

**Minutes of Martham Parish Council Meeting
held in the School Room, Methodist Church, Repps Road, Martham
on 15th July 2009 at 19:30 hrs.**

PUBLIC FORUM

The Chairman opened the public forum by welcoming eleven members of the public and Borough Councillor Barry Coleman. Apologies were received from Borough Councillor Mary Coleman, County Councillor Michael Carttiss and PC Cook.

The majority of the members of the public that attended did so to complain again about the closure of the passageway between Nursery Close and Black Street and to ask the Council to consider a written request from Mrs Meakin of Marsh Close to support proposed action by the Borough Council to seek a Compulsory Purchase Order of the land that provides the path. The agenda included copies of all the correspondence Mrs Meakin had sent in and was due for consideration during the Council Meeting that evening.

Many questions and statements were made concerning the history relating to the path and how the present situation had come about. Most of these repeated the same matters that had previously been aired during Public Forum meetings held on 20th August, 17th September and 17th December 2008

Mr Meakin said three authorities had let the residents down, allegedly:

- Norfolk County Council that did not adopt the Nursery Close footways despite giving written assurances in 1989 that it would do so and then failing to inform residents that adoption would not take place.
- Great Yarmouth Borough Council that had not properly carried out planning inspections of the site in the mid 1990's when the developer changed the layout giving rise to the Nursery Close footway not meeting standards suitable for adoption.
- The Parish Council that had misinterpreted information from the Land Registry when originally attempting to address complaints from residents of Nursery Close about litter and lack of cleaning.

Mr Meakin maintained that as these mistakes had been made it was incumbent upon those authorities to put the matter right.

The Chairman reminded residents of previous statements made by the Parish Council and County Councillor Carttiss that the current situation was the result of the illegal blocking of the Nursery Close passageway by a resident of Black Street who at the time did not own the path, and another resident who had erected gates across his driveway blocking the other half of the access route. The dispute arose directly from these actions concerning land in private ownership and as such the Parish Council had decided it was not in the general public interest to spend what was likely to be large sums of money trying to resolve a private land ownership dispute. He was now keen to address the current situation and if possible work with all parties to find a solution.

Very strong criticism was levelled at the Parish Council for not taking up the offer from Ingrams Builder of a gift of the Nursery Close end of the passageway when it was offered in August 2008 as this, they felt, was a critical turning point. Gordon London, former chairman of the Parish Council, maintained that Ingrams Builders had given the passageway to the Parish Council ten years ago. As there was no record of this transaction with the Land Registry and the offer was made again in August 2008 it appeared that any original offer could not have been followed up.

Questions were asked about what evidence had been obtained from reading the Parish Council minutes. The Chairman and Clerk explained that much to their regret there was no current record of minutes for the period April 1988 to March 2000 inclusive and that these appeared to have gone missing somewhere between six and nine years ago. There had been several different Clerks and Chairman since then and they had all been contacted and asked to carry out thorough searches for the records but to no avail. Extended apologies were given for this extremely unfortunate state of affairs. The minutes of the Council do exist from April 2000 to date.

In answer to another question it was explained that employment of a litter picker who used to clear the passageway of rubbish had stopped in September 2004 on financial grounds when he resigned.

Mrs Meakin urged the Council to support the residents and the Borough Council in its proposal to seek to obtain a Compulsory Purchase Order (CPO).

Councillor Barry Coleman summed up the position of the various local authorities as he saw it and concluded that residents who had a right of access through the passageway in their deeds would have to contribute to the costs of any CPO action.

Residents asked why the two street lamps on the path were still operating and the Clerk and Councillor Coleman agreed to investigate the matter.

The public forum ended at 20.27 hours and all the residents left the meeting other than Mr & Mrs Meakin, Mr G London and Mrs G Moore.

COUNCIL MEETING

Those Present:

Councillors: T Brookman; B Carberry; T Gates; M Horrocks; M Huke; B Huxtable, P Manifold; T Watson and B Wright.

Presiding: M Huke.

Clerk in attendance: Peter Dawson.

1. Apologies

Apologies were accepted from Councillors Beales and Jordan.

2. Declarations of Interest

Councillors Manifold and Wright declared a non prejudicial interest in item 11 as allotment holders.

3. Minutes of previous meetings held in on 17th June 2009 .

These having been circulated with the agenda it was resolved to AGREE the minutes. **Proposed by B Carberry, seconded by T Gates and unanimously agreed.**

4. Actions arising from the minutes

None.

5. Planning

5.1 The Chairman informed members that notice had been received on 14th July of a planning hearing concerning a proposal to demolish an asbestos contaminated bungalow at 49 Somerton Road and redevelopment of the site. The hearing was scheduled for 21st July at the Town Hall in Great Yarmouth and the Parish Council had been invited to send a representative. It was AGREED that Councillor Huxtable would attend on behalf of the Council.

5.2 The schedule of comments on planning applications received for consultation was approved. **Proposed by B Wright, seconded by T Gates and unanimously agreed.**

6. Correspondence

6.1 Letter No 108/2009 from Mrs A Meakin concerning the closed Nursery Close to Black Street passageway and the potential for the Borough Council to seek a Compulsory Purchase Order of the land in question. Members gave consideration to this matter taking into account all the points that had been raised during the Public Forum session. It was proposed that the Parish Council supports, in principle, the proposed action by Great Yarmouth Borough Council (as outlined in the letter from the Planning Officer to Mrs Meakin and dated 26th May 2009) subject to more information being obtained about the cost of the legal action, the likelihood of success and how long the process may take. **Proposed by P Manifold, seconded by B Carberry and unanimously agreed.**

It was further proposed that the Planning Officer be asked if Mr Fields of Rose Lawn needed and applied for planning permission to erect gates across the west end of his drive entering Black Street. **Proposed by P Manifold, seconded by B Carberry and unanimously agreed.**

6.2 Letter No91/2009 – Replacement Payphone, The Green.

It was AGREED to accept the current position and screen the new box once it has been installed. **Proposed by T Watson, seconded by T Gates and unanimously agreed.**

6.3 Letter No94/2009 – Invitation to Norfolk ALC Summer Conference. It was AGREED to send Councillor Brookman and the Clerk as delegates to the conference at which the Council will be formally presented with Quality Council Status. **Proposed M Huke, seconded by B Carberry and unanimously agreed.**

6.4 Letter No100/2009. Broads Authority Planning Forum. It was AGREED that Councillor Huxtable would attend on behalf of the Council.

6.5 Letter No 101/2009. It was AGREED not to send any representatives to the Community Connections organisational planning meeting.

7. Finance

The schedule of invoices circulated with the agenda was approved for payment subject to the addition of a payment of £177.99 to Berryman for recycling and attendance fees of £80.00 for two representatives at the Norfolk ALC Summer Conference as agreed in 6.3 above. **Proposed by P Manifold, seconded by T Gates and unanimously agreed.**

8. Footways/highways

It was noted that 'cul-de-sac' notices had been provided as requested at Deepdale Avenue and at the Cess Road end of Common Road .

9. Footpaths

9.1 The Clerk was asked to check who is responsible for maintaining the part of footpath No9 that Mr Cossey previously cut.

9.2 Councillor Manifold stated that the current use of footpath No7 did not following the correct definitive route and asked that this be investigated with Countryside Officer at NCC.

9.3 Councillor Manifold expressed the view that landowners were only required to 'restore' footpaths that had been cultivated or disturbed and not 'maintain and cut' them. The Clerk was asked to investigate this with Countryside Officer at NCC.

9.4 Councillor Watson reported that footpath No1 had been cut and 18 additional fishing swims had been provided along the bank of the River Thurne adjacent to the footpath.

10. Small Works

Nothing to report.

11. Allotments

Councillor Wright reported that some of the recently let plots that had been fully prepared before letting were already becoming overgrown. The members of the Allotments Working Party were

requested to adopt a uniform procedure of warnings leading to termination of tenancies that could be applied to everyone who did not maintain plots.

12. Personnel

Nothing to report.

13. Tree, Staithe Road, Scout site.

Councillor Huxtable reported that he had inspected the tree and it was dead. He was in the process of discussing a suitable replacement with the Tree Officer from the Borough Council. It was noted that the tree is on land leased to the Scouts and it was AGREED that once the advice was received the Scouts be asked to supply and plant a new tree under the terms of their lease.

14. Public Toilets

On reference back from the June meeting (page 416, paragraph 6.5.) the Borough Council had reported some further instances of vandalism and members were asked to consider the original request from the Borough Council to agree to earlier closing times for the toilets. Given the low number of incidents reported the Council AGREED to request that the existing opening hours be retained and that the fittings be updated to provide more vandal proof furniture.

15. Spring Flowers Planting Programme

Members considered a report suggesting further planting of spring bulbs in various locations around the village following the enhancements made last year. It was AGREED to make application to the Highways Department for permission to plant spring flowers at the following locations:

- The small green at the junction of Rollesby Road/Station Close/Playing Field Lane with mixed early, mid and late flowering daffodils.
- Six miscellaneous clumps of early, mid and late flowering daffodils along the roadside verges on the north side of Repps Road between Nos 118 and 146.
- The small triangular green at the junction of White Street and Back Lane with mixed colour crocuses.
- The small verges at the junction of Bosgate Rise and Repps Road with mixed colour crocuses.
- The small green at the north end of Hall Road near its junction with Hemsby Road with mixed early, mid and late flowering daffodils.
- The small triangular green at the junction of Staithe Road and Somerton Road with mixed colour crocuses.
- Around the welcome village signs on Repps Road, Somerton Road and Hemsby road with mixed early, mid and late flowering daffodils.

Proposed by M Huke, seconded by M Horrocks and unanimously agreed.

16. Play Area

Improvements in cleanliness had been noticed and Councillor Wright said that arrangements had been put in place for special cleaning. It was AGREED that further ad-hoc inspections would take place and that the topic would be placed on the agenda quarterly in future for regular consideration.

17. Repps Road Bus Shelter

Revised architects drawings of the proposed new bus shelter had been received and it was AGREED to accept the revised design and commission detailed drawings suitable for planning permission, building estimates and a grant application. **Proposed by P Manifold, seconded by B Carberry and unanimously agreed.**

18. Youth Activities

- 18.1 The Chairman reported on further meetings that he and Councillors Brookman and Carberry had had with Flegg High School and representatives of the Playing Field Trust concerning usage and management plans for the former Youth Club building. A meeting was also being arranged with the Police about dealing with low key but existing problems in the playing field area. The Chairman gave details of the aims, ambitions and management plans for youth related activities centring on the building which were outlined in the notes shown at appendix 'A'. He explained that all those involved had agreed to a Working Party being set up of Councillors Brookman, Carberry, Huke plus Colin Tungate of the Playing Field Trust. The aim now was to open the facility by September but this required a large amount of work including decoration, new equipment and safety checks of equipment. Having given details of finance available for the project he now recommended that the Clerk be asked to set up a special cost centre to record income and expenditure and that Standing Order No35a be waived to allow any three from four Councillors to authorise spending from the secured funding to ensure the project meets its opening deadline. The four named Councillors for this purpose would be T Brookman; B Carberry; M Huke and T Gates. **Proposed by P Manifold, seconded by T Watson and unanimously agreed.**
- 18.2 Consideration was given to the detailed terms of the surrender of the lease held by Norfolk County Council of the former Youth Club Building. It was AGREED to accept these terms and the Chairman and Clerk were authorised to sign the agreement to surrender the lease. **Proposed by T Gates, seconded by B Carberry and unanimously agreed.**
- 18.3 The Chairman presented a draft Child Protection Policy which he felt was essential as part of the Council's future management requirements of young peoples activities. It was AGREED to adopt the Child Protection Policy as submitted. **Proposed by M Huke, seconded by M Horrocks and unanimously agreed.**

19. Car Park Repairs

On reference back from the June meeting (page 417, paragraph16) the Finance Committee had met on 8th July and recommended that:

- 19.1 The Council accepts the quote from NR Asphalt to both fill the potholes and then completely overlay the central area of the car park with 40mm thick hot rolled asphalt.
- 19.2 The Chairman and Clerk be asked to discuss with the Co-op a financial contribution towards payment of the bill for this work.
- 19.3 Consideration be given to ways of providing future funding for car park repairs so that improved planned maintenance can be established. It was recommended that the Chairman and Clerk be asked to undertake negotiations with the Co-op with a view to obtaining a set annual payment so that a fund can be built up to pay for future car park repairs. Subject to this being successful similar proposals could then be made to other businesses that directly benefit from customer usage of the car park to pay an annual fee for its use. **Proposed by Cllr. M Huke, seconded by Cllr. B Carberry. Unanimous.**

20. Items for the Next Agenda:

Youth Club; Spring flower planting quotes; Car Park repairs.

- 21. The next meeting is to be held on Wednesday, 16th September 2009. The next public surgery is on 25th July in the Methodist Church when Councillors Huxtable and Jordan are scheduled to attend. The meeting closed at 21.32 hours.

Standing Orders were waived to allow the business of the evening to be concluded and a camera meeting started at 21.33 hours.

Signed.....(Chairman)

Dated.....