Acle Parish Council

Extraordinary Meeting Date: Monday, 12th October 2015
Venue: Methodist Church, Bridewell Lane, Acle
Time: 7.30 p.m.

**PRESENT:**
Tony Hemmingway – Chairman
Barry Coveley– Vice-chairman
Sally Aldridge, Annie Bassham, Angela Bishop, David Burnett, Jackie Clover, Roger Jay, Julia Line, Jamie Pizey, Ellen Thompson and Parish Clerk Pauline James
District Councillor Lana Hempsall
County Councillor Brian Iles.

1. **APOLOGIES**

Councillor Jack Horner-Glister

1. **DECLARATIONS OF INTEREST IN ITEMS ON THE AGENDA AND REQUESTS FOR DISPENSATIONS**David Burnett, Barry Coveley, Jackie Clover and Roger Jay declared a disclosable pecuniary interest in any financial transactions with the Recreation Centre, as Trustees.
2. **CHAIRMAN’S REPORT
Tony Hemmingway gave a report:**“Many residents will be aware that the Parish Council has been trying to negotiate the purchase of a piece of land north of the current Pyebush Lane cemetery and playing fields for over 18 years, going back before any of the current councillors, or the clerk, were on the Council. We have offered well over twice the agricultural value of this land in order to compensate the land owners for the loss of the land.

The landowners, the Molineux family trust, who had very generously sold land for the existing cemetery and for an additional sports pitch, felt unable to give up any more land.

The Parish Council has been looking extensively around the village for other land which would be suitable for a cemetery but has not found any. Much of the land around Acle is low lying, with a high water table, which is not suitable. The Parish Council remains convinced that the land north of the existing cemetery is the best site for a cemetery. Many residents have an emotional attachment to the existing cemetery and we feel that many would wish for future burials to be nearby to existing family burials. It also would work well because people could continue to park at the Recreation Centre when attending burials, whereas a new site would require not only land for the burials, but also land for parking.

The Parish Council therefore, reluctantly, approached Broadland District Council to ask them to set in motion a Compulsory Purchase Order (known as a CPO) for 3.49 acres of the Molineux family’s land (for an extension to the cemetery and also a piece of land north of the playing fields for additional recreational space). There is a map of the proposed site attached to your agendas, *(attached to these minutes).* The shape of the land to be purchased was recommended by Brown & Co as making the remaining land easier to farm, joining up the boundary of the furthest piece of playing field with the footpath across to Fishley. We believe that this piece of land would only represent less than 2% of the Molineux family’s land so we do not believe it would affect the viability of the ongoing farming business.

You may have seen in the EDP that Broadland District Council refused that request at its Cabinet meeting on 29th September. Acle’s district councillor, Lana Hempsall, does not believe that a Compulsory Purchase Order is the right course of action in this case and she spoke against the Parish Council’s proposal at both the Cabinet meeting on 29th September and the Overview & Scrutiny meeting on 22nd September.

The Parish Council has called this meeting to explain to residents what action can be taken:
 - we can continue to talk to the Molineux family to try to buy a piece of land, even if it is a smaller piece, but which would still secure a burial facility for the village for some years to come
- we are taking legal advice as to whether there is an alternative way to obtain a Compulsory Purchase Order, should the informal approach fail
- we can re-apply to Broadland District Council for a CPO in 6 months time, maybe for the same land, maybe for a smaller piece of land
- we can contact the planning department at Broadland District Council to see if they can help us find an alternative site, perhaps on Norfolk County Council’s land to the west of the village. We had previously been told that BDC would not support an application on that western site because of the visual impact on the approach to the village, especially as that site would require the construction of a car park as well as the actual cemetery. It would also require a new access either from Mill Lane or from Norwich Road.

The Parish Council has also arranged this meeting so that Councillor Hempsall can, at her request, explain her role in Broadland District Council’s decision making process with regard to the CPO for the cemetery and recreation land.”

1. **DISTRICT COUNCILLOR LANA HEMPSALL**Lana Hempsall invited questions.
2. **COUNCILLORS’ QUESTIONS to Lana Hempsall**
	1. What did you say at the Overview & Scrutiny Meeting on 22nd October?

LH – that she declared a prejudicial interest and left the meeting during the vote. Since the inception of the idea of a CPO she had disagreed with APC. At the Cabinet meeting on 29th September she touched briefly on the issues, but spoke only as member of the public, as she is not a member of the Cabinet.

* 1. What evidence have you that the site is within a Flood Zone?

LH – all land in this area is within some flood zone. The minutes for O&S meeting will reflect the planner’s comments that the site is satisfactory for burials.

* 1. How do you feel better use could be made of the existing cemetery?

LH – by removing the hedge and replacing it with a wall. Take the trees out and use better landscaping. Establish a garden of remembrance – lots of improvements can be made. Forcing someone to sell land should not be seen as an easier approach.

* 1. Why do you feel the loss of 3.49 acres would make the farm unviable?

LH – Ivan Barnard said this at the meeting *(held between councillors and Philip Molineux in July 2014)*

* 1. How do you feel this can be sorted out locally?

LH – everybody has their price. APC has not met the Molineux family’s price yet. APC could find a site elsewhere, maybe on Norfolk County Council land.

* 1. Where do you think APC could find alternative sites for recreational land?

LH – representations at O&S meeting were not only her own ideas, but dozens and dozens of people had made suggestions to her for other sites. As part of Green Infrastructure requirements, NCC is setting aside one acre of land for open space. Perhaps there could be more land available as the village develops to the west.

5.7 You are aware that BDC planners said they would not give permission for use of recreation centre land for a cemetery, and this land is now under trust, but yet this site has been put forward as a suggestion?
LH – APC could sit down with the planners to discuss possible sites. She reminded the meeting that she did not take part in the decision at O&S committee nor at Cabinet so why was she being asked all these questions?
TH – LH asked for a meeting.

LH - she had asked for a private meeting to explain her role in process.

 TH – can only discuss items in private if it is the public interest to shut the meeting to the public.

LH – the decision was made by BDC. She is not that influential at BDC. She did not speak to a single Cabinet councillor about this issue. She only emailed Andrew Proctor to ask if she could speak at Cabinet meeting.

5.8 Why did you not report the O&S decision to recommend refusal of the request when you attended the APC meeting on 28th September?

 LH –she attended the APC meeting earlier this year *(June)* when APC decided to go ahead with CPO but she left before that item was discussed. APC did not tell LH of their decision. She found out by chance by being copied in to an email from the planning officer to the clerk. She felt APC was not speaking to her about their decision. She found out that APC’s request was on the agenda for BDC’s O&S committee meeting by chance when she read that agenda. She thought APC had gone behind her back so she felt excluded so didn’t mention the BDC meetings. She said that she now realised she should have said something.

5.9 You said that many residents told you they were against APC’s plans?
LH – she suggested public consultation would be useful to find out residents’ views.

5.10 What about the majority vote at APC’s meeting to request a CPO?

 LH- if that had been communicated to her she may have taken a different stance.

5.11 Why is it now being suggested that APC is not offering enough money?

 LH – she is just being optimistic that a solution can be found.

 TH – APC is still communicating with the Molineux family.

5.12 What if your personal views are not in agreement with those of the parish?

 LH – it is possible to abstain in those circumstances when attending meetings at BDC. She said she believed she was representing Acle’s people, not necessarily APC. People who feel the refusal of the CPO was the correct decision are probably not at this meeting.

5.13 Do you feel you have represented two people who don’t live in the village, rather than the village?

 LH – she would not do that.

5.14 Why at APC’s meeting on 28th did you not tell the public what was going on at BDC? It feels more like tit for tat, as opposed to openness and transparency…

 LH – she felt excluded.

5.15 You have said that if you had known APC’s views you would not have gone with your personal views. The CPO request made APC’s views quite clear. Why did you not take a neutral approach?

 LH – she expressed the concerns of Acle residents who stopped her in the street and who phoned her. Do the views of APC outweigh those of residents?

5.16 You have strong principles. You previously said you would resign from APC if APC made a request for a CPO. Would you stand down from any committee which decided to pursue a CPO?

 LH – CPOs can be useful; they can be used to save buildings from damage. Had she remained a parish councillor she would have had to resign from APC because of collective responsibility for decisions – she could not work with that decision. Her mandate comes from the residents.

5.17 How many people told you they did not agree with the CPO?

 LH – 30 to 40.

5.18 How did the Molineux family find out about the BDC meeting?

 LH – she told them.

1. **PUBLIC FORUM**
	1. Why did LH contact the Molineux family and not tell APC?

LH – she was certain that APC would not have told the Molineux family and she didn’t realise that APC did not know about the meetings. She was the person who arranged the face to face meeting with the Molineux representatives in 2014.

* 1. Frank O’Neill explained that he is the district councillor for Blofield with South Walsham, which includes the site for the proposed extension, but is also a resident of Acle. He said that APC has the option to petition the Secretary of State and he said that there is an 8 week deadline. He would support APC in requesting an extension of time.
	2. It had been suggested that a higher price could be paid for the land. APC need to think carefully about the price they pay as it is parish money.
	3. If LH feels she cannot influence decisions at BDC why bother to speak at the meetings? Ward member’s comments do carry weight.

LH – experienced, knowledgeable people in Cabinet, not easily swayed by non-evidence based comments.

* 1. Concerns noted that APC was not informed of the dates of the meetings.
	2. If APC represents the parish, why does LH not take into account APC’s views?

LH – she is equally elected by the ward of Acle as it has the same boundary as that for APC. She is not APC’s ambassador at BDC.

* 1. Why did residents not contact APC with their objections?

LH – who would turn out to a parish council meeting?

TH – residents could send their concerns to the clerk.

 There was a comment that when there was the possibility of an abattoir near Acle, residents quickly contacted APC.

* 1. Why did LH not contact APC to find out why she had not been consulted?

Tony Hemmingway thanked everyone for attending the meeting.

1. **THE DATE OF NEXT MEETING** was confirmed as 26th October 2015.

There being no further business, the meeting was closed at 8.45pm.

Signed………………………………. Dated: 26th October 2015.