



Minute no: 76(v) by the deletion of the word “bus” in relation to the disused shelter.

### 87 ANNOUNCEMENTS

The Town Mayor thanked all those involved in the Christmas lights switch-on event which had went very well and many compliments had been received.

The Town Clerk advised that he had met with the Head of Thorpe St Andrew High School regarding the Youth Council proposal and this had been a very positive meeting. He would be meeting with sixth formers and the school senate in the new year to look at developing the proposal, also involving the student who had recently undertaken work experience with the Town Council. The aim was for the Youth Council to be up and running in April 2019.

The Town Clerk reported that he had attended the Broads Society AGM on 17 November and this had been a very informative event, with some interesting opinions expressed on the review of the Broads Authority.

The Town Clerk had attended a meeting last week, accompanied by the Town Mayor, at Broadland Council to discuss the issue of the church wall at which Martin Thrower and a representative of the Parochial Church Council had been present.

The Town Clerk advised that he and the Town Mayor had attended the Public Inquiry for 185 Yarmouth Road and it was anticipated the outcome would be

publicised in the new year, together with the awaited decision on Thorpe Woods.

Finally, the Town Clerk reminded Councillors of the luncheon on 21 December between 12pm and 2pm which was a “pop-in” event and invitations had been extended to colleagues, associates etc of the Town Council.

### **88 PUBLIC PARTICIPATION (limited to 3 minutes per speakers)**

It was proposed and duly seconded that the meeting be suspended to allow members of the public to address the meeting.

- (i) The Town Clerk advised that the representative of Norfolk Constabulary who was due to attend had been called away to an urgent matter in Thorpe St Andrew and had therefore given his apologies for not being in attendance. A copy of the December newsletter providing crime updates for the period 1-30 November 2018 was tabled at the meeting.

The Town Clerk reported that a “coffee with a copper” event would be taking place at the Town Hall next week and a SNAP meeting would be taking place prior to the start of the Council meeting in the new year and all Councillors were welcome to attend. He added that the new Beat Manager would be running the SNAP and the onus was on Councillors to show willing. There had recently been evidence of good results such as drugs and a knife being confiscated from people on the

Recreation Ground which were obviously significant issues and Cllr Emsell had also reported an attack involving baseball bats on the Recreation Ground car park.

In response to a comment about the high attendance by members of the public at the Sprowston & Old Catton SNAP, the Town Clerk advised that only two people had attended the Thorpe St Andrew SNAP meeting in the summer but this could be because Thorpe had a good record of residents feeling safe and had a good relationship with the Police.

In response to a comment about the content of the newsletter, the Town Clerk advised that Councillors usually received a different version a week earlier (which would have been the original Town Council meeting date) and this version was the one made available to the public.

The Town Mayor commented that there had been a good Police presence at the lights switch-on event, including the Superintendent. Cllr Lawn added that the Police were aware of criminal activities taking place within Thorpe and were dealing with them and it was positive they had a regular presence at local events. The Town Clerk concluded that a Special Constable would be appointed in the near future and another Beat Manager in Sprowston to assist PC Troy Brandon.

(ii) Members noted the report from Cllr Ward who also reported on the following matters:

- Norfolk County Council had agreed to move to a Cabinet system of governance wef May 2019 and, in addition, not to replace its Managing Director. The Leader would chair a Board comprising senior officers and Members.
- 90% of Norfolk schools had been rated as good or outstanding. In addition, the county adoption service was in the top 10% of councils in the country.
- A grant of £210,000 had been received from WREN's Flagship Project Scheme which would be used at Norwich Castle to refurbish the main toilets and transform the Rotunda, as well as enabling the creation of a moveable early years gallery.
- A Norfolk treasure had been shortlisted for the National Arts Fund "Find of the Year" – the Anglo Saxon Windfarthing gold and garnet pendant which was housed at Norwich Museum was the final ten places. The winner would be announced on 18 December. It was currently on loan to the British Library. Details on how to vote were on the Arts Fund website.

The Town Mayor advised of a campaign run by the Norfolk Waste Partnership in conjunction with Norfolk County Council regarding

Christmas wrapping paper. If you scrunched the paper and it remained crumpled, it was recyclable and if it unravelled, it should be placed in the waste bin.

- (iii) A local resident requested an update on the shelter which he had raised at the last meeting (Minute no: 76(v) referred). The Town Clerk commented that no response had been received to date and he would follow this up.

### **89 FINANCE**

- (i) Payment List – voucher numbers 857 to 958 totalling £33,429.78 were approved and signed.

In response to a question on the postage costs of £317, the Town Clerk advised that a quantity of stamps had been purchased in bulk to be used for the allotments mail-out in September / October.

- (ii) Bank Reconciliation Statement – the statement as at 30 November 2018 was noted and approved.

### **90 DRAFT MINUTES OF COMMITTEE MEETINGS**

Plans Committee – 19 November 2018 – noted.

### **91 TRANSFER OF THE MAINTENANCE OF THE CLOSED CHURCHARD INC**

### **WALLS AND FENCES UNDER S215(2) LOCAL GOVERNMENT ACT 1972**

The Town Mayor drew Members' attention to an email from Father James which the Town Clerk had sent earlier that day advising that the Parochial Church Council (PCC) had withdrawn the S215(2) Notice and its aim for the Town Council, Broadland District Council and the Thorpe St Andrew PCC to find a solution by working together. He commented that the PCC had taken very little action up to now as it was waiting to hear from its insurers. If the Council agreed, a working group could be set up comprising representatives of Broadland District Council, the PCC and the Town Council to ensure all parties were kept involved and informed on progress on an equal basis. The District Council was keen to see community involvement in the scheme as it was considered to be a community issue.

Martin Thrower advised that the general consensus was that the money which potentially could have been spent on lawyers would be better spent on restoring the wall. The Chief Executive of Broadland DC had given a commitment to support the Town Council by using relevant officers at the appropriate time with expertise to provide advice and guidance. The only stipulation was that the situation must not be allowed to drag. Interestingly, other churches were now approaching the council with similar issues having heard about the Thorpe St Andrew situation.

A Member asked if the PCC had explored all the options requested by the Town Council such as engaging a surveyor and making contact regarding the

party wall and its owners' insurance liability. It was suggested that in the new year the Town Council revisited the money paid to the PCC for the maintenance of the open graveyard as it was Town Council staff who undertook the work, despite the fact that the Town Council paid the PCC.

Another Member commented that clarity was needed on what the insurance company had actually said and also questioned the liability of the surveyor. He asked who had made the decision on what sort of wall would be built as a replacement and commented that, if it was hidden behind another wall, it was not easily seen and therefore did not need to be of a fancy design.

The Deputy Town Mayor commented that she had concerns that even if a working group was established, would permission still be needed from the PCC to get things done as it was really important to get the wall retained as soon as possible. A Member suggested a "DIY SOS" type event could be held in the Spring using local tradesmen etc which would see a positive situation being made out of a negative.

The Town Clerk advised that, in response to comments on the absence of Father James at the meeting, he had stated that he would have been at the meeting if needed. The Town Clerk added that as the Town Council was now aware of the PCC's position, Members should have enough information before them to make a decision today. Regarding the issue of the liability, he advised that the insurers were not liable as a lack of maintenance had led to the collapse of the wall, ie natural deterioration and not storm damage. The



church had concerns as no maintenance had been carried out and it was an uninsurable event. The Town Council's insurers would have taken the same approach. The situation with the surveyors was no further forward - the church was compiling reports but it was unlikely a contractor would be engaged soon. It was possible that recent building works on the site (such as the extension) had had an impact. The surveyor had been looking at something else on the site and happened to mention as part of the works when digging down for the foundations and plant inspections. A similar situation had occurred at Roxley Hall during the pilings when a crack had emerged but as this did not worsen, the work had continued.

In terms of the money paid to the PCC (£2,000), the Town Clerk advised that the Town Council was not obliged to pay this sum. It had originated in 1961 as a goodwill payment for the general upkeep of the cemetery. As work was now undertaken on an informal basis as and when needed the £2,000 could be used to fund the wall repairs. It was suggested that consideration was given to this as part of the budget item later on the agenda.

Regarding the style and structure of the wall, the Town Clerk advised that this was the PCC's responsibility and it could apply for a temporary and permanent fixture at the same time. He added that the Chancellor would look more favourably if the PCC made the application as opposed to a taxing authority with precept abilities.

The Town Clerk considered the working group to be a good idea and

suggested the representatives to be: Cllr Fisher, Cllr Snelling and himself. He would speak to the PCC and also invite representatives from Broadand DC (both officers and Members). However, permission for the style etc of the wall remained with the church. The PCC had already engaged professional services and it also benefitted from a reduction in fees. The sum of £12,500 referred to in the letter from Father James dated 7 December was considerably less than the cost of the wall if responsibility had been transferred to the Town Council and also less than the costs of a Judicial Review (which could have been in excess of £30,000). It was considered prudent to move forward reasonably quickly to prevent further damage to the wall – by setting up the working group and setting aside money in the budget.

In response to a question on the party wall, the Town Clerk advised that he was aware of the residents concerned and the working group could contact them. The Town Council could allocate some time for a solicitor to investigate liability issues.

In response to a concern on the stability of the wall now Winter was approaching, the Town Clerk advised that as a portion of the wall had collapsed, the remaining structure was now less stable. There had been some recent slippage and the wall could fall completely if very wet or frosty. Therefore, time was against them and it was essential to push forward. Obviously it would have been better if contact had been made as soon as the wall had collapsed. A Member commented that it had taken six months for the insurance company to inspect the wall and in the meantime, the rubble

had just been left which was why the situation was how it was now when the wall had collapsed in May/June.

It was subsequently

### **RESOLVED:**

- (1) To appoint the following representatives to the working group: Cllr Fisher, Cllr Snelling and Dr Foreman.
- (2) To allocate a provision of £12,500 in the 2019/20 budget to contribute to the costs of repairing the wall, as required.

### **92 BUDGET 2019/20**

Members considered the Town Council's budget for 2019/20. It was noted that the Finance and Staff Committee, in proposing the budget, had taken account of the Human Resource package, additional asset at River Green, higher electrical costs, addition of the Youth Council, football marking and the increase of staffing in the current financial year. The proposed precept rise would therefore amount to a 0% increase. In actual terms, this amounted to a 0.08% decrease as the number of Band D properties had increased.

The Town Mayor referred to the £2,000 towards the upkeep of the cemetery and whether this should be included in the budget or not. Also, the £12,500 had not been allowed for when calculating the budget and suggested that this

was taken out of capital reserves and the budget for 2020/21 adjusted to replace the reserves.

It was

### **RESOLVED:**

To approve the draft budget totalling £441,638.00 (a zero percent increase).

### **93 DEFRA LANDSCAPE REVIEW CONSULTATION**

Council considered a draft response to the DEFRA Landscape Review Consultation, noting the draft response of the Broads Authority as contained within the agenda papers. The Town Clerk advised that the consultation contained a number of questions but not all of these had to be responded to – only those which responders considered relevant or had a view point on. He had highlighted areas covering governance and designation.

Members noted that the Broads Authority was seeking to increase / widen the boundaries of the designated National Parks area which would see whole towns / villages encapsulated. This would mean all of Thorpe St Andrew would fall within the BA's control. In formulating the draft response, the Town Clerk advised he had consulted the Town Mayor. Reference had been made to the complaint made by the BA about the Town Council over the issue of the research which had been undertaken over the past year and this had been reflected in the response regarding resilience. The Town Council's draft

response focussed on questions 13, 15 and 19 and Members were encouraged to submit individual responses via the website if they wished.

Regarding the proposal to extend the boundaries, Members commented that the Town Council was dissatisfied with the BA's current performance and therefore questioned its ability to take on more areas of responsibility.

Concern was also expressed at the appointments made to the BA which included many people outside of the current administrative area, eg representatives appointed by DEFRA. In addition, appointees were unelected and therefore unanswerable to the electorate. Furthermore, the BA was considered to be too remote, particularly for dealing with planning applications when applicants needed to speak to case officers direct and also distant to the communities it served.

The Town Clerk advised that the District Council was similarly resisting the increase in boundaries. He also advised that parish council representatives were appointed to other National Parks in the country, but not the Broads Authority, albeit this did not currently have National Parks status. The Chief Executive of the BA had actually commented he did not wish to see any local representatives on the BA as he considered this did not work. However, Members were of the view that town / parish council representatives should be appointed or alternatively, all of the representatives should be directly elected.

In terms of the finances, Members were concerned to read that the Broads

Authority wanted to reduce audit, procurement trails etc thereby having less transparently and accountability. Members had the opposite view and considered that the authority should be held to greater levels of accountability.

In conclusion, Members concurred with the draft response in general but requested that the wording regarding governance be strengthened and 13(a) be amended by adding the words “urgent and significant“ so it read “...requires *urgent and significant* improvement to its governance and accountability”.

**RESOLVED:**

to delegate authority to the Town Clerk, in consultation with the Town Mayor, to submit the Town Council’s response as contained within the agenda papers and as amended above.

**FUTURE AGENDA ITEMS**

*The meeting closed at 8:50pm*

*Signed:* .....

*Dated:* .....