

PARISH COUNCIL MEETING

Held on Thursday 6th March 2025, commencing at 7.30 pm. in the Village Hall.

Full reports and supporting documents can be found on the Parish Council website under Meetings, March 2025 Meeting Pack.

Present:

Chair: Cllr Janice Muckian. Cllrs: Alison Bourne, Frank Domoney, Iain Lamont, Roy Mawford, Irene Mitchell, Mary Morrey, Jane Ranzetta, Chris Robinson and Michael Sherman. Eight members of the public.

Opening Statement by the Chair:

The Chair began by welcoming everyone and introduced herself explaining to all present that this meeting is being recorded for the purpose of minute taking only and that after the minutes have been approved this recording will be destroyed. The Chair reminded all that this is not a public meeting, but a meeting of the Council held in public. Members of the Public were respectfully asked to maintain silence during the Council's deliberations and not to approach the Councillors. Councillors were requested not to engage with Members of the Public when Council is in session. All were asked to ensure that their mobile phone was on silent and were reminded to treat all present with respect.

She asked all Councillors to refer to their Councillor Colleagues as 'Councillor' or by their names and not refer to their gender. She thanked Cllr Sherman for his suggestion and support concerning this.

1. Apologies and approval of Absences

The Clerk reported that Cllr Falconer was not present and had sent her apologies.

2. Declarations of Interest

The Clerk reported that Cllrs Lamont, Morrey and Ranzetta, having considered their Disclosable Pecuniary Interests, had declared interests in the Water St Planning Application and will leave the room when that matter is discussed. Cllrs Mawford and Mitchell will leave the room when Rowan Cottage is discussed, Rowan Cottage being their Disclosable Pecuniary interest. Cllr Sherman declared an interest in the Paddocks Discharge of Conditions.

3. Requests for Dispensations

The Clerk reported that he had received no further requests for dispensations.

4. To approve as accurate minutes of the 9th January 2025 meeting of the Council

Proposed: Cllr Sherman **Seconded:** Cllr Ranzetta. **Decision:** Approved Cllr Domoney abstained.

5. To approve as accurate minutes of the 6th February 2025 meeting of the Council

Cllr Sherman said that he had concerns about a comment made by the Chair at that meeting which was not recorded in the minutes but following conversation with the Clerk that issue had been resolved.

Proposed: Cllr Lamont **Seconded:** Cllr Morrey

Decision: Approved Cllrs Domoney, Mawford, Mitchell, Robinson and Sherman abstained. Cllrs Mawford and Mitchell had not been at the meeting.

6. Public Participation Session

The Chair reminded Members of the Public of the protocol for this session. Those who wish to ask a question or make a statement have three minutes. Matters raised must concern business on the agenda or local matters. If a question cannot be answered tonight Members of the Public should contact the Clerk with their name and contact details and will receive a written response within 28 days. She explained that the Standing Orders of the Council are clear that this public participation session is for ten minutes and that it is at the discretion of the Chair whether further time is allowed.



A Member of the Public asked why the papers prepared by the Planning Group concerning Toll Cottage referred to the offer made by another local business for the property. Cllr Lamont explained that this had been included to inform Councillors with Cllr Mitchell explaining that the question to be decided by Council was whether the request for change of use was in accordance with the relevant Plans and that whether offers had been received for the property was not a material planning consideration.

The same Member of the Public asked whether dispensations should still be used now that Council was at full strength. The Clerk explained that whilst Council is at full strength there can never be certainty that all Councillors will be able to attend a meeting but more importantly dispensations helped Council, in public, and subject to public scrutiny, navigate the difficulties of determining when a Disclosable Pecuniary Interest was relevant to a matter and when it was not. He explained that he could, for example, envisage circumstances where having a Disclosable Pecuniary Interest on the High St was relevant to a Council decision and circumstances where it was not and dispensations helped navigate these complex matters appropriately.

A Member of the Public asked if the Chair should be impartial. The Chair replied that it is her duty to ensure that all Councillors have the opportunity to speak and that the full range of opinions is heard.

A Member of the Public expressed interest in the motion concerning allotments and having an allotment. The Chair explained that the motion was about one particular site and welcomed the interest in the subject.

7. Chairman's Announcements

The Chair explained that consequent of the size of the Agenda for this meeting that she was keeping her announcements very brief.

She informed Councillors that she had written to our MP James Cartlidge to request his support in resolving the long running Water street pavement defect.

She explained that at a recent Finance and Strategy meeting, Councillors had discussed the proposed 20mph scheme. The consensus was that this proposed scheme will be formally discussed at May's meeting and a number of motions will be available at that Meeting upon which Council can vote. One of these motions will be the option to vote for a village poll.

She thanked Cllr Morrey who has been in contact with the British Legion local branch with regards to celebrations for VE80 day in May who have explained that are being developed.

8. Local Authority Councillors' Reports

Cllr Clover explained that Suffolk and Norfolk are one of the six areas accepted to be on the Devolution Priority Programme saying that, in his opinion, being on the Programme enhanced the Councils negotiating position. The first Mayor will take office in May 2026. The Mayor's Office will have four constituent Councillors representing the interests of the various Districts to work with. However, the Mayor will have the power of veto in any decision making when consulting with these four Councillors.

An Extraordinary Babergh Council will be held on 7th April to discuss all points arising including the transition to a unitary authority. The Government has accepted the application to postpone the County Council elections that were due to be held in May. The Government's public consultation on Devolution and the election of a Regional Mayor closes on 13th April.

District and County Council operations will merge into one service. It is not known how many unitary districts Suffolk will comprise. Suffolk CC will probably suggest that there is one unitary authority. Babergh DC are consulting professional opinion on the best options and following debate these will be presented to Whitehall. There will be a consultation process with the public and the Parish Councils to gauge their views on how the new Authority may best serve their interests.

Local Government Reorganisation (LGR) is scheduled to go live in 2028, meaning District Council elections would not occur as scheduled in 2027 and existing Councillors would act in a 'shadow' role pending the arrival of Unitary Councillors. He expressed concern about the reduced number of Councillors and the possible consequences for local democracy. He confirmed that the 2027 Parish Council elections will take place.



County Councillor Lindsay explained that he agreed with District Cllr Clover's comments saying that he refused to call it 'Devolution'. Powers, he said, are moving from the District and County to the Mayor with no powers moving from Whitehall with the Mayor being paid by Central Government and many of the Mayor's decisions having to be approved by a Government Minister. Both Councillors expressed concern that the change would be underfunded with consequential effects on local services.

The Suffolk Library Service is being taken in house by Suffolk CC after they failed to agree a renewal of the contract with the charity that has been running them since 2012. There were no other bidders. The charity insisted the terms it was offered (same budget as last year with no annual increase for inflation etc) meant opening hours would have to be cut by 30%. SCC say they can run it with no hours being cut. The fear is that this will mean cuts in staff numbers and an increased reliance on volunteers. The amount the library charity was being paid has not risen significantly for more than ten years.

Cllr Domoney asked what the 'Growth Plan' to be prepared by the new Mayor might look like. Cllr Lindsay replied that it was likely to reflect the Government's agenda of Housing and Growth.

9. Planning Applications for Consideration

The Clerk reported that two decisions had been received in line with PC recommendations and two decisions had been received ignoring PC recommendations concerning planting of replacement trees.

The Chair reminded Councillors that any decision they make must be based upon their evaluation of all the documents available to them, including all other Material Considerations including public comments and economic and social consequences. Documents prepared by the planning group, she said, summarise that groups deliberations but do not replace Councillors own due diligence. She reminded Councillors that Council recommendations to Babergh only express the opinion of this Council in the same way others are able to express their opinions; the granting of any planning permission is made by the professional planners employed by Babergh District Council.

DC/25/00390 Toll Cottage, Market Place. Change of Use to Residential

Cllr Lamont said there was no evidence to demonstrate compliance with JLP Part 1 Policy LP10 or LNP Policy C9 which require the business to have been marketed diligently at a fair market price continuously for at least six months or one year respectively. The property had been marketed for approximately three months.

Cllr Mitchell highlighted the lack of a plan agreed by the owners with the Babergh Council Economic unit and reminded Councillors that protection of the retail core was a cornerstone of the LNP 2016.

Cllr Robinson said that the property was unsuitable for most commercial use, very small and in danger of being empty for a significant further period. He said that it had once been residential and should be allowed to revert to residential use. Cllr Sherman expressed concern about possible deterioration.

Cllr Mawford sympathised with the dilapidation concerns but said that it was important that the required process required for Change of Use was followed, a process which had helped retain commercial premises in the village in recent years. Cllrs Bourne and Ranzetta expressed concern about any loss of commercial premises and the setting of a precedent.

Motion: that Application DC/25/00390 be refused.

Proposed: Cllr Domoney **Seconded:** Cllr Mawford

Decision: The Application should be refused. Cllrs Robinson and Sherman voted against.

DC/25/005588 27 Prentice St. Application for Listed Building Consent: Replacement Roof.

Cllr Lamont explained that the proposal is to reuse the clay pantiles with new pantiles to be added as necessary to match. Cllr Sherman commented that re-using the pantiles would make economic sense.

Motion: that Application DC/24/05588 be approved.

Proposed: Cllr Sherman **Seconded:** Cllr Domoney

Decision: Approved unanimously.



DC/24/05113 Land south of Water St

Erection of storage shed, greenhouse, boundary fence to North Boundary to access gates and construction of accessible path.

Cllrs Lamont, Morrey and Ranzetta left the room.

Cllr Mitchell explained that the Land was previously part of the garden and surrounding grounds of a Grade 1 building. Since 2011 there have been two refusals and Appeals dismissed in respect of proposals to build a dwelling on the southern area of this site.

She said that the current status of the land is not clear, the site is not associated with a dwelling. There are listed properties adjacent to the east, west and north of the site boundaries.

She informed Councillors that the application is being treated by the Heritage Team as a Change of Use as well as proposals for structures but noted that this Change of Use is not immediately clear in the invitation to comment.

She summarised the proposed structures and highlighted to Councillors various sections of the Design & Access Statement in particular on page 4 "there is no specific local policy covering erection of buildings for private domestic use on land unrelated to a host dwelling as in this case" and page 5 "The scheme involves provision of a modest outbuilding for the use by and storage of plant and equipment needed to maintain the land, which is the applicant's private garden/amenity land."

She observed that garden buildings in Conservation Areas are limited to a maximum height of 2.5m to the eaves and that the proposed heights are within this parameter noting that the combined footprint of the 2 proposed structures is 27sqm.

She reported to Councillors that the Babergh Ecology Team is satisfied with the application but recommends planning conditions to ensure compliance. The Babergh Heritage Team had concluded that the proposal would lead to a very low level of substantial harm to the settings of surrounding Listed Buildings, had opposed the type of fencing proposed and recommended a 'Notwithstanding Condition' which is that the applicant submits gate and boundary treatment details, large scale elevational drawings, manufacturers details and finish of proposed gates and boundary treatments. Heritage also recommends removal of Permitted Development Rights. A 'Notwithstanding Condition' takes precedence over other provisions or policies. Changing it means a further planning application, with clear justification, is required to vary the condition differing from a general planning condition where an Officer is empowered to decide whether the condition has nor has not been discharged.

She explained that she had made an initial enquiry to Historic England seeking to clarify whether the site retains Grade 1 status. Historic England suggests that the site possibly does but she noted that they do not appear to have been invited to comment.

Noting that the Heritage Officer has concluded that a very low level of substantial harm would occur to the setting she said that 'harm is harm' irrespective of its level. She noted that the NPPF at para 213 says "Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification." Council, she said, needs to consider whether that test has been met given a large outbuilding is already present on the site.

Cllr Mitchell added that despite the various uncertainties it is clear that the site is in a Heritage Setting and the Conservation Area and that the proposal must be tested against applicable policies. She said that Neighbourhood Plan policy H1 does apply and reference should have been made to the Lavenham Conservation Character Appraisal.

Cllr Robinson noted that should the Planning Application be declined that if the Applicant put the shed on a skid no Planning Permission would be required as the shed would then be movable.

Cllr Muckian commented that there appeared to be a shortage of facts and a lack of guidance from Historic England. Cllr Sherman agreed saying that possibly the Parish Council should recognise the complications and not comment. Cllr Mawford suggested provisional support for the proposal conditional on the views of the Heritage Officer, a reduction in the size of the buildings and a prohibition of the connection of utilities.



Cllr Robinson suggested that Council should recommend approval and leave it to Babergh, who having the appropriate professional skills, will make a decision.

Cllr Domoney raised concerns that Historic England had not been consulted and that the Heritage Officer had concerns.

Motion: that Council cannot reach a decision because not all the facts or information are available.

Proposed: Cllr Domoney **Seconded:** Cllr Sherman

Decision: Approved. Cllr Robertson voted against and Cllr Mawford abstained.

Cllrs Lamont, Morrey and Ranzetta returned to the room. Cllrs Mawford and Mitchell left the room.

Cllr Lamont explained that Council had sometimes discussed Discharge of Conditions but sometimes not. The Clerk explained that rarely was the Parish Council formally consulted on these that sometimes these were extremely routine and did not require Parish Council recommendations but sometimes not.

Motion: that Council will discuss Discharge of Conditions only when a Member of the Planning Group wishes to discuss it at Council

Proposed: Cllr Lamont **Seconded:** Cllr Robinson

Decision: Approved unanimously

DC/25/00815 Rowan Cottage, The Common

Completing discharge of the Biodiversity Enhancement Measures, possible sites for birdbox.

Cllr Robinson said that he wished to discuss this Discharge of Conditions saying that a Biodiversity Report was supposed to have been done before construction started and that Council should now recommend that a Biodiversity Report be insisted upon.

Motion: Council recommends Babergh Council require the applicant to produce a Biodiversity Report.

Proposed: Cllr Domoney **Seconded:** Cllr Robinson

Decision: Rejected. Cllrs Lamont, Morrey, Muckian. Ranzetta voted against. Cllr Sherman abstained.

Cllrs Mawford and Mitchell returned to the room.

DC/25/00790 Coppers, Sudbury Rd. No Member of the Planning Group wished to discuss.

DC/24/03084 The Hall, Hall Road. The Clerk explained that Babergh had already discharged the conditions.

DC/25/00680 Ponders, Barn Street. No Member of the Planning Group wished to discuss.

DC/25/00457 Land Off Norman Way. No Member of the Planning Group wished to discuss. Cllr Sherman left the room for this item.

Cllr Mitchell protested that she had been excluded from the vote on when Discharge of Conditions should or should not be discussed by Council. The motion passed was explained and the Chair apologised to Cllr Mitchell and Cllr Mawford.

10. Lavenham Neighbourhood Plan 3: Report and Motions

Motion:

The Parish Council invites Carroll Reeve, Charles Posner and Danielle Twitchen to join the Neighbourhood Plan Working Group.

The Parish Council welcomes that the Neighbourhood Plan Working Group has written to residents seeking volunteers to join the Group. Not earlier than the May meeting of Council the existing members of the Group will provide Council with a list of those who have expressed an interest. Should there be sufficient vacancies all volunteers will be invited to join the Group. Should there be more volunteers than vacancies Council will ask each of the candidates to write a short statement explaining why they are interested in joining the Group and Council will fill all the vacancies by majority vote.

To amend the Terms of Reference to substitute 'include at least two Parish Councillors' with 'include at least two and a maximum of two Parish Councillors chosen by the Parish Council by majority vote'.



To amend the Terms of Reference to substitute 'up to a maximum of ten members' with 'up to a maximum of fifteen members all of whom must be on the electoral roll in Lavenham'.

To amend the Terms of Reference to include 'Should there be an uncontested vacancy/ies the Group has the power of co-option, should the vacancy/ies be contested Council will ask each of the candidates to write a short statement explaining why they are interested in joining the Group and Council will fill the vacancy/ies by majority vote.

To amend the Terms of Reference to include 'should a Member of the Group not attend any meetings for two months they will cease to be a member of the Group, the Group may choose by majority vote to allow a Member a longer period of absence'.

Proposed: Cllr Sherman **Seconded:** Cllr Bourne

Decision: Approved unanimously. Cllrs Lamont, Mawford and Mitchell abstained.

The Chair of the LNP reported that the Working Group had met detailing the attendees and who had been elected to positions. The Clerk explained that only two of the Working Group had been entitled to attend, the meeting being before the above motion were passed and that the elections were therefore invalid. The Chair of the LNP apologised explaining that there had been a misunderstanding.

He explained that it was the intention of the Group to launch an evidence-based process with professional advice engaged as required, including a review and audit of the rejected LNP2. Consultation with residents will be prioritised. The Group will be shortly be meeting with Babergh Council and is investigating the availability of Grants. A Budget will be drafted as soon as possible.

Cllr Sherman asked if copies of the final versions of the report were available. The Chair explained that these had been printed by Babergh and deposited in the Library.

The Chair then explained that the meeting was running out of time to complete the agenda. A motion to extend the meeting until 22.30 was proposed:

Proposed: Cllr Mitchell **Seconded:** Cllr Muckian

Decision: Rejected. Cllrs Bourne, Domoney, Lamont, Morrey, Ranzetta, Sherman voted against.

It was agreed that items 11 (Motion to reject the Allotment site), 13 (Motion to select a Contractor for Green Maintenance and Street Cleaning) and 16 (Motion to approve Heads of Terms for leases of the Parish Office and Church St Toilets) would be deferred to a future meeting with an extra meeting to be held on Thursday March 13th 2025 to discuss item 13 only. The Clerk agreed to consider 7pm starts in future.

17. Clerk and RFO Report

The Clerk informed Councillors as anticipated last month Income Year to Date is some £3,000 ahead of forecast. He anticipates that this excess to forecast will continue. He explained that he has been reporting that expenses Year to Date have been running a little over £6,000 less than forecast. This has now risen to £10,000 less than forecast almost entirely because the forecast for January included £3,000 expenditure on grants which did not take place. Should this expenditure not take place at any point this financial year then the likely cost saving compared to forecast will be approximately £11,000.

The combination of Income being ahead of Forecast and Costs less than Forecast is likely to mean that the Surplus for the Year will be £26,000 i.e. £14,000 better than the anticipated £12,000.

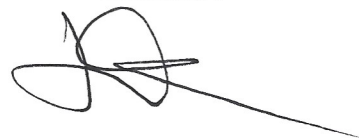
Motion: to approve the Accounts for the month ended 31 January 2025.

Proposed: Cllr Robinson **Seconded:** Cllr Mawford **Decision:** Approved unanimously.

Motion: to approve Receipts and Payments for month ending 31 January 2025

Proposed: Cllr Robinson **Seconded:** Cllr Sherman **Decision:** Approved unanimously.

The Clerk talked explained to Councillors the Changes made to Standing Orders, Financial Regulations, the Scheme of Delegation and the Authority to Commit Resources in March 2024 commenting that these have worked well, the system of Internal Control remains in place and has not given any rise to concern and that all four documents have been updated to refer to the 'Chair' rather than the 'Chairman'.



Motion: to review and approve the Standing Orders and the Standing Financial Regulations including scheme of Internal Control together with the Scheme of Delegation and the Authority to Commit Resources.

Proposed: Cllr Morrey **Seconded:** Cllr Ranzetta **Decision:** Approved unanimously.

The Clerk explained that he had updated the Risk Register. Cllr Mawford suggested that it might be helpful to include both the likelihood of an event happening and the effect. The Clerk said that he would consider this in due course. Cllr Domoney commented on the detailed nature of the register.

Motion: to review and approve the Risk Register

Proposed: Cllr Robinson **Seconded:** Cllr Sherman **Decision:** Approved unanimously

The Clerk explained that It is a requirement that each year Council appoint an Internal Auditor, explaining that last year Council appointed Heelis and Lodge who are based locally, understand the financial affairs of this Council and charged £400.

Motion: to approve Appointment of Heelis and Lodge as Internal Auditors for the year ended 31 March 2025 at a cost of not more than £500 plus VAT

Proposed: Cllr Robinson **Seconded:** Cllr Sherman **Decision:** Approved unanimously

12. Burial Fees

Cllr Mitchell commented that an annual 10% increase had been agreed some years ago and that the Council still makes an annual loss on cemetery costs. Cllr Domoney added that the fees were half the price of Sudbury.

Motion: Council is asked to approve 10% increase in all fees

Proposed: Cllr Mitchell **Seconded:** Cllr Mawford **Decision:** Approved unanimously

15. Grants

The Clerk explained that only one application had been received commenting that 'Groups within the Parish Council's area may apply. By exception, applications from Groups outside the Parish who can demonstrate direct and substantial benefit to the people of Lavenham may be considered on a case-by-case basis.' However, compliance with 'there must be clearly presented evidence that local people support the project and are involved in carrying it out' has not been clearly demonstrated.

Cllr Bourne explained that this is mental health counselling. Cllr Sherman expressed concern at the lack of connection to Lavenham. The Clerk confirmed that the S137 discretionary expenditure limit has not been extended. The Clerk agreed to amend the Grants policy in due course with respect to the 'involved in carrying it out' clause.

Motion: That the Parish Council donates £500 to the Kernos Centre, under S137, recognising that the centre provides a service which benefits local residents.

Proposed: Cllr Ranzetta **Seconded:** Cllr Mitchell **Decision:** Approved, Cllr Robinson abstained.


11. Box Bush Maintenance

The Clerk explained the quote received. The Chair commented that the bushes look very much better.

Motion: To ask the Contractor to carry out the proposed work at a cost of £4,015. The PC has the power and sometimes the duty to maintain closed churchyards under the Local Government Act 1972 section 215.

Proposed: Cllr Morrey **Seconded:** Cllr Robinson **Decision:** Approved.

Date of next meeting: Thursday 3rd April 2025 7.30 pm in the Village Hall. Meeting closed at 10pm.

J. Muckian

3/4/25