

PARISH COUNCIL MEETING

Held on Thursday 9th January 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, January 2025 Meeting Pack.

Present:

Chair: Cllr Janice Muckian. Cllrs: Alison Bourne, Frank Domoney, Lizzie Falconer, Iain Lamont, Roy Mawford, Irene Mitchell, Jane Ranzetta and Michael Sherman. Sixteen 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.

1. Apologies and approval of Absences

The Clerk reported that Cllrs Morrey and Robinson were not present and had sent their apologies.

2. Declarations of Interest

The Clerk reported that no Declarations of Interest had been made with respect to matters on the Agenda for the Meeting. Cllr Mitchell intervened saying that the Lavenham Press site can be viewed from her Disclosable Pecuniary Interest and that therefore she would not vote on the Planning Application. Cllr Mawford said that he would behave similarly. The Chair determined that Cllrs Ranzetta and Cllr Falconer's disclosable pecuniary interests were sufficiently far removed from the Lavenham Press site to allow them to both speak and vote.

3. Requests for Dispensations

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

4. To approve as accurate minutes of the 5th December 2024 meeting of the Council

Proposed: Cllr Sherman **Seconded:** Cllr Lamont

Decision: The minutes of the meeting of Council were approved as accurate. Cllr Falconer abstained.

5. To approve as accurate minutes of the 18th December 2024 meeting of the Council

Proposed: Cllr Falconer **Seconded:** Cllr Sherman

Decision: The minutes of the meeting of Council were approved as accurate. Cllr Bourne abstained.

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 spoke detailing his opposition to the proposed 20mph scheme. He highlighted the number of signs proposed saying that such signage was 'vandalism'. He quoted from a professional report which he said showed that driven speeds in a 20mph scheme reduce by less than 1.6 mph and that road characteristics have a much larger impact on driven speeds with such schemes leading to no significant changes in the number of collisions or casualties in most cases.



A Member of the Public spoke of his support for the proposed obtaining of legal advice. He said that he had been present at the Council Meeting concerning the Planning Application for the Wellness Centre, this application, he said, seems to be the origin of the matter. He said he had attended approximately 100 such meetings as an Objector, Parish or District Councillor or Applicant. He said that he considered that the Meeting had not been perfect, but that he had never attended a 'perfect meeting' and that there had been 'nothing wrong with that meeting'. This he said makes the online abuse of the Clerk worse and he urged the Council to stand by the Clerk who he said had been unfairly criticised. He concluded by saying that honesty, truth and integrity must be valued.

A Member of the Public explained that he supported a 20mph scheme but not this scheme. He said that Birmingham has proposed to introduce a default 20mph speed limit meaning that instead of putting up repeat signs throughout the restricted area, the default will automatically apply in residential streets after the first 20mph sign has been passed. Birmingham, he said, is currently awaiting Government approval. He asked, if permission is given, why this scheme would not be preferred to the Suffolk Highways scheme. This scheme, he said, would be considerably cheaper, wouldn't include the dangerous proposal of a speed limit of 60mph on Park Road, would remove existing speed signs and avoid the urbanisation of the village which would damage its attractions as a tourist destination. He concluded by saying that, in his opinion, such a scheme would be approved by the majority of residents.

A Member of the Public spoke in support of the application for solar panels on the roof of the Lavenham Press. He said that the business had considered heritage and conservation issues as well as economic issues telling Councillors that the project was vital for the future for the business with minimal, if any, impact on the Lavenham environment.

7. Chairman's Announcements

The Chair reported that Cllr Domoney has been trained by the British Beekeepers Association County supervisor to assist DEFRA in identifying and reporting instances of yellow legged hornets by monitoring traps and also to educate local groups and residents.

She explained that yellow legged hornets present a real danger to honey bees and other insects with one hornet able to eat up to fifty honeybees per day adding that this is a problem in France, but that so far, they are not widespread north of the Thames but will presumably advance northwards.

She reported that hornet stings can provoke an anaphylactic reaction in the same way as wasp and bee stings and that Anusha at the Pharmacy has EpiPens to be used in cases of anaphylaxis.

Cllr Ranzetta said that she shared Cllr Domoney's concerns.

The Chair reported that charges for car parking are being implemented by Babergh in their car parks from Monday 13th January 2025 noting that the use of Water street car park will remain free as it is owned by the Parish Council. She emphasised that full information regarding charges and the concessions that have been negotiated for users of community services are available on the Parish Council website.

The Chair explained that currently there is an informal bus stop beside the top (blue) Co-op, however this is not a guaranteed drop off or pick up stop. During busy times, it will depend on the driver if they feel it is safe enough to stop there due to the parked cars and any vehicles in that area at the time. She said that there is no further information available to us regarding the regularisation of a stop in that location.

She concluded by informing Councillors that following the extraordinary meeting of the Parish Council on 18th December 2024 that the Complainant has now received a formal written response explaining the unanimous decision of Council not to uphold the complaint.

8. Local Authority Councillors' Reports

The Clerk explained that County Cllr Lindsay was unable to be present. He read Cllr Lindsay's report, which is on the Parish Council's website, to the Meeting highlighting Cllr Lindsay's concerns about the proposed unitary authority. He explained that District Cllr Clover would update Councillors concerning the debate and vote that afternoon, on that matter, at a meeting of Suffolk County Council.



District Cllr Clover reported that, in December, the Government had announced its review of the National Planning Policy Framework, designed to meet its target of 1.5 million new homes being built in this parliament and had set out new housing requirements for every district and borough council.

He explained that Part One of Babergh's Joint Local Plan had been adopted in November 2023 containing annual housing requirements, based on the Government's previous housing formula, of 416 new homes each year in Babergh. The new requirement was, he said, for Babergh 775 homes a year (up 86%) with a requirement to demonstrate there is a 'housing land supply' for the next five years.

He explained that should a Council be unable to demonstrate a five-year land supply, there is a risk that national planning policies would start to take priority over the Joint Local Plan - and Councils may find themselves in a position where they are required to approve planning applications on sites contrary to the development plan.

Following advice received from the Planning Inspectorate there is to be a formal review of the Joint Local Plan building on the work that has already taken place

He reported that Babergh District Council's Cabinet is set to consider a 2.99% increase to the District's Council Tax charges with Councillors warning of a £10.9 million budget gap. He added that Mid Suffolk has stated they are not looking to increase Council Tax bills. He explained, in an answer to a question from Cllr Sherman, that Mid Suffolk Council benefits from the Gateway 14 development.

Suffolk County Council, he said, had voted that afternoon, to apply to join the priority programme creating a Unitary Council and an East Anglian Mayor and had requested the cancellation of the County Council elections due in May 2025.

He expressed his concerns that the rights of local residents to be heard, and responded to, should not be reduced in any way. He said that he shared the concerns of Cllr Lindsay.

The Chair noted that there had been a 'Call for Land' with local owners putting forward sites outside the current settlement boundary and that the removal of District Councils would make Parish Councils even more important.

Cllr Domoney said that he hears regular rumours concerning possible legislation requiring compulsory installation of heat pumps, he asked District Cllr Clover if he knew anything about this, Cllr Clover replied that he would enquire about this and report back.

9. Planning Applications for Consideration

The Clerk reported that no decisions had been received contrary to Parish Council recommendations.

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/24/05480 Lavenham Press, 47 Water St

Erection of roof mounted photovoltaic solar panels to power the existing printing press operations.

Cllr Lamont introduced the report prepared by the Planning Group explaining that the proposal is to put the solar panels on a twentieth century industrial building not the listed building. The roof, he said, is sloping but slopes at quite a shallow angle. He explained that the it will be very difficult from Water St, or the public footpath behind the site, to see any of the panels. The only place the panels will be clearly visible from is the from the upper floor of 47 Water St, a Grade II listed building in the owned by the applicant and used as business premises only. He explained that the industrial building is in the curtilage of a listed building but given the location of the proposed panels and the difficulty seeing the roofs from the street, the Planning Group considered that the impact will be minimal.



He explained that the Lavenham Neighbourhood Plan 2016 had been considered:

- a) Policy D1 (Design & Character). Some of the panels will be fully visible from the upper floor of 47 Water Street. From the ground floor, it may be possible to view the first row of panels but this would be extremely limited to no more than 2 inches above the parapet on the roof of the factory building.
- b) Policy ENV1 (Defined Views and Special Landscape Areas). This policy identifies two groups of defined views: Key Views In and Out of the Historic Core and Additional Valued Views. The only defined view where there is sight of the roof is defined view 2 which is classified as an Additional Valued View. Changing the appearance of this roof will have little impact on this view.
- c) ENV2 (Protection of Roof-scape) This policy allows for the installation of solar panels providing there is no adverse impact on the historic setting of Lavenham or the character and appearance of the Conservation Area including the setting of nearby listed buildings. This location, he said, is at the edge of the Conservation Area with six listed residential buildings in its immediate or nearby vicinity. However, the visibility of the roof will be extremely limited.
- d) Policy ENV4 (Renewable Energy Projects) This policy seeks to minimise any environmental adverse impact through location, scale and design. It is considered that the intention of ENV4 has been delivered through this proposal. These Solar Panels will generate substantial renewal energy and will reduce the CO2 footprint of this site considerably.

Additionally, the Planning Group considers that the project will reduce the CO2 footprint of the site and contribute significantly to the economic viability of this business at the heart of Lavenham.

Cllr Ranzetta asked about the blue colour of the proposed panels. Cllr Lamont replied that the existing roof was not of a natural appearance. Cllr Ranzetta expressed concern that the blue solar panels might cause light reflections disturbing to local residents.

Cllr Sherman said that he agreed that the solar panels would not be very visible. He highlighted the environmental benefits of the proposal and said that the scheme would help maintain the site as a significant employer.

Cllr Mitchell highlighted the Heritage Officers concerns about the north facing array and the effect on the Conservation Area concluding that in her opinion the benefits outweigh those concerns whilst commenting that she would have preferred the solar panels to be a different colour she urged those voting to approve the application.

Cllr Mawford expressed confusion concerning the number of proposed panels, the submitted documents appeared to him contradictory. He suggested that Councillors should heed the view of the Heritage Officer and that Council should be careful about setting a precedent concerning the acceptability of solar panels visible from a listed building suggesting that Council should make clear that any approval of this application does not set such a precedent.

Motion: that Application DC/24/05480 be approved.

Proposed: Cllr Lamont **Seconded:** Cllr Domoney

Decision: Approved unanimously. Cllrs Mawford and Mitchell abstained.

10. Clerk/RFO Report

The Clerk explained that since he had spoken at length about financial matters at the December 5th meeting that it was his intention, in this month's report, to focus on other matters.

Income for the year to date is just very slightly ahead of forecast, just a little less than £1,000 ahead at the end of November and draft Accounts for December have income a little over £2,000 ahead of forecast. On the cost side the expenses continue to be a little less than forecast, at both November and December the saving compared to the year to date forecast is just over £5,000.

The Clerk spoke next about Car Parking informing Councillors that Babergh will shortly be providing 60cm by 90cm signs inviting the Public to donate for usage of the toilets. Unfortunately, these will not be ready for January 13th due to staff illness at Babergh Council but these will be put up in the next few weeks before visitors return in significant numbers. He thanked Cllr Sherman for his posts on Facebook communicating the upcoming charges.



The Clerk told Councillors that the Councils Donation card machines are being reprogrammed to reduce the minimum donation from £3 to £1. Babergh are chasing Suffolk Highways to correct all the signs which advertise free parking, some have been done here and near other Babergh car parks.

Speed Indicator Device: The second Melford Rd device has been delivered, is in Parish Office, it will be installed when the weather improves.

The Green Maintenance and Street Cleaning tender has been issued to five contractors on a menu basis, closing date Wednesday January 29th. The Contract has been advertised, as required by law, on Public Contracts website. Contractors have been invited to quote for both one and three years.

The Clerk has chased Suffolk Highways concerning the Water St hole in pavement for an update to their September response which was: 'The local Highways Team are investigating how this historic brick culvert can be repaired in a way which is acceptable to Historic England. That may take some time, but the team have already visited the site and have taken photos and dimensional information, so it is progressing'.

Additionally, he has asked Suffolk Highways for an update concerning the Green Willows footpath BT survey and their own detailed design work.

He reported that the failure to empty the street bins on Tuesday December 24th and then subsequent delays to the usual schedule had attracted adverse comment. He had explained to correspondents that these matters were not within the control of the Parish Council.

Cllr Ranzetta expressed concern that someone might fall down the Water St hole the barriers being not very substantial. Cllr Sherman suggested there should be a metal plate covering the hole. The Clerk agreed to follow this up with Cllrs Lindsay and West.

Cllr Mitchell expressed concern about the lack of a formal bus stop by the Blue Co-Op.

Cllr Domoney asked who insures the Prentice St car park, the Clerk confirmed that Babergh is responsible for public liability issues and insurance.

Motion: to approve the accounts for the month ended 30 November 2024.

Proposed: Cllr Lamont **Seconded:** Cllr Falconer

Decision: Approved unanimously.

Motion: to approve the Receipts and Payments for the month ended 30 November 2024.

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

Decision: Approved unanimously.

11. Report following receipt of quotation from Suffolk Highways for construction of 20mph scheme signage.

The Chair emphasised that no decision was going to be made at this meeting this item is on the agenda only to inform Councillors.

The Clerk explained that a quote for £24,000 had been received from Suffolk Highways, that Neighbourhood CIL can be used to fund this and that the PC has asked Suffolk Highways again whether all 71 signs (replacing 28 signs) are required. He said that it is almost certain Suffolk will explain that, according to their rules, all the signs are required. He explained that the National rules do not require such signage.

Cllr Ranzetta expressed concern about the number of signs. Cllr Domoney asked if there will be confusing changes between 20mph and 30mph limits and asked about the level of enforcement expected. The Chair replied that there will not be confusing changes in speed limits and that the level of enforcement by Suffolk Police is, in her experience, low.

Cllr Mawford asked how his fellow Councillors would like to proceed, the Chair suggested that a village poll was a possibility.



Cllr Mitchell reminded Councillors that the idea of this scheme was first proposed in 2019. In her opinion the idea was originally unclear as to whether a 20mph speed limit or a 20mph zone was requested leading to the proposal having a tortuous few years. She said that much of the opposition to the proposed scheme was due to the limited coverage of the scheme. She urged Councillors to think this carefully through suggesting a meeting of the Finance and Strategy Group.

Cllr Sherman suggested discussing this at a full Council meeting in the Spring with the Speed Indicator Device data being part of the information available at that meeting..

The Chair said that she was in favour of discussion at a well-advertised Spring meeting making Members of the Public widely aware of the agenda.

Cllr Falconer said that she was generally in favour of reduced speeds but had considerable concerns about the actual scheme proposed and the number of signs. Cllr Lamont reminded Councillors that the scheme does include a 40mph speed limit on the Sudbury Rd.

The Chair ended the discussion saying that at a Councillor Finance and Strategy Meeting all Councillors should fully familiarise themselves with the detailed proposal, with the detailed proposal discussed not at that meeting but at a meeting of the full Council.

12. Motion to obtain legal advice

The Chair reminded Councillors that as an Employer the Parish Council has a Duty of Care to ensure that employees work in a safe environment, are treated with respect and enjoy quality of working life. Failure of an Employer to address bullying of an employee, from any source, could give rise to that employee having a claim against the Employer for Constructive Dismissal i.e. that their Employer had made it impossible for them to continue in their post and make a demand for financial compensation.

She explained that the proposed legal action concerned only the post by the Administrator not any of the posts made around that time by any others on Facebook.

She summarised for Councillors a post made by the Administrator of the Lavenham Business Group Facebook page which included the words: *'The Clerk has to be held responsible for the actions of the Councillors and how the meeting was conducted; and 'Andrew Smith has a responsibility to the Councillors as they look to him for guidance on these matters'* and suggested that Members of the Public complain to Babergh Council concerning his performance.

She explained that advice had been obtained from both SALC and the Babergh Monitoring Officer.

SALC had told her that *'We do not agree that the Clerk is responsible for the actions of the Councillors'*.

She referred Councillors to the similar response of the Babergh Monitoring Officer as detailed in the Working Papers.

She told Councillors that on 24th December 2024 she had written to the Administrator of the Facebook page saying that the statement *"The Clerk has to be held responsible for the actions of the councillors and how this meeting was conducted:"* is not true and that the post seems to aim to influence others to wrongly believe Mr Smith has acted incorrectly, and to incite them to submit complaints about him. Your actions have caused considerable distress to our Clerk and this must be addressed. Your post could be interpreted as a deliberate attempt to besmirch his reputation and undermine his professional standing as the Parish Clerk. She had asked for a retraction of the Comments, a correction and an apology.

The Administrator had responded, on Facebook, with a dismissive response.

Cllr Sherman noted that Lizz Truss had been unable, despite obtaining expensive legal advice, to stop Keir Starmer from making comments that she did not agree with.

Cllr Ranzetta said that defamation was a serious issue adding that this Administrator has posted material which she considered to be reprehensible and that a number of Members of the Public had approached her with concerns. She noted the post by a prominent resident saying that 'enough is enough'.



Cllr Mitchell said that those who step forward to be Councillors must expect a degree of criticism, it is she said not possible to please all of the people all of the time. She said that this also applies to public sector staff but that such abuse and distortion of truth was not tolerable. She agreed with Cllr Ranzetta saying that the Administrators posts were bullying and had to be stopped.

Cllr Falconer said that she agreed with the comments of Cllr Mitchell and spoke of her experience of online bullying and that she supported the motion. The Village she said was being divided over a matter that was never personal.

Cllr Mawford said that it was important that the inaccurate posts were corrected, the initial post could have been made with lack of knowledge but the refusal to retract could not be considered a lack of knowledge and that he supported the motion, the financial cost was a price that had to be paid. Cllr Lamont deplored Facebook describing some aspects of it as toxic.

Cllr Domoney expressed concern about the cost. He questioned the inclusion of the word 'initial' in the motion and asked for time to consult an acquaintance who works in IT law. The Chair asked Cllr Domoney if he had already done this the working papers having been available for some days. Cllr Domoney said that he had not. The Chair replied that she was not prepared to defer this motion.

The Chair reminded Councillors that this motion was not about the Parish Council feeling criticised, fairly or unfairly, on Facebook, it was about one post by one individual.

Motion: the Parish Council is horrified that the posts suggest that the Clerk has behaved incorrectly and that Complaints should be made to the Monitoring Officer and by the dismissive response by the Administrator. With great regret, but with no alternative, the Parish Council authorises the expenditure of up to an initial £3,000 to obtain legal advice regarding the actions available to it to fulfil its legal obligations as an Employer and protect the Council from a Constructive Dismissal or other legal claim.

Proposed: Cllr Mawford

Seconded: Cllr Ranzetta

Decision: Approved. Cllr Domoney voted against.

13. Motion to dissolve the Neighbourhood Plan Working Group.

The Clerk explained that this motion satisfies the wording in the Terms of Reference of this Group that 'The Group will be dissolved once its purpose (being the review of the 2016 Plan) has been completed. The Parish Council will then dispose of any remaining Neighbourhood Planning budgetary monies, in accordance with any conditions imposed by grant funders, and in the best interests of Lavenham'. He explained that the underspends would now be released back to General Reserves.

Cllr Mawford said that the members of the Neighbourhood Planning Group were disappointed by the result which they considered partly due to inaccurate material published during the referendum period and social media bias against the Plan. The Neighbourhood Plan Group he said had been frustrated by both Facebook Groups from putting their view. He added that the Members of the Review Group considered that the Parish Council should have used its legal powers to correct the perceived inaccuracies and were disappointed that it did not. Council he said needs to engage fully with Social Media and ensure that its messages cannot be blocked.


Motion: That the Neighbourhood Plan Working Group is dissolved and that the underspend of this Group compared to the second reforecast is released to General Reserves.

Proposed: Cllr Mawford

Seconded: Cllr Lamont

Decision: Approved unanimously.

Date of next meeting: Thursday 6th February 2025 7.30 pm in the Village Hall. Meeting closed at 9.50pm.


J Mawford
25/3/25