

**MINUTES OF THE HILGAY ANNUAL PARISH COUNCIL MEETING  
HELD 7 MAY 2009**

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The above Meeting was held at Hilgay Village Hall, commencing immediately after the closure of the Annual Residents Meeting.

At the Annual Residents Meeting Mr G Carter was re-elected as Chairman, and Mr Houghton was re-elected as Vice Chairman.

**PRESENT:** Mr G Carter, Mr Houghton, Mr P Carter, Mr Wills, Mr Dawe, Mr Higgins, Mr Bradley, Mr Bates, Mr Martin, Mr A Dent, and 2 Members of the Public.

**1. APOLOGIES FOR ABSENCE** - Mrs Charlesworth, Mr Gordon, and Mr D Dent

**2. DECLARATION OF INTEREST IN ITEMS ON THE AGENDA**

Mr G Carter, Mr Houghton, Mr Wills, and Mr Bates – as Members of the Feoffee Charity - Under Item 6b

**3. TO CONFIRM THE MINUTES OF THE PARISH COUNCIL MEETING HELD ON 5 MARCH 2009**

The Minutes were duly agreed and signed as a true record by the Chairman.

**4 TO REPORT MATTERS ARISING FROM THE MINUTES**

Proposed Felling of Jubilee Woods – March Update - BCKLWN have not received planning application as yet.

April Update – no application has been submitted to the BCKLWN as yet.

May Update – nothing to report

River Field toilets - in poor condition. BCKLWN have advised that the toilets are now closed for the winter season. The matter will be considered in the Spring. Clerk requested to raise the following:-

1. Works need to be carried out before commencement of the Spring season.

2. Cost of repairs and maintenance are included in Resident's Council Tax liability.

March Update: Response from BCKLWN - *'In light of the present review of services we are looking at our capital projects for next year, however Hilgay is still close to the top of list (3<sup>rd</sup>) so will have some works carried out once we have had our budgets finalised I will be able to make a decision on what works are carried out and when.'*

April Update: BCKLWN review is still underway.

May Update: No decision made as yet.

Dirt Bike Riders using Right of Way – request to be made to NCC for a kissing gate to be erected at the A10 end of the Right of Way. Mr Bates to assist the Countryside Access Warden with this issue.

May Update - Countryside Access Development Officer has tried to redirect this as a Police matter. Clerk has insisted he contact Cllr Bates to discuss this matter further.

Land at Sandy Lane – Extract of letter from MacFarlane, Solicitors dated 1997:

*'I hope that I have shown that the Parish Council has no Rights in respect of the Common Land nor any right to take vehicles on the public bridleways in the vicinity of the Common Land. For the avoidance of doubt I do just mention additionally that the general public do not have any Rights of Access over the Common Land and they would be trespassing if they entered onto the Land. This is because there are no Rights registered and because the Common did not fall either within the Borough or Urban district prior to the Local Government Reorganisation in 1974. Concerns were raised that the general public do not have any Rights of Access over the land at Sandy Lane.*

Clerk requested to raise this matter with the NCC Countryside Access Warden.

May Update: Response from David Mills, NCC Countryside Access Development Officer dated 5.5.09

*'This was probably all correct when it was sent in 1997, but is no longer the case. Some elements remain correct, such as access to the common. There are no public vehicular rights of access to the common, there are only bridleways leading to it. I cannot comment as to whether there are private rights to go down the same tracks, obviously the owners of adjacent land have their own private rights of access in vehicles, but the general public cannot go down there. The owner of the common could take vehicles to the common to cut the hay, as could anyone with permission of the owner.*

***However, the bit that concerns you most has changed since 1997.***

***Under the Countryside and Rights of Way Act 2000 ( CROW ), all registered common land has become "open access land", giving the public, on foot, a right of access for open air and exercise.'***

Mrs Charlesworth (in her absence) has requested any update be forwarded to Mr Charlesworth (the land owner).

#### 4 contd ..

The Green, Manby Close - vehicles driving across the Green. Clerk to advise the landowners – the BCKLWN, who have dealt with this problem in the past.

May Update – BCKLWN are investigating with a view to reporting this to the Enforcement Team. Open Spaces Manger has advised: Residents witnessing vehicles being driven over the Green should call the PCSO Team on 0845 456 4567 as the culprits are breaking the law and it is classed as anti-social behavior. Details to be placed in the Riverside News.

Fen Riverway – dog fouling issues. Clerk has spoken to dog owners in the Village, non Residents may also be using the walk, which is well known publicly.

May Update - Issue is still being monitored. Further discussions have taken place with a Ten Mile Bank Resident following a further complaint from a Resident who witnessed a dog owner contravening the dog fouling regulations.

Station Road - dyke culvert blocked. Highways have advised that as the rainwater is not coming off the road it is not a highway issue. Dyke owners have a duty to clear the dyke – Parish Council need to approach the landowner. Chairman advised he would contact the landowner with a view to digging out the dyke.

April Update – IDB have undertaken digging out works. Residents not satisfied with works and have raised further complaint with the IDB.

**Clerk requested to advise contractor responsible for the dyke that the dyke has been incorrectly dug, making the water run in the wrong direction and dyke has not been dug out deep enough.**

Planting to War Memorial & Village Sign Area – It was unanimously agreed that Mrs Charlesworth should purchase lavender plants for these 2 areas.

May Update from Mrs Charlesworth: Additional Box has been planted at Village Sign area. Lavender are doing well.

War Memorial - will need 50 plants. would prefer to plant more mature plants to get things going – cost about £2.50 - £3 per plant. 2/3 hours help with digging over the soil and planting the Lavenders is required. (Plants need to be planted at end of May at the latest).

A general discussion took place on this matter – it was proposed to plant Lavender at each post, and to add colour using bedding plants. **Held over.**

#### HIGHWAYS MATTERS

Modney Bridge Road/A10 - numerous complaints about unmarked/unlit junction, and adjacent farm entrance reflector posts causing confusion. Safety audit has previously been carried out and junction was deemed clearly marked. Logged with Highways.

April Update: Highways have advised that the road markings are designed to lead vehicles to the junction, and the the directional sign is centred to the junction. Clerk insisted reflector posts at farm entrance are causing confusion at night, and requested Highways visit the junction again at night.

Station Road Crossroads – road surface marked up for repair 4 months ago. Works scheduled, but no definite date set as yet.

Stocks Hill Parking Bays – Raised again with Highways. Clerk again requested to report need to relocate drain (rain water flows straight past the drain).

Reported Potholes - Re-report the following

Modney Bridge Road

Church Road (outside St Mark's Church) – repair breaking up. Temporary repair is sub standard.

Road sunk around drain outside No.19 Station Road – flagged as urgent. Temporary repair is sub standard.

#### 5 CORRESPONDENCE RECEIVED

13<sup>th</sup> BCKLWN – How to make a complaint about a Councillor – Guidance booklet

26<sup>th</sup> BCKLWN – Dog Waste Bins Audit. 2 Dog Litter Bins at Hilgay plus 1 at Ten Mile Bank. **Clerk has completed and returned the Survey to the BCKLWN**

26<sup>th</sup> Downham LAG – Minutes of 13.3.09 Meeting

31<sup>st</sup> BCKLWN Standards Committee – Minutes of 24.3.09 Meeting. Next Meeting 22.6.09.

APR

14<sup>th</sup> Southern Area Road Safety Committee – 5.3.09 Minutes & 7.5.09 Agenda

14<sup>th</sup> Downham & Villages In Transition – Information booklet

14<sup>th</sup> NCC have created a Clerk's only email address and direct dial number for Parish Council enquiries.

## 5 Correspondence contd ..

APR

- 15<sup>th</sup> Norfolk Assoc of Local Councils – Norfolk Link Issue 170
- 15<sup>th</sup> BCKLWN – Council Meeting Agenda for 23.4.09 Meeting
- 17<sup>th</sup> Equality & Human Rights – Public Sector Equality Duties
- 29<sup>th</sup> Norfolk Playing Field Assoc – Newsletter Spring 09
- 30<sup>th</sup> Norfolk Police Authority Policing Plan 2009-12

### Consultation

NCC – Local List Validation Requirements. New standard form been introduced by the government. New information requirements for the validation of applications (these requirements are detailed in a Local List) which can be viewed/downloaded at [www.norfolk.gov.uk/locallistconsultation](http://www.norfolk.gov.uk/locallistconsultation) - Deadline for comment 22.5.09.

### Meetings

27 Apr 09 at 6pm at BCKLWN Kings Court Council Offices Local Government Re-organisation - To give details of the Judicial Review Appeal Court outcome and to provide information on the Boundary Committee's 19 March 09 restart to their Consultation. Further Draft Proposals: A Norfolk Unitary Authority comprising the existing county of Norfolk / A Greater Norwich Unitary Authority and a Rural Norfolk Unitary Authority comprising of the rest of the county of Norfolk. Deadline for response is 14.5.09. **Clerk has reconfirmed the Parish Council objection to the Unitary Authority Proposal.**

Full report can be viewed at [www.electoralcommission.org.uk/boundary-reviews/all-reviews/](http://www.electoralcommission.org.uk/boundary-reviews/all-reviews/)

## 6 ACCOUNTS & FINANCE including the following Financial Matters

### 6a FINANCIAL MATTERS TO REPORT

Maintenance Equipment – Lawnmower needs servicing. Sprayer leaking (advised Maintenance it must not be used until repaired or replaced). All maintenance equipment sent to Pecks of Ely for servicing, but long delay has been advised.

**It was unanimously agreed that future maintenance of the maintenance equipment should be undertaken by LB Machinery**

Playbark for Ten Mile Bank Playing Field – Quotation from Sportsafe (5.3.09) to Refill Bark to outdoor equipment £325.000 + VAT (this includes labour). **It was unanimously agreed that the Clerk will order the play bark, and refill will be carried out by the Ten Mile Bank Maintenance Officer.**

Annual Play Equipment Inspections are due in June 2009.

### 6b TO CONSIDER ANY REQUESTS FOR DONATIONS –

As members of the Feoffee Charity - Mr G Carter, Mr Houghton, Mr Wills, and Mr Bates abstained from discussions on the following request

Hilgay Feoffees Charity – request for contribution towards cost of updating Hilgay Village Hall

Works required include: @

New Heating	£3,220
New suspended ceiling	£1,000
New kitchen	£5,000 (without cooker)

The Hall Management Committee will be contributing some financial assistance for the above work.

(2008 works include re-roofing of Hilgay Village Hall @ £16,000, new heating and damp course at Ten Mile Bank Village Hall @ £1,811.

Clerk requested to obtain the following information:

1. What other sources of funding has the Feoffee Charity obtained for the above works.
2. What is the amount of finance that the Feoffee Charity is requesting from the Parish Council towards the works.

### 6c TO CONSIDER APPROVAL OF PAYMENT OF DUE INVOICES

	<u>As of 5 March 2009</u>	<u>As at 7 May 2009</u>
Community Account	£2,108.08	£4,247.12
Tracker Account	£45,071.01	£60,071.01
	<b>£47,179.09</b>	<b>£64,318.13</b>

### Monies In -

31.3.09	Allotment Plot 23	£5.25
14.4.09	BCKLN Precept	£20,240.00
20.4.09	Tedder – Advert in Riverside News (Apr 09)	£10.00

## 6c contd ..

### Monies Out (from 5.3.09 Meeting) Updated version of 5 March 09 Minutes

102061	A Scordellis Tx Mth 12 (2 Feb-1 Mar 09) 16hrs @ £7.88h=£126.08 less 20% tax=£25.22	£100.86
102062	A Scordellis – Expenses – materials for new noticeboard legs	£18.82
102063	SL Tedder Tx Mth 12 (3 Feb-3 Mar) 25hrs @ £10.36ph	£259.00
102064	W Asker – Expenses –Gloves and litter picker	£22.15
102065	W Asker Tx Mth 12 (9 Feb – 8 Mar 09) – 45mins @ £7.88ph	£5.91
102066	HSBC – Inv47899 – Printing of Riverside News, Feb 09 issue	£33.85
102067	BCKLWN Inv2235 – Dog Litter (1 Oct to 31 Dec 08)	£47.99
102068	Norfolk Playing Field Assoc – Annual Membership	£20.00
102069	SL Tedder – Expenses – BT Nov-Feb + Computer repair and purchase of database	£47.11
102070	Hilgay VC School – photocopying fees for Play Equipment Steering Group	£4.00
Salaries & Expenses for Staff (3) for March & April 2009:-		
102071	A Scordellis Tx Mth 1 (2-29 Mar) 28hrs @ £7.8ph=£220.64 less 20% tax=£44.13	£176.51
102072	Inland Revenue – A Scordellis contributions for Tx Mth 10,11,12	£85.90
102073	W Asker Tx Mth 1 (9 Mar-5 Apr 09) 5.75hrs @ £7.88ph	£45.31
102074	SL Tedder – Tx Mth 1 (4 Mar-1 Apr 09) – 25hrs @ £10.36ph	£259.00
102075	Zurich Insurance – Annual Premium	£1,117.51
102076	A Scordellis Tx Mth 2 (30 Mar-26 Apr 09) 36½ hrs @ £7.88ph=£287.62 less tax=£57.52	£230.10
102077	SL Tedder Tx Mth 2 (2-30 April 09) 25 hrs @ £10.36ph	£259.00
102078	A Scorellis – Expenses – paints & sundries for cemetery fencing	£36.25
Eon Electricity Direct Debit for March & April 09 @ £143.47		

### Invoices due for payment at this Meeting (7.5.09)

102079	MHB Services Inv 4536 – S/L Maint 13 Mar-12 May	£191.43
102080	Norfolk Assoc of Local Councils – Annual membership	£208.55
102081	Mole Control & Pest Services Inv 11135 – Mole Control to Cemetery (£80) & Playing Field (Jan/Feb)	£255.00
102082	SL Tedder – Expenses – new phone line installation=£26.89 + BT final bill on 380293=£8.20, Stamps=£4.95, Cemetery Markers=£8 + Office Rent for March 08-March09=£104, Internet Oct 08 to Mar09=£49.20 + BT Broadband for 1 Apr to 30 Jun 09 (discounted)=£4.62	£205.86
102083	NCC Inv1141787 – Allotment Rent Oct 08 to Apr 09	£1,020.00
102084	B Fox – Inv9057 – Internal Audit of Year End 09 Accounts	£80.00
102085	BCKLWN – Inv 2300 Dog Litter Emptying Jan – Mar 09	£47.99
102086	HSBC – Inv 48871 – Printing of Riverside News Apr 09	£33.00

### Notified Payments

102087	SL Tedder Tx Mth 3 (1-29 May) 25 hrs @ £10.36ph	£259.00
102088	A Scordellis Tx Mth 3 (27 Apr -24 May 09) 30 ½ hrs @ £7.88=£240.34 less 20% tax=£48.07	£192.27
102089	A Scordellis – expenses (petrol)	£10.00
102090	Key & Pell – herbicide	£76.65
102091	Grounds & Co – Inv12942 50% of Diocese legal fees on Hilgay Playing Field Lease	£280.00
Eon Electricity Direct Debit for May & June 09 @ £143.47		

**It was proposed by Mr Wills, seconded by Mr Houghton, and unanimously agreed to pay the above invoices.**

## **6d TO CONSIDER FENCING FRONT THE GREEN, AT AVENUE CLOSE - UPDATE**

Member of Public attended January Meeting to raise complaint that the works are not proceeding.

It was unanimously agreed to approach the BCKLWN with a view to undertaking the repairs.

Clerk to obtain repair quotation to be sent to the BCKLWN for consideration

D Nichols:

To taking down and disposing of old chain link fencing and timber posts and replacing with new galvanised core green plastic covered wire chain link fencing and concrete posts 1.2metres high as existing £2,800

or  
As above but using galvanised high tensile wire £3,400

Another quotation has been received, but with no contact details included – thought to be from a member of public, who thus may not have public liability insurance.

Mrs Charlesworth (in her absence) has forwarded the following comments:

Can the Parish Council continue to discuss this matter to achieve an appealing effective solution. Can the hedge proposal be revived? – as it is a positive eco benefit.

## **6e TO APPROVE THE YEAR END 09 ACCOUNTS FOR THE PURPOSE OF AUDIT**

Internal Audit has been carried out and Accounts approved. Copy of accounts circulated.

Internal Auditor has raised the following issues:

1. Riverfield Fun Day 2008 – was organiser public liability insurance provided? **Clerk confirmed to Internal Auditor that the Parish Council are aware that all events on the River Field require organiser public liability, and that evidence of insurance was obtained by the Clerk for this event.**
2. Signed blank cheque in cheque book. **Clerk advised that the cheque was not fully signed and therefore no risk.**
3. Market search for higher interest rates should be considered. **Clerk advised Internal Auditor that this had already been carried out.**
4. Queried whether All Saints PCC Loan Agreement had been signed. **Clerk advised that loan agreement was signed and stored with Lease documents.**
5. No notice of tax coding for W Asker. **Clerk advised the Internal Auditor that Inland Revenue have confirmed that there is no tax liability for Mr Asker, but that a P60 is completed, and he is included in the Annual Return of which evidence was provided for the internal audit.**
6. Bus shelters and street lights are not covered under the Insurance policy. **Clerk advised the Internal Auditor that Parish Council have removed these items from the Policy (despite being advised not to by the Clerk).**

Approval of Accounts and Agreement of the Effectiveness of the System of Internal Audit by the Parish Council is required before submitting to the Audit Commission.

### **System of Internal Audit**

1. All Invoices are submitted to Full Council for approval of payment at the relevant Parish Council Meeting
2. 3 Signatories on the Community Account (cheques) Vice Chairman – Mr R Houghton, Cllr Ali Dent, and the Clerk
3. At each Parish Council Meeting the following is reported:
  - Cheques issued from previous Meeting
  - Invoices due for payment
  - Balances of bank accounts
  - Monies received in
  - Financial matters to report
4. Annual Internal Audit is carried out by Barry Fox (retired Bank Manager) – who is totally independent of Hilgay Parish Council.

**It was unanimously agreed to approve the Effectiveness of the System of Internal Audit, Approve the Year End 09 Accounts, and for the Chairman to sign the Annual Return.**

## **7. PLANNING CONSULTATION – NOTIFICATIONS and DECISIONS and MEMORIAL HEADPIECES**

### **NOTIFICATION TO PARISH**

09/00528/F – Demolition of 2 Semi Detached Cottages and Construction of 2 Replacement Semi Detached Cottages on Alternative Site at Land at Martins Farm, Station Road, Ten Mile Bank. **Parish Council Approved.**

5 May 09 – Planning Officer has advised: received some amended plans which are showing on the internet. There are no changes to the dwellings but they have shown that they intend to raise the site level in order to comply with the Flood Risk Assessment. Closing date 12<sup>th</sup> May 2009. **Re-approved.**

09/00481/F – Erection of Conservatory for Domestic Use at Magnolia Cottage, Engine Road, Ten Mile Bank. **Parish Council Approved.**

09/00029/F – Construction of replacement dwelling at Bluebell Spinney, Hundred Foot Bank, Welney. **Parish Council Approved.**

### **NOTICE OF DECISION**

09/00289/F – Extension to dwelling following removal of existing conservatory at 2 Whittome Mill, Hilgay. Parish Council Approved. **BCKLWN Permission Granted**

09/00139/RM – Reconsultation.

Construction of 2 Dwellings at land south of Church Farm, Church Road, Ten Mile Bank. Parish Council Approved. Reconsultation received 4.3.09 due to receipt of barn owl and bat Survey. Need reconfirmation of approval. Parish Council Approved subject to window overlooking adjacent property (Pigs Might Fly) has frosted glass fitted to it. **BCKLWN Approval Granted**

## 7 contd ..

### APPEAL TO THE SECRETARY OF STATE

APP/V2635/A/09/2101629/WF (08/02435/F) Construction of Dwelling at Land North of Pingle Villa, East End, Hilgay.  
Closing date for comment 26 May 2009.

### Memorial Headstones

Hanchets – Burial has not gone ahead, but memorial plaque decision is to be held on file.

## 8 TO CONSIDER GRAVE SPACING PROPOSAL AT HILGAY PARISH CEMETERY

Emmersons have advised that they now use ground anchors to secure their memorial headstones. These ground anchors require 'virgin' soil to be successful. Proposal is that 2ft is added to each grave space totaling 9ft , with only 7ft dug. This will ensure that headstones will not tilt or slip in the future. **Held over until July 2009 Meeting.**

All Grave Spaces will be marked by the Parish Council prior to digging out to prevent the continuance of misalignment of headstones and plaques.

A new regulations board is to be installed at the Cemetery

Clerk has not received any response from families requested to contact the Parish Council in respect of tilted headstones. **Held over until July 2009 Meeting whereby Councillors will try to assist with contact details.**

## 9. HILGAY PLAYING FIELD: SIGNATURE OF LEASE, REPORT FROM PLAY EQUIPMENT STEERING GROUP, & YOUTH SHELTER COMMITTEE – finalisation of location

Renewal of Playing Field Lease - In hand. Draft Lease has been checked by Parish Council Solicitors and approved by the Parish Council with two amendments – Lease has been reduced to 15 years, and Youth Hut has been amended to Youth Shelter. **It was unanimously agreed that the Chairman and Vice Chairman should sign the Lease.**

Youth Shelter - In hand. PCSO Claire Line and the Chairman had a onsite meeting prior to this Meeting to conclude location. Clerk requested to send letter of agreement for the youth shelter to PCSO Claire Line (who has taken over this project from NCC Children Services).

### New Play Equipment at Hilgay Playing Field and Ten Mile Bank Playing Field

The Steering Committee have several grant applications in hand for the Hilgay Playing Field play equipment. The Chairman advised that the Steering Group is making excellent progress and are to be congratulated on their efforts.  
May Update:

Anita Stewart attended this Meeting to present an updated Report.

BCKLWN have approved a £15,000 grant, the Parish Council have agreed a £5,000 grant. Awards for All Grant for £10,000 was refused due to massive oversubscription, but a new application invitation has been offered. The Wren application is still in hand (very complex application process), and a grant application is to be made to Grass Roots for £5,000. An open day was held at the school to ascertain the pupils opinion on the proposed play equipment – most popular choice was a roundabout. The play equipment provider is to donate a oversized swing to the project. Soil left over from the foundations work will be banked up alongside the junior slide.

## 10 PUBLIC PARTICIPATION

Issues raised are noted under the relevant item in the Minutes.

## 11 HILGAY MATTERS

Riverfield Entrance – Update. Derelict buildings – if eyesore report to Enforcement, dangerous buildings should be reported to Building Control.

Road sweep – due in 4 weeks time.

Overgrown allotment – in hand.

Gate at Steels Drove – no action. Report again.

## 12 TEN MILE BANK MATTERS

Station Road – pavement breaking up by Old Post Office and grass verge needs edging back from footpath.

Station Road verge – needs cutting. TMB Maintenance Officer to undertake. Clerk requested to write to resident who is dumping garden refuse on the verge. Verge is very uneven – needs topping up with soil.

Dog Fouling – Clerk requested to report Station Road resident who continually allows his dog to foul. Ten Mile Bank

**12 contd ..**

Village Sign – Proposal to undertake planting agreed in principle. Clerk to request TMB Maintenance Officer to cost the landscaping.

With no further business the Chairman closed the Meeting at 9.20pm.

2009 Meetings

2 July - Ten Mile Bank Village Hall ..

5 November - Ten Mile Bank Village Hall.

3 September - Hilgay Village Hall ..