PARISH COUNCIL MEETING

Held on Thursday 15th October 2026, commencing at 7.00pm in the Village Hall.
All supporting documents can be found on the Parish Council website under Meetings, October 2026.

Present:

Cllrs: Jack Norman, Alison Bourne, Frank Domoney, Lizzie Falconer, Roy Mawford, Irene Mitchell, Janice Muckian, Jane Ranzetta and Michael Sherman. Three members of the public.

Opening Statement by the Chair:

The Chair (Cllr Norman) welcomed everyone highlighting that the formal introduction to the meeting had been included in the published agenda.

1. Apologies and approval of Absences

Cllrs Lamont and Robinson had sent their apologies, no absences required approval.

2. Declarations of Interest and item 3 Requests for Dispensations

The Clerk said that he had received no updates to Registers of Interests and reminded Cllrs that they have 28 days to lodge any changes. He had received no requests for dispensations.

He asked Cllrs whether they wished to declare any interests concerning tonight's agenda of which he was not aware and secondly, in general, whether Cllrs had any updates to their previously declared interests. He said that he was aware that some Cllrs might leave for item 6.

None said that they had updates to their previously declared interests.

He reminded Cllrs that the Monitoring Officer had previously advised the Clerk that 'I am concerned that Councillors are not giving due consideration to public perception and potential bias in their declarations of interest. I would encourage you to gently remind all members to thoroughly consider any potential interests they may have and to apply the test at law for apparent bias which is 'would a fair-minded and informed observer, having considered the facts, conclude that there was a real possibility of bias' [due to my position as/relationship with/links to] etc'.

4. Chair's Announcements

The Chair told Cllrs that the Lavenham Community Hub will be holding its AGM in the Guildhall at 6pm on Tuesday 27th October. All are invited to come and share their views concerning the Hubs future.

The Hub proposes changing its legal status to that of a Community Interest Company. A Community Interest Company or CIC is a special type of limited company designed for social enterprises that want to use their profits and assets for the public good rather than private shareholders.

5. Public Participation Session No Members of the Public wished to speak.

6. Motion to appoint a surveyor to assist the Council concerning a Land Boundary matter.

The Clerk explained that the approved minutes of the 2nd July 2026 Meeting of Council record that the Clerk was instructed to engage the retained solicitors and other professional advisers as required to an initial amount not exceeding £5,000 and share the outcome of this legal advice with Babergh planning. An item concerning the Land Boundary had been included on the Agenda for the 1st October 2026 Meeting of Council but the matter had not been discussed.

The Clerk explained that following the meeting of 2nd July he had taken legal advice and that spend is ongoing, the spend has been periodically reported to Council and is currently a little less than £4,000.

The Clerk told Cllrs that he needed to be very careful in his words in order not to waive legal privilege. Should he inadvertently waive legal privilege by speaking of the legal advice in open session all confidentiality concerning lawyer client communications would be lost. Subsequent to this legal advice the next step is to appoint a Boundary Surveyor to investigate the matter.

Norman. 6.11.26

A Surveyor has been recommended to the PC, by the retained lawyers, an initial estimate of £2,700 plus VAT has been obtained. This estimate includes the cost of preparing the legal report required should there be a legal case. Should the Surveyor report that the land was not the Parish Councils then the costs of preparing that legal report would not be incurred as the PC would drop the matter.

To avoid having to suspend work on this matter until further funds are voted approved the Clerk requested a further £5,000, containing a substantial contingency, to progress this matter.

The permitted spend on this matter would therefore increase to a total of £10,000.

The Clerk explained the Governance considerations. The Standing Financial Regulations are clear that:

5.8. For contracts greater than £3,000 excluding VAT the Clerk shall obtain 3 quotations and 5.9. Where the value is between £1,000 and £3,000 excluding VAT, the Clerk shall try to obtain 3 estimates
19.2. The council may, by resolution duly notified prior to the relevant meeting of council, suspend any part of these Financial Regulations, provided that reasons for the suspension are recorded and that an assessment of the risks arising has been presented to all members. Suspension does not disapply any legislation or permit the council to act unlawfully.

The Clerk told Cllrs that no efforts have been made to obtain 3 estimates or quotations. It is proposed to suspend the Financial Regulations and engage the recommended Surveyor.

The suspension is to enable the matter to be progressed as quickly as possible and to obtain quality advice. The recommended surveyor is a Chartered Land Surveyor, an FRICS, who specialises in such work. Using the recommended Surveyor would save legal costs as the Lawyers and Solicitors are used to working together, each hour that the Lawyer spent familiarising themselves with the Surveyor would cost some £200 and avoid the friction which had taken place between the Tree Surgeon and the Tree Surveyor consequent perhaps of not engaging the Surveyor recommended by the Surgeon.

He told Cllrs that the risks are that a full procurement exercise might lead to a better or cheaper Surveyor being identified and that some might consider this to be poor procurement practice leading to reputational risk. He explained to Cllrs that it is relevant that: a) Council has no expertise in the selection of such professional advice and b) there are no connections of any nature between this Council and the Surveyor which could be perceived as undermining the selection.

Cllr Muckian expressed reluctance to spend more money on this and that the local landowner needed to provide evidence of their ownership to justify moving the fence. The Clerk explained that the local landowner had put forward three arguments justifying the movement of the fence a) that the position of the fence is supported by their deeds b) that the fence should line up with the dropped kerb and c) that the vendors had told them that the fence was in the wrong place.

Cllr Bourne asked what approach Council would take if the Surveyor's advice was inconclusive. The Clerk explained that should the Surveyor report that the land was PC land then Council would ask the local landowner to reconsider their position, should the Surveyor report that it was not PC land then Council would need to document the correct position. Should the report be inconclusive it would be for Cllrs to decide how to proceed.

Cllr Ranzetta said that the PC were custodians of village land for this and future generations *and that certainty of the boundary would benefit all parties.*

The Clerk explained that the piece of land is approximately 100 square metres. *Cllr Domoney said that the Council was on a slippery slope to spending a lot of money saying that all Cllrs are up for election next year and would have been perceived by voters to have wasted public money.*

Cllr Domoney asked if arbitration might be possible and questioned if customary use and practice might be relevant. The Clerk explained that any 'Squatters Rights' would accrue to the PC. The Chair said that the fence had been originally placed there in 1959. The Clerk told Cllrs that the local landowner had told the PC that 'the matter is now closed and I have reclaimed the land that is rightfully mine'. The owners of the property had therefore clearly stated that negotiation was not possible. *Cllr Domoney said that he feared the reaction of voters at the next election concerning arguably the squandering of money and suggested that arbitration might be a way forward.*

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Cllr Sherman said that First Meadow was unregistered. The Clerk replied that both pieces of land are registered. (Note the Clerk, subsequent to the Meeting, clarified to Cllrs that Poultry Farm is registered at the Land Registry but First Meadows is not. Registration at Land Registry only became compulsory, in Babergh, on sales after 1990. First Meadows is registered under the Commons Registration Act although this registration whilst covering the majority of the site does not include the disputed area. The Clerk has apologised for his error conflating the two registrations. The Council does however have the title deeds to the whole of First Meadow and has shared them with the owner of Poultry Farm.)

Cllr Mawford noted that there had been a serious attempt by the PC to mediate saying that should the strip be found not to be public land then the boundary needed to be formally recorded to avoid future disputes, should the land be found to be public land then Council would need to protect this ownership.

Cllr Bourne said that she was loath to spend the money but boundaries must be respected and precedents must not be set.

Cllr Domoney said that a sale and leaseback mechanism was sometimes a way of resolving these matters. The Chair replied that the landowner had ruled out any compromise.

Cllr Falconer said that she agreed with Cllr Mawford saying that village land needs protecting and precedents could not be set.

Cllr Mitchell said that most or all Drawings and Plans in Lavenham are indicative, that a definitive Plan needed drawing up and registering and that a Surveyors Report is required to begin this process.

Motion: The Standing Financial Regulations are suspended concerning this matter. The Clerk is instructed to engage the recommended Surveyor and to continue to work with the retained solicitors and other professional advisers subject to the total costs concerning this matter remaining below £10,000. In order to protect legal privilege, the previously issued instruction to the Clerk 'to share the outcome of this legal advice with Babergh planning' is withdrawn.

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

7. Motion to purchase and install a bollard style light on Church St.

The Clerk explained that the approved Minutes of the 5th March 2026 meeting of Council (subsequent to a street light being removed from the wall of a Church St property due to concerns that it was causing water ingress to the property) record that Cllrs expressed a preference for the replacement light to be placed on the side of the road where the previous light had been. Cllr Bourne agreed to speak with the effected properties.

Subsequently Cllr Bourne reported to Cllrs that it had not been possible to identify either a) a site for a replacement light attached to the wall of a property or b) a site for a standard streetlight mounted in the pavement that would be supported by all neighbouring residents.

The Clerk had therefore made enquiries of Suffolk Street Lighting whether a bollard style light would be possible. The pavement is uneven in that area, concerns have been raised by Members of the Public about the uneven pavement and Suffolk Highways have refused to make any improvements to the pavement. The PC had undoubtedly been made aware of the poor lighting of an uneven pavement.

Suffolk Streetlights have quoted:£3,658.97 plus VAT to supply and install a new 1 metre high LED footway bollard (Coated RAL9005 Black) and associated cabling with a new UKPN stat service into a new feeder pillar. This includes approx. 5 metre additional trenching and reinstatement in footpath, private cabling and ducting, electrical connections and electrical Safety Testing.

The Clerk displayed a map and an image of the proposed feeder pillar and light. He explained that Cllrs needed to consider all opinions including those of neighbouring residents and public safety whilst recognising that neighbouring residents do not have a veto over the light.

Cllr Bourne said that action needed to be taken to reduce the trip hazard posed by the tree. Cllr Mitchell agreed.

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Motion: That the Parish Council accepts the Quote from Suffolk Streetlighting in the amount of £3,658.97 + VAT for the installation of a 1m high bollard style light to be installed in the location in the photograph with the cost charged to Neighbourhood CIL.

Proposed: Cllr Ranzetta **Seconded**: Cllr Bourne **Decision:** Approved unanimously

Meeting ended 8.03pm

5.11.26.