



MELTON PARISH COUNCIL

MPC(18)M07

Melton Parish Council

Minutes of the Meeting of Melton Parish Council held on Wednesday 28 November 2018 commencing at 19:30 at the Burness Parish Rooms, The Street, Melton IP12 1PW.

Present:

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| Cllr Mr A H Porter (Chairman) Cllr Mrs B Abbott Cllr Mr B Banks Cllr Mr N Brown Cllr Mr A G Corston Cllr Mrs C Gradwell | Cllr Mr P Groom Cllr Mrs E J G Hilson Cllr M Holmes Cllr Miss K S Martin Cllr Mr C W Taylor |
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Absent:

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| Cllr Miss E A Barrington | Cllr Ms J Whitworth |
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In Attendance:

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| District Cllr Mr J Bidwell Mr W J Grosvenor <i>Clerk to Melton Parish Council</i> | 2 members of the public |
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| | PART ONE – OPEN TO THE PUBLIC |
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| 18.114 | TO RECEIVE APOLOGIES FOR ABSENCE Apologies for absence were received from Councillors Barrington and Whitworth. Apologies were also received from County Councillor Alexander Nicoll. |
| 18.115 | DECLARATIONS OF INTEREST |
| 18.115.01 | To receive Amendments to the Register There were no amendments to the Register. |
| 18.115.02 | To receive Declarations of Pecuniary Interest in Respect of Items on the Agenda There were no declarations of Pecuniary Interest in respect of Items on the Agenda. |
| 18.115.03 | To receive Declarations of Non Pecuniary Interest in Respect of Items on the Agenda There were no declarations of Non Pecuniary Interest in respect of Items on the Agenda. |

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| 18.115.04 | <p>To Consider Full / Partial Dispensations for Pecuniary Interests Declared</p> <p>It was noted that there had been no requests for dispensation for Pecuniary Interests declared.</p> |
| 18.116 | <p>PUBLIC PARTICIPATION SESSION</p> |
| 18.116.01 | <p>Short presentation by Mr Nicholas Newton, Arboriculture and Landscape Manager, Suffolk Coastal DC, on the process of decision-making on both Tree Preservation Orders (TPO) and Trees in Conservation Areas (TCA) Notices</p> <p>Mr Newton explained the differences between a TPO application and a request to carry out works to a tree in a conservation area. With a TPO it is an application for permission; with a TCA the applicant serves a Notice of intent on the Council, which it has 6 weeks to determine. If the Council does nothing then the applicant can go ahead with the works within 2 years. If the Council objects, it then has to serve a full TPO – so the tree has to qualify for that status. In a sense the applicant is daring the Council to serve a full TPO. To justify that however, the tree has to have significant public amenity benefit – so if e.g. a small tree in a small back garden there cannot be any justification for serving.</p> <p>In case of both TPO applications and TCA Notices, there are works that can be carried out without the need to apply or serve a Notice.</p> <ul style="list-style-type: none"> • Removal of dead wood • Removal of diseased trees / limbs • Removal of an imminently dangerous tree that is unlikely to survive the notice period <p>It appears there is also exempt from both requirements the need to mitigate nuisance. There has been a suggestion in a book by Charles Mynors QC, <i>The law of Trees, Forests and Hedges (2011)</i>, that a tree overhanging a boundary is a private nuisance in law. That might extend to trees in a conservation area and trees covered by TPOs. Works to abate a nuisance must not kill a tree or cause it to become unsightly, but they can make the tree look out of shape and unsightly. However Dr Mynors' theories have not been tested in court.</p> <p>Mr Newton set out the different categories of TPOs:</p> <ul style="list-style-type: none"> • Protection of an individual tree • Served as a Group TPO, but has to specify e.g. 4 x oak, ash, cherry etc. If any other unnamed tree is within that group then it is not covered. Also trees that were not there when the TPO was granted are not covered either. <p>All old group TPOs (like TPO 25 which covers part of Melton) should be resurveyed but there is no resource to undertake that. Where exercises have been undertaken, some 25-30% of TPOs have been removed.</p> <p>In response to a question from Cllr Gradwell about the recent Charter for Trees, Woods and People, Mr Newton stressed the importance of local knowledge in helping the planning authority make decisions on trees. However it should be borne in mind that, where the authority refuses consent and there are uninsured losses arising as a direct result, then the authority may be liable.</p> <p>Cllr Martin asked why people are allowed to build houses too near trees. Nowadays they will not be allowed to; technical guidance is in place on this. In answer to a question on the penalties for destroying a protected tree, Mr Newton said that the maximum fine is £20k. The prosecution has to pass the public interest test – the loss has to be significantly harmful to public</p> |

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| | <p>amenity. He closed with the example of the Poole Harbour case, where a homeowner paid a third party to chop down a neighbour's tree that was blocking his view of the harbour. Not only was there a substantial fine, but the owner was also prosecuted under Proceeds of Crime legislation in relation to the additional value of his home with the view secured.</p> <p>Cllr Porter thanked Mr Newton for coming to the meeting and for his helpful and clear presentation.</p> |
| <p>18.116.02</p> | <p>To receive the reports from County and District Councillors</p> <p>District Councillor Jim Bidwell reported as follows:</p> <ul style="list-style-type: none"> • The boundaries for the Wards in the new East Suffolk District Council have been set; Melton will stand alone represented by one Councillor. • Town councils can apply for free parking in two hour slots in the run up to Christmas to boost High Street sales. • Although it has been argued that the vacant Melton Hill parking spaces could be used to help parking capacity for Woodbridge, this has been rejected on insurance grounds. • Universal Credit is being rolled out in the Woodbridge area. • There is a review of polling station capacity for the District; Melton may get an additional station. • Green bins are being rolled out to replace brown bins. • The official opening of the Deben Leisure centre has taken place. • Woodbridge Skate Park is set to expand. • Two elderly shelters on the Felixstowe seafront have been restored. • There is an £87,500 fund available to assist people discharged from hospital to live at home. • Part of Kelsale is now a Conservation Area. • The revised planning application for the Melton Hill, Woodbridge site has now been refused. • Therese Coffey MP will be at Campsea Ashe Station at 15.30 on Friday 30 November to talk about Brexit. <p>Cllr Taylor took the opportunity to thank Cllr Bidwell for his grant towards the "Beacon of Light" event, which was very successful.</p> <p>County Councillor Alexander Nicoll previously supplied a report which was read out by the Clerk:</p> <ul style="list-style-type: none"> • Cllr Nicoll has continued to press for the promised introduction of a 30mph speed limit for the whole length of Woods Lane and the new signage will be installed soon. <i>[It was reported by a Parish Councillor that the installation was actually underway.]</i> Cllr Nicoll will also press for resurfacing as soon as the settling of the large sewer trench allows. • The third stage consultation for the Sizewell C project starts in January 2019. Parishes that raised concerns in the second round consultation in 2017 should raise them again this time around. • Cllr Nicoll now chairs the cross party East West Railway Eastern Group, which is connected to a wider project looking at connectivity between the East of England and Oxford / Midlands area. They are looking to improve the frequency of services to Cambridge and Peterborough and enhance the freight capacity to support the port of Felixstowe. A copy of the prospectus will be supplied when prepared. • He is also a member of the Great Eastern Main line (GEML) Task Force looking at improvements to both quality and frequency of rail journey times between Norwich, Ipswich and London. This group is led by the region's MPs, together with some councillors and representatives of Network Rail, Greater Anglia and the DoT. <i>[A</i> |

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| 18.119 | <p>TO CONSIDER APPOINTMENT OF CLLR GROOM TO PLANNING & TRANSPORT COMMITTEE It was RESOLVED to appoint Cllr Groom to the vacancy on Melton's Planning and Transport Committee. <i>Proposed by:</i> Cllr Porter <i>Seconded by:</i> Cllr Abbott</p> |
| 18.120 | <p>TO RECEIVE AND CONSIDER REPORTS AND MINUTES OF COMMITTEES</p> |
| 18.120.01 | <p>Finance, Employment and Risk Management Committee 10 October 2018 Minutes FRM(18)M03 (Draft) previously distributed were received and NOTED.</p> |
| 18.120.02 | <p>Planning and Transport Committee 17 October 2018 Minutes PLA(18)M08 previously distributed were received and NOTED.</p> |
| 18.120.03 | <p>Recreation Committee 7 November 2018 Minutes REC(18)M06 (Draft) previously distributed were received and NOTED.</p> |
| 18.121 | <p>TO CONSIDER FINANCIAL AND INTERNAL CONTROL MATTERS</p> |
| 18.121.01 | <p>To receive and consider the Financial Management reports for the period 1 April 2018 to 31 October 2018 Papers MPC(18)121.01 and MPC(18)121.01(a-g) were received. The Clerk took Members through the financial position at the end of October 2018. Overall income for the year continues to run at about £20k over budget, whilst at the end of Period 7, expenditure was also running at about £20k over budget. However expenditure, without being inflated by the throughput of grant monies not envisaged when the budget was set, would be about 50% of the original budget rather than the 73% shown on the income and expenditure statement. As at 31 October, after allowing for unpresented cheques, cash at the Council's three bank accounts totalled £201,929.32. It was AGREED to NOTE the report.</p> |
| 18.121.02 | <p>To approve and accept the audited Annual Governance and Accountability Return for the year ended 31 March 2018 Paper MPC(18)121.02 previously distributed was received. The Clerk reported that the External Auditor had signed off the 2017/18 Annual Return on 27 September, too late for it to be brought to the September meeting of Full Council, as was the normal practice. Also the External Auditor's report contained an erroneous qualification to the Annual Governance and accountability Return in that it alleged that, contrary to the Regulations, Section 2 was approved before Section 1. A look at both Section 1 and Section 2 of the return makes it clear that was not the case. This has been pointed out to the Auditor, and an apology received, but the auditor has declined to reissue the report. The Return, including the auditor's report, has been published together with the email apology to comply with the legislation. Following discussion it was RESOLVED to approve and accept the audited Annual Return, to be read together with the email apology. Councillors expressed at the same time their complete dissatisfaction with the performance of the External Auditor. Cllr Gradwell to raise that with SALC for onwards transmission to NALC. <i>Proposed by:</i> Cllr Brown <i>Seconded by:</i> Cllr Corston</p> |

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| <p>18.121.03</p> | <p>To consider the draft Budget 2019/20 Paper MPC(18)121.03 previously distributed was received. The budget was revised following the meeting of Budget Working Group on 21 November and the paper distributed reflected the changes proposed. Budgeted income for 2019/20 is £91.8K and budgeted expenditure £103.4k. The budget reflects the proposed precept to be claimed for 2019/20 of £77,998. This is made up of the charge for a Band D property in 2018/19 (£43.75 x 1,774.44 Band D equivalent dwellings) plus 2.2% to reflect CPI inflation. This will be put to Full Council for a formal decision on 9 January 2019. It was AGREED to adopt the draft budget provisionally, to be further reviewed at the budget setting meeting in January 2019.</p> |
| <p>18.121.04</p> | <p>To consider recommendations from Finance, Employment and Risk Management Committee re its Terms of Reference Paper MPC(18)121.04 previously distributed was received. Full Council considered the recommendation to change the wording of Terms as follows:</p> <ul style="list-style-type: none"> • To delete Term (viii) <i>Authorisation of all payments within budget</i> • To delete Term (xix) <i>To manage all aspects of Council communications</i> • To delete Term (xx) <i>To manage the Council’s communications strategy</i> • To delete Term (xxiii) <i>To manage the Committee communications within the Council’s Communications Strategy</i> • To replace Terms (xix), (xx) and (xxiii) with: <i>To have oversight of the Council’s business plan and communications strategy</i> • To delete Term (xxiv) <i>To manage new projects</i> • To replace Term (xxiv) with: <i>To have oversight of financial aspects of new projects.</i> <p>It was RESOLVED to make these changes. Proposed by: Cllr Gradwell Seconded by: Cllr Banks</p> |
| <p>18.121.05</p> | <p>To receive a further report on Grant giving for the current financial year Paper MPC(18)121.05 previously distributed was received. Following discussion the following actions were AGREED:</p> <ul style="list-style-type: none"> • To confirm the proposal by Budget Working Group to reduce the Grants budget by £500.00 and make no further grants in the current financial year. • In future years the Council will revert to its former policy of making grant payments in the autumn only. The <i>Melton Messenger</i> in September of each year will advertise the availability to local groups, and they should seek an application form from the Clerk in time to complete and return it before the October meeting of Finance, Employment and Risk Management Committee. • Payment of the budgeted grant for 2018/19 for the <i>Melton Messenger</i> of £1,100.00 to be made before Christmas. • There needs to be a clear written agreement or understanding between Melton Parish Council and the Parochial Church Council of St Andrews in relation to the Melton Messenger as a basis for grant giving in the future. Cllr Brown to broker this with the PCC. |

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| 18.121.06 | <p>To receive a report on the Council’s banking arrangements Paper MPC(18)121.06 previously distributed was received. The Clerk went through the issues with Members. Because the Council’s turnover on its Barclays accounts now exceeds the threshold for free community banking, charges are being imposed on all transactions involving cheque payments and face to face transactions. Attempts to engage with Barclays over setting up internet banking involving the use of multiple signatories have not been fruitful. Enquiries of Lloyds Bank suggest that their not-for-profit banking might be more helpful, given their use of UK call centres and helpful literature. In the longer term the Council could do away with one of its Barclays accounts, transfer more reserves to the Ipswich Building Society and operate most of its day to day business via Lloyds. As a first step however, it was RESOLVED to authorise the Clerk to set up a Not-for-Profit account with Lloyds Bank, with two signatories (Councillors porter and Gradwell) with the Clerk as Administrator.</p> <p>Proposed by: Cllr Brown Seconded by: Cllr Martin</p> |
| 18.121.07 | <p>To receive and consider revised Standing Orders for adoption Paper MPC(18)121.07 previously distributed was received. The Clerk explained that this revised set of Standing Orders (Version 9) had been considered by Finance, Employment and Risk Management Committee at its meeting on 10 October and was recommended to Full Council for adoption. It was RESOLVED to adopt Version 9 of the Council’s Standing Orders with immediate effect.</p> <p>Proposed by: Cllr Brown Seconded by: Cllr Porter</p> |
| 18.121.08 | <p>To receive revised accounts for the Melton Fete 2018 and agree distribution of revised sums Paper MPC(18)121.08 previously distributed was received. The revised accounts were AGREED and distribution to beneficiaries confirmed as follows:</p> <ul style="list-style-type: none"> • Melton Primary School - £265.06 • Burness Parish Room - £265.06 • St Andrews PCC - £265.05. <p>Clerk to action payments accordingly.</p> |
| 18.122 | <p>TO RECEIVE AN UPDATE ON THE PURCHASE OF UNIT 17, RIDUNA PARK AS A MEETING ROOM / PARISH OFFICE The Clerk reported that loan approval was received from the Ministry of Housing, Communities and Local Government on 8 November, and on 26 November, approval for the transaction was received from the Public Works Loan Board. The money will be transferred to the Council’s nominated account in the week commencing 3 December. The intention is to both exchange contracts and complete before 31 December.</p> <p>It was NOTED that the building will need to be insured from the date of exchange of contracts, and the Clerk will liaise with the Council’s insurers accordingly.</p> |
| 18.123 | <p>TO CONSIDER A DRAFT COMMUNICATIONS POLICY Paper MPC(18)123 previously distributed was received. This was previously considered by Finance, Employment and Risk Management Committee at its meeting on 10 October and the wording of the draft policy was commended to Full Council for adoption as part of the Business Plan. Following discussion it was RESOLVED to adopt the text as set out in the paper.</p> <p>Proposed by: Cllr Martin Seconded by: Cllr Porter</p> |

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| 18.124 | CONSULTATION ON AIR QUALITY IN SUFFOLK The East Suffolk 2018 Annual Status report is now published on the Suffolk Coastal website. There are only two declared Air Quality Management Areas in Suffolk Coastal – one at the St John's Street / Melton Hill / Thoroughfare junction in Woodbridge, and the other at Stratford St Andrew. It was AGREED to NOTE the report. |
| 18.125 | TO RECEIVE THE FINAL RECOMMENDATIONS OF THE ELECTORAL REVIEW OF EAST SUFFOLK It was NOTED (as reported by District Councillor Bidwell at Minute 18.116.02) that the recommendation for Melton is that it will stand alone as a Ward, represented by one Councillor. |
| 18.126 | TO CONSIDER RISK ISSUES Paper MPC(18)126 previously distributed was received. The key risks were NOTED and remitted to Finance, Employment and Risk Management Committee for more detailed review. |
| 18.127 | REPORT ON HANDYPERSON ACTIVITIES Nothing specific to report except that praise for Phil's helpfulness has been received recently from two separate residents. |
| 18.128 | COUNCILLOR TRAINING Cllr Banks attended the two day training course for Councillors on 8 and 15 November. |
| 18.129 | TO RECEIVE AND CONSIDER REPORTS FROM REPRESENTATIVES TO OUTSIDE BODIES |
| 18.129.01 | Burness Parish Room Management Committee Nothing to report. |
| 18.129.02 | Melton Trust Cllr Martin reported that the first meeting this year took place on 23 October 2018 and the next meeting will take place in week beginning 3 December. |
| 18.129.03 | East Suffolk Rail Partnership Paper PLA(18)134.02 previously distributed was received and NOTED . |
| 18.129.04 | Melton Primary School Cllr Martin reported that the school will unfortunately be losing two teachers at Christmas. |
| 18.129.05 | Melton Messenger The December / January edition has been published. The deadline for the February edition will be mid-January. |
| 18.129.06 | ASB Meetings Cllr Holmes reported that the last meeting was cancelled. The next one will be on 6 January 2019. |
| 18.129.07 | Sizewell C and EDF Community Forum The 3 rd stage consultation begins in January 2019. The next Forum will take place in January 2019. |
| 18.110.08 | Suffolk Association of Local Councils Cllr Porter will attend the next meeting which takes place on 3 December. |
| 18.130 | TO CONSIDER ITEMS FOR THE MELTON MESSENGER Any items for inclusion in the February 2019 issue should be available by mid-January. |

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| 18.131 | CHAIRMAN'S URGENT BUSINESS |
| 18.131.01 | <p>Purchase of Fido bins In view of recent problems with overflowing Fido bins Cllr Porter suggested that capacity should be doubled at the locations on the Playing Field and Leeks Hill and that consideration should be given to reviewing the budget accordingly. Concerns were expressed that Suffolk Coastal Norse are not keeping to the collection schedules. These will be monitored by the Handyperson, and the Clerk to liaise with Cllr Bidwell to obtain details of the officer responsible for clienting the contract to obtain more information.</p> |
| 18.132 | <p>DATE OF NEXT MEETINGS The next ordinary meeting of Full Council will take place on Wednesday 9 January 2019 at the Burness Parish Rooms, The Street, Melton IP12 1PW, commencing at 19:30. Cllr Taylor offered his apologies in advance for that meeting. There being no further business the meeting closed at 21.45.</p> |