



FRAMSDEN PARISH COUNCIL

All Councillors are reminded of their obligations under the Code of Conduct Regulations.

Minutes of the Extraordinary Meeting held on Thursday 23rd March 2023 at Framsdén Village Hall

Attendance	Dominic Vaughan (DV)	Glen Buckingham (GB)	Neil Mellor (NM)
	Claire Macauley (CM)	Ian Seager (IS)	Sarah Clare (Clerk)

Public present at the meeting: 1

FPC 23-03-01 Appointment of Chair

The Clerk asked for nominations for the office of Chair.

GB was nominated as Chair by CM, DV seconded, all voted in favour and **IT WAS SO RESOLVED**

The acceptance of office form will be signed

FPC 23-03-02 Apologies for Absence

Nicola Whitmore (NW) had sent apologies due to illness, the Council accepted.

Matthew Hicks (MHi) County Councillor & Suzie Morley (SM) District Councillor had also both sent apologies

FPC 23-03-03 Declaration of Interests

GB & CM declared interest in FPC 22-03-08 a) as members of Framsdén Pub Group, although dispensations had been applied and accepted on the grounds that a) without dispensation the number of persons unable to participate in the transaction of business would be so great as to impede the transaction of the business; and b) the dispensation is in the interests of persons living in the authority's area.

IS & DV also declared interest in FPC 22-03-08 a) as shareholders of the Community Benefits Society.

FPC 23-03-04 Public Forum



It was agreed that the points of interest could be raised at the appropriate point on the agenda.

FPC 23-03-05 Minutes of previous meetings

The Minutes of the meeting held on Thursday 9th March 2023 as a true and accurate record, were proposed by DV, seconded by NM and **WERE SO RESOLVED**. The Minutes were signed by the Chair and the Clerk.

FPC 23-03-06 Matters Arising and Action Points from 9th March minutes

- 8.1 Contact District Councillor to chase for report. DISCHARGED
- 8.2 Email MHi a reminder about the lack of broadband provision at the Otley end of Framsdén. DISCHARGED
- 8.3 Look into Councillor training options for IS. ONGOING
- 8.4 Register the 80th Anniversary of D-Day beacon lighting. DISCHARGED
- 8.5 Submit responses to planning department at District Council as agreed. DISCHARGED

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- 8.6 Liaise with Sustainable Framdsen CIC to move forward with the Energy Audit Match Funding application. DISCHARGED
- 8.7 Thank Framdsen Fundraisers for the lighting obtained via the Locality Budget fund application and advise that it can be installed. DISCHARGED
- 8.8 Meet with Sutcliffe contractor to address poor groundwork and snagging issues at the Play Area. ONGOING
- 8.9 Check prices for standard annual play inspections with the different providers. To be discussed later in meeting.
- 8.10 Advise grass cutting contractors of the outcome to their tender. DISCHARGED – The Clerk asked for a volunteer to check the first three cuts by the new contractor as part of probationary period. IS will check the Village Hall Garden cuts and GB will check the other areas being cut.
- 8.11 Send out invites to provide reports for the Annual Parish Meeting. DISCHARGED
- 8.12 Contact Suffolk RoadSafe to see if the Parish Council can obtain any data from the ANPR that was in action on Mill Hill. DISCHARGED – The Clerk advised that the data is shared as standard with County, District and Parish Councils concerned, so a report will come through in due course.
- 8.13 Publish reviewed policies as agreed on the village website. ONGOING
- 8.14 To distribute payments as approved at the March meeting. DISCHARGED
- 8.15 Contact Community Benefits Society to see what they are proposing with regard to the Doberman Inn ACV appeal. To be discussed later in meeting.
- 8.16 The VHMC are to check the remedial work to the kitchen steps and report back to the Parish Council. ONGOING

FPC 23-03-07 Planning

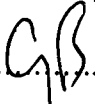

- a) To consider any planning applications which have been submitted since agenda published: None
- b) Updates and outcomes on previous planning applications: None

FPC 23-03-08 Parish Council Activities & Projects

- a) Consideration of how to respond to the ACV appeal outcome on the Doberman Inn/Asbach House – GB thanked the representative from the Community Benefit Society (CBS) for attending and for their input into the situation. The CBS have raised concerns that the process of the appeal for the ACV had not been followed correctly. There is discrepancy nationally as to how long community use of a building can be taken into consideration, with some authorities taking a period as short as three years, whilst others have related the period to the length of time which the property had been in use prior to the ACV application (the inn in Framdsen had been in operation for around 300 years). The CBS asked the Parish Council to raise questions to the elected members of the District Council asking them to look again at the evidence presented to ensure that it was completely accurate as there are statements within the review that the CBS argues are not accurate (such as the property owner stating there is no evidence of funds being available for a community group to purchase the property).

CM queried whether raising such questions would be of any use, as there is no legal position for the nominator of an ACV to challenge the decision, so are the elected members even in a position to take any action? Additionally, it is important to remember that all bar one of the complaints raised by the property owner had been refused (including the funds issue), so the appeal had only been upheld on the one point of “lack of recent community use” of the property, although this is seemingly unfair, unfortunately case law shows that the decision is within legal limitations.

The CBS representative believed that any review decision has to go forward to a committee for approval, in much the same way as a planning officer puts forward a recommendation, but the decision is taken by committee, if this is the case there may still be an opportunity to address the situation. Additionally, even if this route is not permitted, the decisions of a Council can be scrutinised and should be able to be robustly

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defended. Currently the decision taken to remove the ACV listing is counter to the policy of the District Council's own Department for Communities and the Parish Council should also be working to protect an asset for the community.

GB agreed that the Parish Council had been aware of significant activity within the community around the desire to re-open the property as a pub for the village, so this could be the point to argue in relation to the "lack of recent community use" cited as the reason for upholding the ACV appeal. The Parish Council has a role in promoting this work and supporting the views put forward by the CBS, the District Council has proven supportive in the past of keeping this sort of asset available to the local community.

DV understood that the ACV listed status had been a factor in the rejection of a planning application for change of use for the property and this was a reason to continue to seek the reinstatement of the listing.

GB proposed using a draft letter as provided by the CBS to the Parish Council as a basis to formulate a response to the ACV appeal decision, NM seconded, 1 voted against, 2 abstained due to declared interest and **IT WAS SO RESOLVED**. The Clerk will circulate the draft letter to all Councillors for consideration and final approval before it is sent.

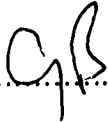
- b) Consideration of applications to extend existing Dispensations granted to Councillors in order to discuss matters relating to the Doberman Inn/Asbach House – current dispensations valid until 15th May 2023 – After discussion it was decided to seek further dispensations for all Councillors affected, so that regardless of the ACV listing position any planning applications received for the property can be correctly discussed and considered. The dispensations will be applied for on the same grounds that: a) without dispensation the number of persons unable to participate in the transaction of business would be so great as to impede the transaction of the business; and b) the dispensation is in the interests of persons living in the authority's area. The Clerk will ensure that this is on the Council's AGM agenda in May.
- c) Consideration of which organisation to instruct for future Play Area Inspections – The Clerk advised that Playsafe, who had conducted the Post Installation Inspection had quoted £252 + VAT for a standard annual inspection. Whereas the District Council standard Annual Inspection (last done in 2021) was only £50 + VAT. The Clerk had hoped for confirmation of the District Council prices for 2023 in time for a decision at this meeting, but as yet the prices had not been advised, therefore this item will carry forward to the next meeting.
- d) Consideration of whether to switch electricity suppliers for the Village Hall when the contract ends in May CM had researched options via comparison websites and proposed that the best solution currently was to remain with Octopus Energy and take up their offer of a twelve-month fixed rate contract, NM seconded, all voted in favour and **IT WAS SO RESOLVED**. The Clerk will make contact with Octopus Energy to arrange the transfer to the recommended contract.
- e) Consideration of whether any response is required to the modifications in the BMSDC Joint Local Plan – After discussion it was agreed that no response was required.

FPC 23-03-09 Matters of urgency to be brought to the attention of the Council

- a) IS asked for a formal note of thanks to be recorded in the minutes to all who had been involved in arranging the scrap metal skip to raise funds for the Village Hall.
- b) Items for next agenda:
- Internal Audit approvals
 - CIL statement
 - Re-adoption of Councillor Code of Conduct
 - Land at Tollgate Corner
 - Update on Energy Audit Match Funding
 - Update on Play Area Snagging
 - Consideration of who to instruct for future Play Area Inspections
 - Consideration of Applications for Dispensations

Items for the May Agenda – please notify the Clerk of any further items for the agenda as soon as possible and by Monday 1st May at the latest, with any accompanying paperwork ready to be circulated with the agenda upon publication.

There being no further business requiring the attention of the Parish Council, the meeting was closed at 8.22pm. The next Parish Council meeting is set for **Thursday 11th May 2023** at 7.30pm, in Framsdon Village Hall

Signed  (Chair of meeting authorising minutes)

Signed  (Clerk)

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