

## Associated Papers NPC for Meeting on 8<sup>th</sup> March 2023

### Agenda Item 41      Dispensations

If there is an item on this agenda for which you have a pecuniary interest you will not be able to take part in any of the discussions or vote on a resolution. However, if you wish the council to consider your request for dispensation, you need to **write to the Clerk ahead of the meeting** stating your reasons on why you should be given a dispensation.

### Agenda Item 44      Emails Circulated

If there is an email that I have circulated that is not included on the agenda, and you consider that it should be discussed, please raise the item at this point.

### Agenda Item 45      Clerk's Report

Minute	Action	Complete ✓
22/031	Cllr Taylor liaising with Tree Warden re replacement tree.	
22/114 b	BWB have now been given instructions to proceed with the allotment land transfer.	
22/117	Awaiting NGT confirmation of location of defibrillator at Little Green.	
22/179	Defibrillator installed at Village Hall on 14th February 2023	✓
22/196	RoSPA issues on play equipment, that were referred to Wicksteed, have been resolved by manufacturer.	✓
23/008 c	Projector and screen have now been purchased.	✓
23/023	Minutes sent to BRN and updated on website.	✓
23/027 a	Payments made to suppliers, individuals and organisations.	✓
23/027	David Gotts and Flowers Groundcare informed of contract awards.	✓
23/028	Lee Parker asked for status update on issues.	✓
23/031	NPC Publication Scheme updated on website.	✓
23/038	Community Wardens investigating road sign opposite Valley Road.	
23/038	James Finch and Lee Parker chased re culvert damage.	
23/038	Cllrs Presland and Everett have undertaken Clerk's appraisal.	✓
	<b>Clerk's Actions &amp; Delegated Power</b>	
	Wrote to homeowner in Sudbury Road re hedge overgrowing pavement. No response to date.	
	<b>Clerk Hours</b>	
	Up until the 26th February 2023 - 705 hours paid / 673 hours worked plus 45 hours holiday.	

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### Agenda Item 46a RFO Report

#### Unity Receipts & Payments 2022 / 2023

Date	Details	Cheque	Power	Receipts	Payments
08/03/23	CHT - Defibrillator for Village Hall		Localism Act 2011 ss 1 to 8	0.00	2,784.00
08/03/23	Wicksteed - Tension bar for zip wire		Localism Act 2011 ss 1 to 8	0.00	103.80
08/03/23	Newton Green Village Hall - Hire 2022 / 2023		Localism Act 2011 ss 1 to 8	0.00	425.00
08/03/23	DF Crimmin - Expenses 1 Dec 2022 to 28 Feb 2023		Localism Act 2011 ss 1 to 8	0.00	925.52
31/03/23	DF Crimmin - Salary Jan to Mar		Localism Act 2011 ss 1 to 8	0.00	2,216.75
31/03/23	DF Crimmin - WFHA Jan to Mar		Localism Act 2011 ss 1 to 8	0.00	78.00
31/03/23	HMRC - Clerk Tax		Localism Act 2011 ss 1 to 8	0.00	554.20
31/03/23	HMRC - Employers NI		Localism Act 2011 ss 1 to 8	0.00	68.44

#### Reconciliation

Account	Statement Date	Statement Balance	Actual Balance	Unpresented Cheques	Credits not shown	Difference
Community	24/11/22	£0.00				
Premium Accounts	24/11/22	£0.00	£0.00	£0.00	£0.00	£0.00
Tracker Account	24/11/22	£0.00	£0.00	£0.00	£0.00	£0.00
Unity Current Account	27/02/23	£27,170.33	£20,014.62	£7,155.71	£0.00	£0.00
Unity Trust Savings Account	27/02/23	£25,002.33	£25,002.33			£0.00
		£52,172.66	£45,016.95	£7,155.71	£0.00	

#### Actual v's Budget

	Budget	Actual		Reserves	Budget	Actual
Assets B/F		£49,357.31				
<b>Income</b>			<b>Expenditure</b>			
Precept	£13,625.97	£13,625.97	Clerks Salary		£10,730.00	£11,571.48
Grants	£177.20	£2,975.23	Admin		£1,500.00	£1,700.33
Recycling	£700.00	£251.23	Donations		£800.00	£400.00
CIL	£0.00	£17,579.58	Annual Subscriptions		£475.00	£441.51
Bank Interest	£25.00	£33.03	Footpath Maintenance		£300.00	£300.00
VAT Repayment	£0.00	£2,529.97	Insurance		£1,250.00	£1,497.60
Other	£0.00	£37.00	Inspection		£640.00	£635.00
			Maintenance		£0.00	£0.00
			Projects	£2,250.00	£500.00	£2,718.62
			CIL	£28,028.01	£4,200.00	£18,083.66
			Village Hall Hire		£300.00	£425.00
			VAT Paid		£0.00	£3,599.17
			Repay VAT overpayment		£0.00	£0.00
			NNP		£0.00	£0.00
<b>Total</b>	<b>£14,528.17</b>	<b>£37,032.01</b>	<b>Total</b>	<b>£30,278.01</b>	<b>£20,695.00</b>	<b>£41,372.37</b>
			Assets Carried Forward			£45,016.95
<b>Total</b>		<b>£86,389.32</b>	<b>Total</b>			<b>£86,389.32</b>

Project Committed Spending							
Meeting Date	Minute	Supplier	Cost Net	VAT	Total	Project	Budget
15/06/22	22/114b	BWB	£758.00	£151.00	£909.00	Allotments	CIL
15/06/22	22/113	Sudbury TC	£185.00	£37.00	£222.00	Rec Ground	CIL
			£943.00	£188.00	£1,131.00		

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FUNDS	
General Reserves (50% of Budgetted Expenditure)	£10,347.50
Current year balance	£1,765.52
Restricted Funds	
CIL	£27,523.93
Newsletter	£2,880.00
<b>Total Restricted</b>	<b>£30,403.93</b>
Earmarked Reserves	
Asset Replacement	£0.00
Village Hall	£0.00
Legal Fees	£1,000.00
Election Costs	£1,500.00
<b>Total Earmarked Reserves</b>	<b>£2,500.00</b>
<b>TOTAL FUNDS</b>	<b>£45,016.95</b>
Unrecovered VAT	£3,599.17

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### Agenda Item 46a Clerk's Expenses

		Postage					Printing			Travel
Date	Description	1st	2nd	Other	Date	Description	A4 Print	A3 Print	Lams	Miles
					15/12/22		25			
					09/12/22	Notice Boards	4		4	
					12/12/22	Meeting Pack	176			
					05/01/23	Notice Boards	8		8	
					10/01/23	Meeting Pack & Councillor Information	280			
					12/01/23		75			
					29/01/23	Survey	500			
					30/01/23	Survey	65			
					01/02/23	Babergh Liaison meeting				28
					03/02/23	Meeting Pack & Notices	204	8	6	
					07/02/23	Election Presentation	66			
					14/02/23		28			
					16/02/23	Notices	8		8	
					16/02/23	Councillor Election Packs x 7	777	7		
		0	0				2216	15	26	28
		£0.00	£0.00	£0.00			£132.96	£1.80	£3.90	£12.60
<b>Expenditure on behalf of Newton Parish Council</b>										
Date	Description	Ref	Gross	VAT	Net	Account Heading				
15/12/22	HP - 3 year Care Pack for laptop	1	£76.70	£12.78	£63.92	Admin				
05/01/23	Microsoft - Monthly MS 365 Business	2	£9.48	£1.58	£7.90	Admin				
10/01/23	Folder & Index		£3.50	£0.00	£3.50	Admin				
05/02/23	Microsoft - Monthly MS 365 Business	3	£9.48	£1.58	£7.90	Admin				
15/02/23	Currys - Projector	4	£449.00	£74.83	£374.17	CIL				
15/02/23	Wonderwall - Projector Screen	5	£201.60	£33.60	£168.00	CIL				
16/02/23	7 Folders & Indexes		£24.50	£0.00	£24.50	Admin				
	Postage		£0.00		£0.00					
	Printing		£134.76		£134.76					
	Laminates		£3.90		£3.90					
	Travel Costs		£12.60		£12.60					
	<b>Total</b>		<b>£925.52</b>	<b>£124.37</b>	<b>£801.15</b>	Balanced				
	<b>Mileage rate from 6/4/2011</b>	<b>45p</b>								
	<b>1st Class Post</b>	<b>95p</b>				Admin	£258.98			
	<b>2nd Class Post</b>	<b>68p</b>				CIL	£542.17			
	<b>A4 Printing per page</b>	<b>6p</b>				Projects	£0.00			
	<b>A3 Printing per page</b>	<b>12p</b>				Maintenance	£0.00			
	<b>Laminates</b>	<b>15p</b>				VAT	£124.37			
							£925.52			

### Agenda Item 46b Earmarked Reserves

The Budget and Precept processes, the following Earmarked Reserves were identified to be carried forward to 2023 / 2024:

Earmarked Reserves	
Village Hall	0.00
Legal Fees	1,000.00
Election Costs	1,500.00
<b>Total Earmarked Reserves</b>	<b>2,500.00</b>

### Agenda Item 46c Donations

During 2022 / 2023, NPC has made four donations of £100 to the Fireside Club, Alston Charity, RBL Poppy Appeal and the Christmas Parcels. Additionally, £542.17 net has been spent on the projector system for the Village Organisations' use from the CIL budget.

**Agenda Item 47c      Appeal**

NPC has received the following notification from Babergh:

**Appeal Reference:** APP/D3505/W/22/3310476

**Appeal by:** Newfield Partners

**Proposal:** Planning Application. Continued use of buildings for agricultural, industrial and commercial purposes.

**Location:** Rotten Row Farm, Rotten Row, Newton, Suffolk

**Appeal Start Date:** 23/02/2023

I refer to the above details. An appeal has been made to the Secretary of State against the decision of Babergh District Council to refuse permission.

The appeal will be determined on the basis of **written representations**. The procedure to be followed is set out in Part 2 of The Town and Country Planning (Appeals) (Written Representations Procedure)(England) Regulations 2009, as amended.

We have forwarded all the representations made to us on the application to the Planning Inspectorate and the appellant. These will be considered by the Inspector when determining the appeal.

If you wish to make comments, or modify/withdraw your previous representation, you can do so online at <https://acp.planninginspectorate.gov.uk>. If you do not have access to the internet, you can send your comments (1 copy required) to:

The Planning Inspectorate  
3C  
Temple Quay House  
2 The Square  
Bristol

BS1 6PN

**All representations must be received by 30/03/2023.** Any representations submitted after the deadline will not usually be considered and will be returned. The Planning Inspectorate does not acknowledge representations. **All representations must quote the appeal reference.**

Please note that any representations you submit to the Planning Inspectorate will be copied to the appellant and this local planning authority and will be considered by the Inspector when determining the appeal.

NPC response to the planning application in April 2021 was:

**21/071          Planning**

- a. The councillors reviewed **Planning Application DC/21/01451 Rotten Row Farm, Rotten Row** - Continued use of buildings for agricultural, industrial and commercial purposes and resolved (Cllr Vince abstaining) to strongly object to the application on the following grounds:
- i. Newton's emerging Neighbourhood Plan (currently at Regulation 16 Submission stage) has designated the Golf Course and common land as Local Green Spaces as follows:

**POLICY NEWT 4: LOCAL GREEN SPACES**

1. The following areas shown on map 5 and on the Policies Map are designated as Local Green Spaces:

- a. Newton Green village playing field and play spaces
- b. Newton Green Golf Course / common land
- c. Newton allotments
- d. All Saints Church churchyard.

2. Proposals for development on a Local Green Space will only be permitted in very special circumstances or where the function or character of the local green space will clearly be enhanced.

The councillors do not consider that the proposal for an industrial unit will enhance the function or character of this Local Green Space.

- ii. From the application it is not possible to understand the Class of Use, the Types of Business being able to operate or the hours of operation being proposed.
- iii. Whilst the councillors expect agricultural vehicles to use this area and the access roads, the high number of vehicle movements to the existing industrial site operating at the barn is not sustainable on the access roads to the A134.
- iv. There are already grave concerns over the highway safety of the existing vehicles accessing the site. Any increase on the number of vehicles is unacceptable.
- v. The area is already suffering from the illegal operation at the site with abandoned vehicles, excessive noise and industrial odours impacting on the environment.
- vi. The proposed continuation of the existing illegal industrial use is not acceptable for this rural location.

**Agenda Item 47d     Babergh's response**

Babergh's Mark Russell, who is the Planning Area Manager for Newton, has responded to the questions raised by NPC with regard to the permission granted for 6 dwellings behind Juglans. He wrote:

Hello Dave, please forgive the delay.

I hope that the below is of assistance. I have broken the response down into the three distinct questions which you asked in relation to the above decision:

- **The governance and use by the LPA of the Local Housing Needs Survey (LHNS) submitted by the applicant with the application**

I have undertaken an examination of the issue of the LHNS by assessing the Officer's report and also discussing the matter with our Policy Manager Robert Hobbs.

Robert did question whether the applicant's LHNS had been sufficiently interrogated.

For example, the minimum local housing need was worked out by applying a percentage based on the overall District-wide Standard Method calculation to arrive at the need figure. This is seen as questionable as, whilst the Standard Method sets the housing requirement for the District as a whole, one would expect a parish-level local housing needs assessment to base its requirement on *local* evidence.

Whilst this was not an unmitigated shortcoming – for example there was an attempt to analyse the data presented within the evidence supporting the Newton Neighbourhood Plan, and the applicant used demographic modelling, (further suggesting that adjustments for increased migration would result in a higher figure) - this was still not sufficiently evidenced and justified.

Also, in applying an apportionment methodology to arrive at 45 homes between 2018 and 2037, the report suggests a need for circa 35 homes between 2022 and 2037. This assumes an equal spatial distribution of housing need across the Districts. In reality, this does not apply as there are *other* factors to be considered, hence community-led local housing needs assessments.

It must be noted that, in respect of the Joint Local Plan housing requirement numbers for Neighbourhood Plan areas, these are in effect a minimum number as noted in Paragraph 6.8 of the Neighbourhood Plan, but they are the numbers we have been advising Neighbourhood Plan Groups to meet. However, given the current position of the Joint Local Plan Examination, these numbers are now *indicative* figures. They were however in the case of Newton, the basis for the preparation of their Neighbourhood Plan.

If more reliance is to be placed on the demographic modelling, then it needs to be clearly explained how the modelling justifies a proven local need.

In conclusion – whilst the position taken could potentially be justified, the Officer did not sufficiently interrogate the data or justify what was effectively a departure from the NNDP.

- **The criteria used by the LPA when reviewing the application site against the BUAB**

The Officer's report, in several places, describes the site as being "partially within and outside the defined settlement boundary". Technically this is correct, but only insofar as the access is concerned. However, the assessment was undertaken as if the entire site were without the BUAB, Policy CS11 being explored in depth.

In conclusion - I am content that the correct assessment took place in those terms, albeit that the description was amiss in places.



- The communication from the LPA when the policies surrounding the NNDP change to such an extent that the NNDP is undermined.

In terms of policies surrounding the NNDP changing, this has not occurred. The policies are as yet unchanged. Policies such as CS11 still have full weight. The NNDP at Policy NEWT1 does open up the possibility of development outside of the settlement boundary *provided it is in accordance with District and National policy*. Therefore, the policies are not undermined as such, but it is possible that a scheme may gain permission even though it is outside the boundary – and this may not accord with the expectations of some parties that no development will occur in such a location. The issue here, I believe, is that the NNDP's policies were predicated on the Joint Local Plan (JLP). The fact that the JLP has been delayed is, I believe, the issue which may have led to this confusion.

In terms of the greater issue of communication, I have viewed the file and assessed the correspondence that the Case Officer had with third parties, including the District Councillor and yourselves. I note that there was no meaningful contact on our part. This is not acceptable, and I have advised the Case Officer of this.

In conclusion – the policy position has not yet changed as expected and this has had the unintended consequence of CS11 (which allows for development outside of the settlement boundary) still being the policy which we turn to in these situations. I acknowledge a need for better communication on this and all aspects of applications such as this; and this did not occur on this application. Please accept our apologies for this shortcoming. We will ensure that there is better communication in the future.

These are difficult times, navigating a path between emerging and adopted documents, including Neighbourhood Plans and we are learning all the time. We will strive to do better, and I do hope that the above is of some assistance to you.

Please do not hesitate to contact me should you wish to further discuss this or any other matter.

### Agenda Item 47e Planning Status

BDC Ref	Application	NPC Ref	NPC Response	BDC Response
DC/22/06132	Tinkers Croft, Sudbury Road - Erection of Two Storey Front/Side Extension, Single Storey Rear Extension & Detached Cartlodge (following demolition of existing garage and conservatory).	23/009a	Support	Permission 07/02/2023
DC/22/06324	Chilton Woods Mixed Development To North Of Woodhall Business Park - Discharge of Conditions Application for B/15/01718- Condition 30 (Construction Environmental Management Plan).	23/009b	No comment	
DC/22/06400	7 Links View - Erection of part one and half storey, part single storey lean-to rear extension (following demolition of existing rear extension). Erection of first floor side extension and front open sided porch. Insertion of 2no rear dormers and front rooflight.	23/009c	Support	Permission 22/02/2023

### Agenda Item 52 Survey responses

The survey closed on the 28<sup>th</sup> February 2023. I will collate the responses received and get an analysis to you by Monday 6<sup>th</sup> March 2023.



**Agenda Item 53      NPC Election**

Key dates for the process are:

- Nominations papers can be accepted from 16<sup>th</sup> March to 4pm on the 4<sup>th</sup> April 2023. They must be delivered in person.
- If a person submits a nomination and then wishes to withdraw, the closing date for this is 4pm on the 4<sup>th</sup> April 2023.
- If more than 7 nominations are submitted the poll will take place on the 4<sup>th</sup> May 2023.
- Results of the poll should be known on the 5<sup>th</sup> May 2023.
- The current councillors step down on the 9<sup>th</sup> May 2023 when the elected councillors take office for 4 years.

For those of you who wish to stand for election, I will bring the nomination forms to the meeting. If you wish to complete these following the meeting I will happily guide you through the process.

I am also prepared to deliver these in person to Babergh if you wish, and I am currently waiting to book a date and time for the appointment with them.

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## Agenda Item 54      Year Plan

[illegible]

