

# HEMPNALL PARISH COUNCIL

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## **Minutes of the Parish Council meeting held on Tuesday 10th December 2013 at 7:30pm in The Mill Centre**

**ACTION**

### **Present**

Chairman Mr Geoffrey Moulton, Vice Chairman Mr David Hook, Mrs Liz Allen, Mr Richard Delf, Mr David Pointer, Mr Peter Workman and the Clerk Mr Ian Nelson.

### **Members of the public present**

Mr Roger Parker, Mr Ian Cundy, Mrs Hilary Battye, Mr Chris Laxton, Mr Mike Haslam, Mrs Melanie Hook.

### **Apologies**

Apologies were received from County Councillor Alison Thomas, District Councillor Michael Windridge.

### **Declarations of Interest**

Mr Moulton declared an interest in the Wind Turbine matter.

Mrs Allen declared a prejudicial interest in the Wind Turbine matter.

### **Minutes of the previous meeting**

The minutes of the meeting on 25<sup>th</sup> November 2013 were approved and signed.

### **Public Participation**

#### **Wind Turbines**

Mrs Battye representing SHOWT, Mr Haslam representing Saxlingham Parish Council and Mrs Hook made various comments throughout the meeting re the Wind Turbines at the invitation of the chair.

### **Planning Applications**

#### **New applications since the last meeting:**

Roadtechs Europe Ltd, Barondole Lane Hempnall Norfolk NR35 2BE - To erect two external wall mounted floodlights to gable end elevation of new office extension pursuant to condition 3 of planning permission 2007/2362/F – Recommended refusal but a letter to be written to indicate how the application could be amended in order to illicit an approval recommendation from the parish council.

IN

#### **Applications approved since the last meeting:**

None.

Mrs Allen left the meeting.

### **Wind Turbines - Application 2013/0105 – revised**

Mr Moulton thanked Mr Hook and the Clerk for attending an informal meeting with members of SHOWT and Saxlingham Parish Council to consider the wider implications of the parish council co-ordinating its case with both of those organisations. Mr Moulton also stated that it is also an opportunity for the cost of proceedings to be shared so as not to unduly burden parishioners via the precept as both SHOWT and Saxlingham Parish Council would be prepared to contribute to the cost.

Mr Hook took the chair.

### ***General Update***

Mr Hook issued a full report (copy available with the master minutes) of activity since the last meeting, the made points being:

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The Clerk had written to SNC to enquire about progress re their Landscape Consultant report. Mr Hook reported that the Landscape Consultant had now reviewed our response and photomontages in respect of the revised application and reconsidered the visual information provided by TCI. She had made some significant changes to her view expressed in her original report.

The solicitor had :

1. applied to the Secretary of State to call in the application for his determination.
2. applied for Rule 6 status as a parish council at the planning inquiry and this had been granted.
3. Reported that the matter will be dealt with at planning inquiry rather than by written representation.
4. requested that we be one of the parties agreeing the statement of common ground.

The clerk had written to Richard Bacon MP for support of the request to the Secretary of State to call in the application for his determination and Mr Bacon had indicated that he would support this.

As the matter was now to be heard at inquiry the Clerk had asked the solicitor to engage Mr Simons. She has done this and is negotiating a discount on his fees. The clerk to follow up.

IN

As the matter was now to be heard at inquiry an expert would be engaged to write the proof of evidence in respect of Hempnall Parish Council's LVI case, as agreed at the meeting held on 25 November 2013. Mr Hook proposed, Mr Delf seconded and it was unanimously agreed that Mr Bill Blackledge be appointed at rates for the pre inquiry work of £450/day and £495/day for the inquiry work plus expenses. This is likely to cost more than the £7,000 voted at the meeting on 25 November 2013 and provision for this will need to be made in considering the precept for 2014/15. Mr Hook to liaise with Mr Blackledge accordingly.

DH

The clerk had written to Helen Mellors to ask when she is to make her recommendation and for details of the rest of the inquiry timetable. Both Mrs Mellors and Mrs Ring have confirmed that the parties have agreed a mutually acceptable timetable as follows:

- Council committee date: 29 January 2014
- Statements of Case: 12 February 2014
- Pre Inquiry Meeting: If required, w/c 17 February 2014
- Statement of Common Ground: 28 February 2014
- Proofs: 7 March 2014
- Rebuttals: 21 March 2014
- Inquiry: 1-4 and 8-11 April 2014

The above timetable is still subject to confirmation by PINS, however Mr Simons has confirmed his availability.

Saxlingham Parish Council met last night and passed the following resolution:

- It was agreed to offer Hempnall Parish Council an initial financial contribution of £3,000 on the condition that:
  - Hempnall Parish Council, Saxlingham Nethergate Parish Council and SHOWT obtain joint Rule 6 status.
  - there would be joint working on the build up to the Inquiry.

Saxlingham Parish Council went on to say that it was aware that they were likely to be invited to make further contribution/s and it was agreed that they would consider such request/s, on their own merits, at that time.

Mr Haslam clarified that "joint working" meant informal liaison as needed and would not involve the formation of a formal sub-committee like "JAWG".

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The costs to date for the Hempnall Parish Council solicitor are £1,400 plus VAT.

Mr Pointer proposed, Mr Delf seconded and it was unanimously agreed that Mr Hook liaise with John Goldsmith and Chris Vine to determine how best to deal with our bat evidence at the inquiry.

DH

A full discussion was held of the merits of adding parties to Hempnall Parish Council's existing Rules 6 status or having separate rule 6 parties.

Mr Moulton guaranteed to ensure all administrative aspects of SHOWT's case would be dealt with by them.

Mr Workman proposed, Mr Pointer seconded and it was unanimously agreed that the division of responsibilities and tasks would be as outlined in detail below:

<b><u>ISSUE</u></b> <b><u>(P.I.)</u></b>	<b><u>WHO</u></b>	<b><u>HOW</u></b>	<b><u>FINANCE</u></b> Who pays
LVI photomontages, landscape designations, cumulative effect (2 schemes), relevant policies, PROW, tranquillity, collateral damage (access roads, control building, lighting etc)	HPC	Via expert's POE (informed by HPC case and research)	HPC (agreed)
HERITAGE ASSETS	SHOWT		SHOWT
BATS / ECOLOGY	HPC	Via John Goldsmith, Chris Vine and possibly involving MA/GC	HPC (John may work gratis)
LOCAL OPPOSITION	ALL AS RELEVANT HPC TO MAJOR ON PARISH POLL RESULTS  SHOWT to contact other PCs to maximise written opposition.	Via POE etc (as relevant)	No Cost (HPC has already financed 2 parish polls)

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NOISE	No case will be put forward.		
POLICY NPPF, Planning Practice Guidance, WTLSS, SNC saved policies etc.	SHOWT/HPC	(in all experts' POE – as relevant)	
CLAIMED BENEFITS			
MOD OBJECTION  Norwich Airport	SHOWT to contact Mr Windridge for update.  SHOWT		
OTHER ISSUES shadow flicker, TV communications interference, archaeology, horses and riders,	Not to be covered		
BARRISTER(S)	Zack Simons – instructed by HPC		SHOWT and SaxIngham PC to contribute
RULE 6 PARTY	Members to be: HPC SHOWT SaxIngham PC	HPC via Buxton's re. evidence on LVI, Bats and Photomontages  SHOWT to provide evidence on Heritage Assets	HPC already paid for existing registration – The best means to add other members and their evidence to be investigated.
RECOVERY OF APPLICATION BY S.O.S	HPC	In hand via Buxton's. Supported by Richard Bacon MP (Mike Rigby liaising between HPC and Richard)	HPC
<b><u>NON P.I. MATTERS</u></b>			

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DMC preparation and presentation of cases	SHOWT, HPC, SPC, Shotesham PC	Separate presentations to be prepared and presented (HPC procedures already agreed and in hand using animated photomontages)	
Lobbying of councillors	SHOWT - A4 sheet HPC Sax PC - A4 sheet if officer recommendation is to approve		

Mr Hook proposed, Mr Workman seconded and it was unanimously agreed that SHOWT and Saxlingham Parish Council be added to the parish councils Rule 6 party. PINS will need to be informed.

IN

The clerk was asked to thank Saxlingham PC for their offer and welcome then into Rule 6 party on the understanding that “joint working” meant informal liaison as needed and would not involve the formation of a formal sub-committee like “JAWG”.

IN

Mr Workman proposed, Mr Moulton seconded and it was unanimously agreed that the evidence to be presented will also include Heritage Assets (i.e. in addition to LVI, bats and Local opposition.). PINS will need to be informed.

IN

Mr Hook proposed, Mr Pointer seconded and it was unanimously agreed that instructions to the solicitor should continue to be closely defined to control costs. The Clerk to investigate and clarify how best to progress the future management of the case including dealings with Mr Simons.

IN

Mr Hook asked Mike Haslam what would happen if SNC took over the Grover Lewis case and therefore no case was offered on Heritage Assets by our Rule 6 party. Would we be liable to a claim for costs from TCI? Mr Haslam stated that costs would not be awarded against the Rule 6 party so long as it had behaved in a reasonable manner, i.e. by informing the appellant and PINS that this aspect of the case had been taken over by SNC.

Mr Pointer proposed, Mr Workman seconded and it was unanimously agreed that the exclusivity resolution passed at the meeting on 25 November be revised to take into account that the barrister will be shared by all members of the Rule 6 party.

IN

It was noted that SHOWT and Saxlingham Parish Council will contribute to the legal costs. Saxlingham Parish Council had already agreed to contribute £3,000 and Mr Moulton indicated that SHOWT would do its utmost to raise funds, as it has done in the past, in order to contribute a significant sum.

GM

Mrs Ring had estimated the cost of amending the Rule 6 party to be in the region of £1,250. It was unanimously agreed that the clerk make inquiries as to how to proceed in order that costs are minimised both on this matter and ongoing case management.

IN

Following Mr Haslam’s offer, Mr Hook proposed, Mr Delf seconded and it was unanimously agreed that Mr Haslam write the statement of case for the Rule 6 party.

Mr Hook proposed, Mr Pointer seconded and it was unanimously agreed that the following : County Councillor Alison Thomas, County Councillor Adrian Gunson, District Councillor Michael Windridge and Lord MacGregor be asked to support the parish council’s request for the application to be recovered by the Secretary of State.

IN

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Mr Hook reported that arrangements for the Hempnall Parish Council presentation (using our animated montages) for the SNC-DMC meeting (as previously agreed) were proceeding on the advice of Mrs Ring, that we concentrate on providing a policy based list of reasons for refusal. It was reconfirmed that the clerk negotiate a 10 minute timeslot for the presentation which will be given by Mr Hook and the clerk.

DH/IN

**Items for next meeting**

- Church yard re trees / grass cutting and moles
- Precept

**Items for next Newsletter**

- Wind Turbine Update

**Date of next meeting**

The next Parish Council main meeting will take place at 7.30pm on 14<sup>th</sup> January 2014.

There being no further business, the meeting was closed at 10:44pm.

Signed \_\_\_\_\_ Date 14<sup>th</sup> January 2014