the site, which was not originally mooted at the consultation stage, inevitably means that the land reserved for the Relief Road separates the residents from their recreation area posing a hazardous prospect as any such road would, by definition, carry considerable volumes and weight of traffic. There having been no further evidence presented to counter these arguments, the strong objection of Elmswell Parish Council remains.

The Refusal should be tested under the Appeal process towards helping to bring some common sense and reason into the future assessment of ad hoc impositions on the already stretched infrastructure of the unwilling host communities.

30.2 **DC/20/01721**

**Conversion and refurbishment of attached rear shed/garage to additional living accommodation**

**Wistaria, New Road**

Councillors agreed to support this application

30.3 **DC/ 20/01756**

**Erection of first-floor extension over existing garage and two-storey extension to rear of garage**

**27 Orchard Close**

Councillors agreed to support this application

30.4 **DC/20/01575**

**Application under S73 for removal or variation of a condition following grant of DC/19/05810 decided 06/02/20. Town and Country Planning Act 1990. Planning (Listed Buildings and Conservation Areas) Act 1990 – Condition 2 (Approved Plans & Documents), Condition 5 (Provision of Access), Condition 6 (Highways: Removal Permitted Development Rights), Condition 7 (Highways: Provision of Parking and Turning)**  
**Land at Kiln Farm Cottage, Kiln Lane**

Councillors objected to this application for the following reasons;

1 It is accepted by the Applicant, and common sense confirms, that the 3 households created under this Proposal would entirely rely on private vehicular transport for access to the amenities at either Elmswell or Woolpit, both in excess of a mile distant.

2 Kiln Lane is a single-track road with no passing places which serves several domestic dwellings as well as a major Anglian Water facility and 3 industrial sites. It is already subject to heavy use and constant degradation of both its verges and its running surface. There is no footway or pavement along any of its length. Any further traffic poses further hazard, contrary to Local Plan Policy T10.

3 Kiln Lane feeds on to Warren Lane for traffic East to Stowmarket or seeking the shortest route into Elmswell. Warren Lane itself is a single-track road with passing places. It must serve as the feeder road to the recently permitted development of up to 38 dwellings at its Northern end. There is no footway along its length until Warren Close at the village boundary. Any additional traffic in this context is clearly adding to the existing hazard for pedestrians and cyclists and for all traffic at the Church Road / Warren Lane / New Road staggered junction, a situation soon to be exacerbated by the traffic from this new estate of houses and by the additional load from 240 dwellings currently being built-out at Wetherden Road. When traffic is frequently diverted from A14 or otherwise through the village, as is proposed for some 3 months during the development of the Wetherden Road housing estate, Warren Lane and Kiln Lane are overwhelmed.

Given that this Proposal continues to threaten the safety and amenity of all forms of road use in the vicinity, Elmswell parish council urges rejection of this Application.

20.05.31

**Resolved:**

**That the Clerk makes known the Council's comments on the Planning Applications on this Agenda to The Chief Planning Officer at Mid Suffolk District Council.**

20.05.32

**Noted:**

The following other Planning business;

32.1 The Meeting agreed to confirm the name of the road at the St John's House development on Church Road as, 'St John's Close'.

32.2 Cllr Mansel confirmed that, under current circumstances it is current policy to discuss the issue of outstanding Reserved Matters and that she had been consulted ref. DC/19/02495, Land to the East of Ashfield Road. The Meeting confirmed that the Parish Council's support, as previously expressed, still stands for recommendations from other agencies including:

1 From SCC Highways dated 13.06.2019 with regard to parking provision and the possibility of the soft landscaping reducing visibility sufficient to present a hazard.

2 From Anglian Water dated 28.06.2019 with regard to a foul drainage strategy and surface water discharge proposals being unrelated to an Anglian Water owned asset and, therefore, requiring liaison with the lead Local flood authority or the Internal Drainage Board towards the provision of a satisfactory strategy.

3 From Suffolk Constabulary dated 18.07.2019 with regard to specific design modifications towards crime prevention and the desirability of SBD Homes Accreditation.

4 From MSDC Strategic Housing dated 07.20.2019 with regard to the housing mix and with specific reference to the lack of provision for older demographic purchasers, together with the shortcomings relating to NDDS floorspace stand.

The Meeting agreed to add note of concerns regarding:

5 The location of play area given that MSDC Communities and Public Realm have commented that the proposed location for the play area is adjacent to Ashfield Road, and it might be more appropriate sited it further from the main road, ie near the attenuation basin.

6 The number of visitor parking spaces is lower than would be expected and the SCC suggestion that the road widths will accommodate any overflow is not considered satisfactory.

32.3 The Meeting agreed that an informal response should go to Mid Suffolk re Planning Application ref. DC/20/01654 at 18 Oxer Close suggesting that the proposed loss of a garage in this location would serve to exacerbate the very serious problem of parking at Oxer Close as the road presents a very tightly-packed horseshoe cul-de-sac development requiring turning facilities at the extremities of the access roads and noting that the application site sits at one of the extremities. The road is permanently packed with parked cars and the turning facilities are often encroached upon. To remove the possibility of there being garage parking at No.18 can only make the situation worse.

20.05.33

**Noted:**

That the position regarding the refurbishment / new-build works at the Wesley site was as outlined in the Clerk's Report to the Meeting at Appendix F. Work has resumed with proper precautions to retain personal distancing for workers and the Clerk and Chairman have continued to liaise electronically on technical matters with the Architect. No date can yet be set for practical completion.

20.05.34

**Noted:**

That, as per the Clerk's report at paragraph 2, the overgrowth of ivy at the Railway Tavern site has been removed by the Council's preferred contractor and quotations are in hand for the clearance of the land to the rear of the building.

20.05.35

**Noted:**

The Clerk confirmed in his Report that the position regarding new amenity land to be gifted at Blackbourne remained unchanged with the matter in the hands of solicitors and no problems anticipated.

20.05.36

**Noted:**

The Clerk's Report confirmed that discussions towards refining figures for a Contract for the proposed extension works to the Chamberlayne Hall at Blackbourne continue within the restrictions imposed by current circumstances.

20.05.37

**Noted:**

The authorised payments made and income received as per Appendices G, H, L and M and indicative financial overview as at 31.03.20 and 30.04.20.

- 20.05.38 **Resolved:**  
**That proposed payments, scheduled as Appendix J and N, be authorised.**
- 20.05.39 **Noted:**  
The Balance as per Appendix K and P the Chairman's confirmation that the relevant Bank Statements and computer report verify the published figure.
- 20.05.40 **Noted:**  
The following when public comment or question was invited on any matter relevant to Council business;  
40.1 Public comment suggested that the electronic framework for meetings should be retained beyond the current circumstances.  
40.2 The Chairman confirmed that the Neighbourhood Plan process remained active under the guidance of Cllr Shaw.
- 20.05.41 **Noted:**  
The following when any other Council business for information, to be noted, or for inclusion on a future agenda was invited;  
41.1 The Meeting noted that the ElmsFest event would not take place this year and that this might be irreversible.
- 20.05.42 **Noted:**  
That the next Ordinary Meeting of Council was scheduled for Monday 15<sup>th</sup> June beginning at 7.30 p.m. either on-line or at the Blackbourne as circumstances allow.
- 20.05.43 **Noted:**  
That the meeting closed at 8.36pm.