THURSTON PARISH COUNCIL

Minutes of the Parish Meeting of the Parish Council held on Wednesday 4th March 2020 at 7.30pm in the Community Library, Thurston Community College, Thurston.

In the Chair: Cllr. Dashper

Present: Cllrs. Fawcett, Haley, Morris, Rainbow, Thurlbourne, Turner and West.

In Attendance: County Cllr. P Otton; District Cllr. W Turner; Mrs V Waples, Clerk and 2 members of the public.

OPENING – The Chairman declared the meeting open at 7.30pm and thanked all for attending. A
statement was read out indicating that, in accordance with the changes in legislation, the public and
councillors were permitted to film, record, photograph or use social media to report on the proceedings
of the meeting. A full transcript is available from the Clerk.

2. APOLOGIES FOR ABSENCE -

- a. There were no applicable apologies of absence.
- b. Apologies of absence were noted from District Cllr. Richardson.

DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTEREST FROM COUNCILLORS INCLUDING GIFTS OF HOSPITALITY EXCEEDING £25 –

- a. There were no declarations of pecuniary interest nor local non-pecuniary interests received. There were no gifts of hospitality exceeding £25 declared.
- b. There were no declarations of lobbying for planning matters by those Councillors present.
- c. The Clerk confirmed that there were no requests for dispensations for the agenda under discussion.

4. MINUTES OF THE PREVIOUS MEETING -

- a. The minutes of the Parish Council Meeting held on 5th February 2020 were agreed by all present as a true and accurate record and signed by the Chair as such.
- b. The minutes of the extra ordinary Parish Council Meeting held on 19th February 2020 were agreed by all present as a true and accurate record and signed by the Chair as such.
- c. Council noted the draft minutes of the Policy and Resources Committee Meeting of 28th February 2020.
- **5. BUSINESS REMAINING FROM PREVIOUS MEETING** there were no matters arising that were not covered elsewhere on the agenda.

6. PUBLIC FORUM -

COUNTY COUNCILLOR MRS OTTON'S REPORT – Cllr. Otton had submitted a written report, a copy of which can be seen at Appendix C.

She also mentioned that she had given support to extension of the 30mph on Barton Road and reminded all that bids for her Locality Fund commenced 1st April for the year 2020-2021.

DISTRICT COUNCILLOR REPORTS -

Cllr. Richardson's written report as submitted can be seen at Appendix D.

Cllr. Turner's was invited to submit her report which can be seen at Appendix D. It was requested and agreed that the minutes should show the Parish Council's thanks to Cllr. Turner for her financial support to the Friends of Thurston Library.

MEMBERS OF THE PUBLIC – There were no members of the public present.

The meeting considered the correspondence that had been received by the Clerk:

- To receive and consider a letter from a resident regarding cumulative hedgerow and tree removals Autumn 2019 - Jan 2020 - it was noted that hedges on agricultural land are protected unless there is a change of use. If it can be proved that nesting birds have been impacted then a case for prosecution could be made. It was agreed that the Climate Group could raise an understanding of the habitats etc. required for birds and wildlife as part of their awareness week. All agreed that awareness of best practise in maintaining hedgerows should be encouraged along with basic management and that there was a need to ensure that planning applications coming forward are scrutinised and become part of planning conditions imposed. It was further queried as to whether the horticultural society would be able to obtain advice for local residents to encourage the retention and protection of birds and wildlife in the local area. It was agreed that at review stage of the Neighbourhood Plan there could be some guidance included for landscaping. It was noted that via the Tree Warden Group, the previous year 50 saplings were planted in the parish during 2019 and that a further 50 saplings have been obtained by the tree warden for further planting in the parish in the year. The Parish Council would as part of its overall response to further planning applications consider the protection and retention of existing trees; availability of local trees and that overall there was agreement to be concerned with the loss of habitat.
- To receive and consider an email from a resident of Tostock requesting the Parish Council to consider supporting the provision of Mobile GP & GP outreach the meeting noted the comments from the CCG and Suffolk Health and Wellbeing Board and that there appeared to be little support for this from the local GPs practice due to concerns over data security and medication security on a mobile van. It was agreed that prior to agreeing to commit funds there needed to be more detail into how this would be supported and serviced by local practices. It was further agreed that the PC had doubts over its viability and that a business case needed to be worked up prior to the PC considering this further.

7. POLICE MATTERS -

- a. to receive a report from Stowmarket SNT on crimes relating to Thurston a report was submitted to Council detailing incidences covered by PCSO Smith and Stowmarket SNT. Council noted that PCSO Smith had returned to work on 4th February 2020 on a phased return to work – full return to work effective 26th February 2020.
- b. to receive village reports of concern for referral to Police it was agreed that reports of a resident in village being scammed by a cold caller over works carried out in their garden should be referred to Stowmarket SNT.

8. STATUTORY BUSINESS -

- a. To consider nomination received for one of the three casual vacancies as advertised in accordance with section 232 of the 1972 Act Council agreed to accept the nomination to the Council of Mr Towers who, having declared he was eligible to be co-opted as he was qualified to be a councillor pursuant to s. 79 of the 1972 Act, was elected to the Council, aif. Following the signing of his Declaration of Acceptance of Office, Cllr. Towers joined the meeting at the table.
- b. Council to note the year-end procedures as carried out by the Policy & Resources Committee at its meeting of 28th February 2020 the Clerk provided a brief summary of the work that had been carried out the meeting of 28th February 2020 and Council's attention was drawn to the draft minutes submitted at Agenda Item 4.
- c. To review the Council's Standing Orders and confirm acceptance of existing orders (reference Clerk's Paper) Council reviewed the Standing Orders as written and agreed that they were fit for purpose and that the Council agreed to adhere to them as written, aif.

- d. To review the Financial Regulations and confirm acceptance of amendments proposed (reference Clerk's Paper) Council reviewed the Financial Regulations and agreed to the amendments as proposed and confirmed that they were fit for purpose and that the Council agreed to adhere to them as written, aif.
- e. Council to note that there are four vacancies for Parish Council Appointed Persons on the New Green Community Trust Council noted the vacancies, and all were asked as to whether they would be prepared to be nominated.

9. TO CONSIDER MATTERS RELATING TO PLANNING FOR THURSTON:

- a. To consider the following planning applications:
 - i) DC/20/00633 Householder Planning Application Erection of part two storey and part first floor extension over existing single storey side extension; Erection of single storey rear extension; Erection of single storey side extension including garage (following demolition of existing garage and store). Creation of parking and turning area @ Fairways, 60 Barton Road precedent has been set for the moving of garage to the front of the dwelling. Agreed that as there would be no material impact on neighbouring properties and that the scale accorded with the curtilage of the plot, the council agreed to recommend approval of the application, aif.
 - ii) DC/20/00585 Planning Application Erection of 3no Dwellings with Associated Works, Including Provision of Landscaping and Internal Access Road @ Harveys Garden Plants, Great Green noted that there was a length history of planning applications. Previous applications had been refused on the grounds that this was development in the countryside and isolated from the main settlement; rational for the loss of a business; is this regarded as agricultural land? Consistent in new dwellings; impact on the highways network adding to the cumulative impact; outside of the curtilage of the settlement boundary; impact on heritage buildings. Agreed that the PC would recommend that the application be refused, aif and that the District Councillors be approached to request that this be considered by the Development Committee as opposed to Officer with the rational being overdevelopment; loss of employment and contrary to the Thurston NDP, aif.
 - iii) DC/20/00689 Householder application Erection of single storey rear and side extension (following demolition of existing garage). Erection of detached garage @ May Bowers, 72 Barton Road all agreed
 - iv) West Suffolk Development Control Committee DC/19/1519/OUT land adjacent to Fishwick Corner, Thurston Road, Rougham Outline planning application (means of access to be considered) i) proposed improvement to Fishwick Corner in West Suffolk and ii) 210 dwellings means of access, open space and associated infrastructure, including junction improvements with all proposed development located within Mid Suffolk District Council Council to note that this application was due to be determined on 4th March 2020 but was withdrawn from the agenda on 2nd March 2020 in order to allow West Suffolk Officers time in which to consider the implications of a legal challenge to the decision of Mid Suffolk District Council in relation to this cross-boundary application.
- b. To note planning applications determined by the local planning authority: see Appendix A
- c. To note responses to previous planning comments submitted as statutory consultees:
 - i) SCC/0073/19MS: Construction of a 420-place Primary School and 30-place Pre-School and associated landscape works. Land north of Highfield, Norton Road, Thurston Council noted that this application is to be presented to the SCC Development Control Committee on 11th March 2020 and that there will be a site visit by members of the Development & Regulation Committee on Monday 9th March at 10.20am to which the Parish Council are invited. The Clerk and Cllr. Otton confirmed that they had previously met to discuss the parish council's concerns which would be included within Cllr. Otton's submission to the Committee.

- d. To note matters arising from approved planning applications:
 - i) Wooded area to the north east of the site on land to the west of Ixworth Road the Clerk updated the meeting and confirmed that this was still in the hands of the landowner and that the Council's interest had been formally lodged with the landowner's agent.
 - ii) Linden Homes request to meet to discuss Phase II of the development to the North of Norton Road it was noted that this meeting would take place on 13th March at 10.30am and all Councillors were invited to attend if possible.
- e. To receive an update on the potential Judicial Review against Mid Suffolk District Council in relation to planning applications: Land South West of Beyton Road, Thurston, Suffolk Bloor Homes/Sir George Agnew & Land to the East of Ixworth Road, Thurston, Suffolk Gladman Developments Ltd the Clerk provided an update to the meeting in which she confirmed that the Parish Council of Thurston, via their legal representatives, had issued on Monday 24th February 2020 a Pre-action Protocol Letter for Judicial Review Claim against the planning decisions made by Mid Suffolk Planning Referrals Committee on 29th January 2020 for the following:
 - (1) Bloor Homes and Sir George A. Agnew for development on Land South West of Beyton Road, Thurston, Suffolk (ref. DC/19/03486) for "Outline Planning Application Erection of up to 210 dwellings, means of access, open space and associated infrastructure, including junction improvements. [Means of access not a reserved matter]"
 - (2) Gladman Developments Ltd for development on Land to the East of Ixworth Road, Thurston, Suffolk (ref. DC/19/02090) for "Outline Planning Application (some matters reserved) Erection of up to 210 dwellings and new vehicular access to include planting and landscaping, natural and semi-natural green space including community growing space(s), children's play area and sustainable drainage system (SuDS), to include 35% affordable dwellings".

In summary the challenge was as follows:

- 1. Committee members were significantly misled by officers in officers' advice on the relative weight to be accorded to the now "made" Thurston Neighbourhood Plan (made on 24 October 2019) compared with the yet to be examined (let alone adopted) draft Babergh and Mid Suffolk Joint Local Plan.
- 2. The Council's approach was equally fundamentally flawed in that granting planning permission on either or both of the above sites will prejudice the outcome of the draft Local Plan making process.
- 3. The Neighbourhood Plan is a statutorily made/adopted "development plan" within the meaning of s. 38(3)(c) of the Planning and Compulsory Purchase Act 2004 which provides by Policy 1: Spatial Strategy that "new development in Thurston Parish shall be focused within the settlement boundary...", in accordance with which any planning application should be determined "unless material considerations indicate otherwise", see s. 38(6).
- 4. The misleading nature of the advice given to Committee at the opening of the meeting by warning Committee Members of the consequences of not voting in accordance with officers' recommendations including "risks" to the strategy for growth in the draft Local Plan, "risks" to the progress of the draft Local Plan and the possibility of "speculative applications" and that a risk assessment as to the financial and reputational position if applications were refused would have to be undertaken.
- A response was requested by 9th March 2020. The meeting reviewed and approved the actions to be taken as outlined under scope of work identified in letter of 20th February 2020, noting that costs would be indicatively £15,000, aif. This would be funded from Council's Reserves and underspends for the year.
- f. Babergh Mid Suffolk Local Development Scheme the Clerk confirmed that, following the meeting, she had requested up update on the local plan and had received the following response "We (BMSDC) are currently in the process of considering representations made to the Preferred Options consultation in preparing the next iteration of the Joint Local Plan and acknowledgements have previously been sent out. The Local Development Scheme is currently under review".

g. Council to consider submitting a response to the Great Barton Neighbourhood Plan – presubmission consultation – Regulation 14 – consultation on its Draft Neighbourhood Plan – the meeting noted that the Clerk had submitted a response to this consultation on behalf of the Parish Council.

10. TO CONSIDER MATTERS RELATING TO NETWORK RAIL -

- a. To receive an update generally on safety works / improvements to Thurston Railway Station nothing further had been received.
- b. To receive notes of the conference call held between Mid Suffolk and Network Rail the Council received the notes of the conference call noting that it all appeared to have agreed that all of the options in the original feasibility study were now unachievable. It was agreed that there was a need to review the words spoken by the Chief Planning Officer during the determination of the Gladman Application in relation to this matter. The meeting further noted that on page 4 of the notes of the Conference Call, Network Rail stated that Network Rail had stated that a new risk assessment still identifies the risk and option is to close the crossing. It was agreed that once the new risk assessment was released Cllrs. Dashper, West and Haley along with the Clerk would form a subcommittee and review its contents and report back, aif.

11. FINANCE -

- a. To approve the accounts awaiting payment (see Appendix A) including those coming forth approval of the accounts as submitted were approved by all present, aif.
- b. To note the accounts paid since the last meeting (see Appendix A) Council noted the accounts as submitted.
- c. To note receipts allocated since the last meeting (see Appendix A) Council noted the receipts as submitted.
- d. To consider and receive the Bank Reconciliation for the period ending 29.02.2020 (Paper 1/04.03.20) Council noted the reconciled balance of £125,779.16 over the two accounts.
- e. To consider the Internal Control Report for the 4th Quarter of 2019-2020 (Paper 2/04.03.20) the report was received and noted by the meeting. Council noted that the Asset Register had been updated and that the Internal Control Document had been amended to reflect changes relevant to the year 2020 2021.
- f. To confirm the appointment of Mr Trevor Brown as the Council's Internal Auditor as per the recommendation from the Policy & Resources Committee of 28.02.20 the meeting agreed to accept the recommendation from the Policy and Resources Committee and to appoint Mr Brown as the Parish Council's Internal Auditor for the year ending 31st March 2020, aif.
- g. To consider requests for donations from the balance of monies held in the budget for 2019-2020 (Paper 3/04.03.20) it was agreed that the request from Age UK Suffolk be rejected until more information had been received which would indicate as to how the local vicinity had been supported over the past year. It was also agreed that the Council was unable to support a grant to the Neighbourhood Watch scheme due to the lack of local impact.
- h. Council to receive indicative year-end balances noting general, earmarked and restricted reserves (paper 4/04.03.20) Council received the indicative year-end balances noting that these were a work in progress and that the formal consideration of the allocation of reserves would be at the meeting in May 2020 to sign off the annual accounts.
- i. To consider the request from St Peter's Church for financial assistance with the production of the Thurston Parish Newsletter – agreed that there was a need to look at the future of the newsletter and whether it was viable to remain a Church publication with support by the PC and whether the final editorial decision should remain with the Vicar / PCC. If it is to be a joint venture then should there be joint editorial responsibility along with the appointment of the editor. It is also unclear as to the number of hours that are actually required for the editing role of the newsletter.

It was agreed that council could not approve the decision to offer financial assistance until more information in legal terms and direction was received which should cover the following:

- consideration of joint editorial control if the PC is to be asked for financial assistance with the editorial role
- is this a viable project for the future given the growth of the village?
- are there clear policies for the future circulation of the newsletter?

It was also noted that the PC's grant aided policy indicated that it could not support individual religious organisations.

- j. To consider the quotations for works to the car park at the Recreation Ground, Church Road:
 - i) To consider the quotations received for the above project from Welham Surfacing, AE White Surfacing and MJ Nunn Surfacing Ltd the meeting received the Clerk's paper on the three quotations obtained and it was agreed that with additional items added to the quotation of Welham Surfacing, there was now a similarity in price between two of the quotations although there appeared to be a difference in the sub surface being offered on each of the quotations.
 - ii) To consider the recommendation from the Recreation Ground Committee to place the order for works with its preferred supplier Welham Surfacing it was agreed that a confirmatory drawing prior to the order being placed was required to ensure that the area being covered was in accordance with the grounds owned by the Parish Council and that the following conditions should apply: submission of: Terms and Conditions of Service; Site-Specific Risk Assessment; Public and Employers Liability Insurance; Method Statement along with an agreed start date to allow hirers and users of the car park to be given sufficient notice of works being carried out. Subject to the above conditions being fulfilled, the meeting accepted the recommendation from the Recreational Facilities Committee to award the order for improvements to the Cavendish Hall Car Park to Welham Surfacing in the sum of £21,342.00 and the Clerk was given the delegated authority to place the order, aif.
 - iii) To agree for the works to be funded from Neighbourhood CiL Funding received by the Parish Council it was agreed that the sum of £5K within reserves allocated to the Recreation Ground Car Park should be allocated to this project with the balance to come from the CIL reserves, aif.

12. QUESTIONS FROM COUNCILLORS - none had been received.

13. REPORTS FROM COUNCILLORS -

- a. Councillors Reports
 - i. to note Councillors' activities/committee meetings/meetings attended since the last meeting
 - New Green Trust Committee Meeting Cllr. Thurlbourn
 - Housing 21 Meeting and the TRIN Charity Cllrs. Haley, Rainbow, Turner and West
 - Engagement Surgeries Cllrs. Fawcett, Haley, Rainbow and Morris
 - Friends of Library and Climate Awareness week Cllr. Turner
 - Library Meetings Cllr. Fawcett
 - Internal Control Review Cllr. Rainbow
 - Climate Change Working Group Meeting Cllrs. Haley, Morris and Turner
 - Recreational Play Area Reports Cllrs. Morris, Turner and West
 - P & R Cttee Meeting Cllrs. Dashper, Fawcett, Haley, Rainbow and West
 - Cavendish Hall AGM Cttee Meeting Cllr. Morris
 - ii. To receive reports from Councillors' on issues relating to the village:
 - Linden Homes wheel wash facility still not in place
 - Pothole Beyton Road
 - 30mph leaning sign towards Beyton Road on left past Pokeriage Corner
 - School Road 30mph / Route 51 still not been replaced

- Potholes along New Road
- Give Way sign at end of Sandpit Lane/Norton Road wrong way round

14. CLERKS REPORT -

- a. to note items actioned under delegated powers the Clerk had carried out a number of actions under delegated powers which covered reporting of issues to Suffolk County Council, liaison with legal bodies over the JR proceedings and general queries form members of the public.
- b. to receive an update on the deployment of the VAS on Barton Road and Beyton Road and to consider matters going forth the units had been downloaded the previous week and the Clerk would endeavour to review the data at a later stage and report the findings to Council.
- c. To receive and consider a letter from a resident regarding cumulative hedgerow and tree removals Autumn 2019 January 2020 covered under Agenda Item 6 Public Forum.
- d. To receive and consider an email from a resident of Tostock requesting the Parish Council to consider supporting the provision of Mobile GP & GP outreach covered under Agenda Item 6 Public Forum.
- e. to note general correspondence received nothing not covered elsewhere.
- **15. TO CONFIRM NEW ITEMS FOR THE NEXT AGENDA** Coronovirus (COVID-19) to be included upon all future agendas.

16. DATE OF NEXT MEETINGS -

- a. 18th March 2020 Parish Council Committees Meeting commencing at 7.00pm in the Community Library, Norton Road.
- b. 26th March 2020 Annual Parish Meeting of the Parish of Thurston commencing at 8.00pm in the Cavendish Hall, Church Road.
- c. 1st April 2020 full Council Meeting commencing at 7.30pm in the Community Library, Norton Road.
- d. Community Engagement Surgeries Wednesday 11th March 2.00 to 4.30pm and Saturday 21st March 2.00pm to 4.30pm.
- 17. To resolve that under the Public Bodies (Admission to Meetings) Act 1960, the public be excluded from the meeting due to the confidential nature of the business to be discussed none to be discussed.
- **18. CLOSE OF MEETING** there being no other business the Chairman closed the meeting at 22.25pm.

Appendix A

9. Planning:

b) To note the following decisions coming forth:

- a) DC/20/00420 Discharge of Conditions Application for 4963/16 Condition 4 (Landscaping Scheme), Condition 6 (Landscape Management Plan), Condition 8 (Construction Management Plan), Condition 9 (Fire Hydrants), Condition 17 (Details of Estate Roads and Footpaths), Condition 22 (Highways Surface Water Discharge), Condition 23 (Archaeology) and Condition 24 (Archaeology) @ Land To The West Of, Ixworth Road
- b) DC/19/05678 Discharge of Conditions application for DC/17/02232 Condition 3 (Construction Management Plan), Condition 9 (Foul Water Strategy), Condition 20 (Details of Estate Roads and Paths) and Condition 23 (Surface Water Discharge) @ Land On The West Side Of, Barton Road

11. Financial Matters

a) Accounts submitted for payment Voucher METHOD NETT

T VAT TOTAL POWER INCURRED

S Gage – Computer Maintenance	831	3605	38.00	0.00	38.00	LGA 1972 s111
SHO Cleaning & Maintenance – install litter bin	832	3606	85.00	0.00	85.00	Open Spaces Act 1906, ss. 9and
						10

b) Accounts paid since the last meeting

New Green Community Trust – Office Rent	816	SO	375.64	0.00	375.64	1972 s111
Plusnet – Internet and Telephone	817	DD	37.15	7.43	44.58	1972 s111
Salaries – February 2020	818-	3564-3567	4236.55	0.00	4236.55	1972 s112 & LGA 1972 s151
	821					
Timpson – Keys	823	CC	7.08	1.42	8.50	1972 s111
Cracknells Station – Cleaning Products	824	CC	5.14	0.00	5.14	1972 s111
McAfee – LiveSafe Virus	825	CC	31.99	0.00	31.99	1972 s111
Microsoft – Office 365	826	CC	112.80	22.56	135.36	1972 s111
Iconik Europe – Barrier Floor Mat	827	CC	24.99	5.00	29.99	1972 s111
Amazon EU – Padlocks for VAS	828	CC	11.74	2.25	14.10	l Government and Rating Act
						97 s.30
Rankie UK – Desk Calculator	829	CC	7.99	0.00	7.99	1972 s111
Ashtons Legal – legal advice – PAP & JR	830	3604	3500.00	700.00	4200.00	1972 s222

c) Receipts received since the last meeting

Lloyds – Interest – February	Interest	3.94	0.00	3.94
New Green Trust – monies for Trim Trail - NG	Chq	13000.00	0.00	13000.00

Appendix B

Glossary of Common Abbreviations used

Glossary of Common Abbreviations used	
Aif	All in favour
AGAR	Annual Governance and Accountability Return
APM	Annual Parish Meeting
ASB	Anti-social Behaviour
BACS	Bankers Automated Clearing Services
BUAB	Built Up Area Boundary
BMSDC	Babergh & Mid Suffolk District Councils
СС	Credit Card
CCG	Clinical Commissioning Group
CEO	Chief Executive Officer
Chq.	Cheque
Cllr.	Councillor
CMP	Construction Management Programme
Cttee.	Committee
DC	District Council
DD	Direct Debit
FOI	Freedom of Information
FR	Financial Regulations
GPoC	General Power of Competence
HMRC	Her Majesty's Revenue and Customs
HRA	Habitats Regulations Assessment
LAIS (from SALC)	Local Association's Information Services
LGBCE	Local Government Boundary Commission for England
LPA	Local Planning Authority
MSDC	Mid Suffolk District Council
NHS	National Health Service
NDP	Neighbourhood Development Plan
NP	Neighbourhood Plan
NR	Network Rail
PC	Parish Council
PCSO	Police Community Support Officer
Pdf	Portable Document Format
PIISG	Parish Infrastructure Investment Steering Group
Rec.	Recreation
RFO	Responsible Financial Officer
SARS	Suffolk Accident Rescue Service
SEA	Strategic Environmental Assessment
SALC	Suffolk Association of Local Councils
SCC	Suffolk County Council
SID	Speed Indicator Device
SNT	SaferNeighbourhood Team
SO	Standing Order
SPS	Suffolk Preservation Society
TCC	Thurston Community College
TNPSG	Thurston Neighbourhood Planning Steering Group
TPO	Tree Preservation Order
TRIN	Thurston Relief in Need
TRO	Traffic Regulation Order
VAS	Vehicle Activated Sign
VAJ	verncie Activateu Sign