

Sporle with Palgrave Parish Council

5th November 2023

Dear Councillor,

Your attendance is required at a **Meeting of the Parish Council** to be held on Thursday 9th November 2023. The meeting is to be held in the Community Centre, Sporle with Palgrave at 7.00pm.

Members of the Press and Public are cordially invited.

Sarah Hunt

Sarah Hunt
Parish Clerk

Agenda

1. Apologies.

To receive and note apologies for absence.

2. Minutes.

To approve the minutes of the Full Council meeting held on the 12th October 2023.

3. Declarations of Interest.

Councillors are invited to declare a pecuniary or non-pecuniary interest on any item on the agenda.
To consider any dispensation requests.

4. Public Participation and Reports.

4.1 County Councillor – William Nunn.

4.2 District Councillor Peter Wilkinson.

4.3 Police. The priorities identified at the most recent SNAP meeting were:

Targeting theft/shoplifting in the run up to Christmas. The next meeting will be held on 23rd January 2024 at 7pm – venue to be confirmed. ZOOM attendance possible – ask clerk for log in.

4.4 Members of the Public. To receive comments concerning matters on the agenda.

5. To receive updates on any matters not elsewhere on the agenda.

Note – no decisions may be made under this agenda item.

5.1 Village Organisation Meeting – to receive any feedback. Cllr K McLeod.

5.2 To note any response received from the Community Centre and King Charles III who have been approached with regard to siting a defibrillator.

5.4 To receive an update on community Mental Health training available from Breckland District Council. Cllr L Taylor.

5.6 Parish Online subscription – now active.

5.7 Community payback team. To receive an update on works and agree any future expenditure. Cllr M McLeod.

5.8 Quotation for driveway to church/community rooms – no quote yet received.

5.9 To note that TT Jones will shortly be undertaking the annual streetlight inspection.

6. Planning.

6.1 To consider consultee response to applications received from Breckland District Council.

6.1.1 3PL/2023/0945/LB – Wolferton House, The Street, Sporle. Replacement tiles and guttering to single storey wings either side of the front of house (part retrospective). Extension requested.

6.1.2 3PL/2023/0947/F – Bevan Manor, The Street, Sporle. Construction of 2 x glamping pods, Access and parking to be created.

6.2 To receive notification of Planning decisions taken by Breckland District Council.

6.2.1 3PN/2023/0013/PNE – 1 Priory Place, Sporle, PE32 2DT. Prior approval for proposal to erect a single storey rear extension (

6.3 Neighbourhood Plan.

To note that a meeting has been called for December 14th 2023 at 7pm at the Community Centre. Presentation at 7pm by Andrew Darcy, Planning Policy Manager, Breckland District Council followed by a presentation at 8pm by Louise Cornell of Collective Community Planning. To agree any refreshments.

7. Finance:

- 7.1 To approve payments to be made as at Annex A.
- 7.2 To note national salary increase has been agreed and Clerk salary has increased by £1.00/hour back dated to April 2023. To be applied to December payroll.
- 7.3 To consider the installation of an additional solar streetlight and agree a location.
- 7.4 To consider a donation towards the church grass cutting for 2024. (£300 donated 2023).
- 7.5 To note that the Streetlight Maintenance contract expires in June 2024. A new contract will be negotiated.
- 7.6 To consider acknowledgement of those who charge the SAM2 batteries on behalf of the Parish Council throughout the year.
- 7.7 To note TTSR Quote of £802.50 for 2024 - three year quote requested.
- 7.8 To consider donation request from Age UK.
- 7.9 To receive update on transfer of accounts to Scribe software.
- 7.10 To receive Bank Reconciliation and budget to date.
- 7.11 To review budget for 2024/25 as presented and agree provision precept. This item may be taken out of order.

8. Policies.

- 8.1 Employment Policies to be reviewed.
- 8.2 To consider and adopt biodiversity plan.

9. Administrative Matters:

- 9.1 SAM2 – To receive response from Castle Acre Parish Council and agree any actions.
- 9.2 Gardening Club Request – edging of flower bed at village sign. To receive specification requested.
- 9.3 To consider an award for 'best kept garden' during open gardens 2024.
- 9.4 To review meeting start time and consider return to 7.30pm.

10. Highways:

- 10.1 To consider and agree any 50/50 funding application for village gates. No gate at A47 end of The Street. Bunkers Hill – narrow gates approved by Highways. North end of The Street, narrow gates approved by Highways. Estimated cost £2,500 per set of gates. 30mph extension on the A47 end of The Street being investigated.
- 10.2 Verge Cutting in village – to receive response from Highways:
'Sporle has been cut twice on the Rural cut, 1st cut was a full cut and the 2nd cut was a hybrid cut which was A roads and Junction visibility splays only. Regarding the urban cut we did x4 cuts this year in Sporle. Both rural and urban in Sporle has been cut as requested and by 2 of our top cutting contractors as previous years.'
- 10.3 To note application of amendment to Definitive Map.

11. Correspondence.

- 11.1 Breckland Council – emailed consultation over polling station. To consider any response.

12. Date and time of next meetings.

Thursday 14th December 2023
Thursday 11th January 2024
Thursday 8th February 2024
Thursday 14th March 2024
Thursday 11th April 2024 – Also Annual Parish Meeting.
Thursday 9th May 2024 – Annual Parish Council Meeting.

13. Matters for next agenda.

Community Resilience Plan

Minutes of a meeting of Sporle with Palgrave Parish Council

held on Thursday 12th October 2023
in the Community Centre, Sporle with Palgrave at 7.00pm.

Present: Cllrs J Bevan, M Cousins, H Dye, K McLeod (chair), P Smith, H Taylor.
Clerk: Mrs Sarah Hunt.

1. Apologies.

Louise Taylor - health.

2. Minutes.

The minutes of the Full Council meeting held on the 14th September 2023 were AGREED as a true and correct record.

3. Declarations of Interest.

None.

4. Public Participation and Reports.

4.1 County Councillor – William Nunn, apologies.

4.2 District Councillor Peter Wilkinson – this item was taken out of order. Inspiring communities grants are now open once again for match funding for any community project. Electricity charging points are being installed in Swaffham for car charging. The Breckland Local Plan is currently out for consultation.

4.3 Police – no report received.

4.4 Members of the Public. None.

5. To receive updates on any matters not elsewhere on the agenda.

5.1 Village Organisation Meeting – not yet taken place. Cllr K McLeod.

5.2 Gardening Club Request – specification of desired plan to be provided to Clerk. Cllr P Smith.

5.3 The Community Centre will be discussing the siting of a defibrillator in their November meeting. The King Charles III have not received the request.

5.4 To confirm that the current defibrillator is on the national register. Cllr K McLeod reported that he is satisfied this is up to date.

5.5 To receive an update on community Mental Health training available from Breckland District Council. Cllr L Taylor. Next meeting.

5.6 Parish Online subscription – ongoing.

5.7 Community payback team. The work is taking place and making a great improvement.

6. Planning.

6.1 To consider consultee response to applications received from Breckland District Council.

6.1.1 None.

6.2 To receive notification of Planning decisions taken by Breckland District Council.

6.2.1 3PN/2023/0013/PNE – 1 Priory Place, PE32 2DT. Prior approval for proposal to erect a single storey rear extension (conservatory) projecting from the original rear wall by 4.0m deep, with a maximum height of 3.60m and eaves height of 2.65m The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) – Schedule 2, Part 1, Class A (Prior Approval). NO PRIOR APPROVAL NEEDED. Noted.

6.2.2 TRE/2023/0207/TPO – 6 Bunkers Hill, PE32 2ER. T6 Sectional fell clear and cut to near ground level. Sycamore T6-Extensive crown dieback on 40% of crown, large amounts of dead wood in the upper crown with dysfunctional growth at base and lower crown (likely due to machinery damage on main stem). Due to heavy compaction and main stem damage (Tree Work App TPO). TPO WORK CONSENT. Noted.

6.3 Neighbourhood Plan.

6.3.1 To consider inviting Breckland District Council and Collective Community Planning to make a presentation to members of the Parish. It was AGREED to call a meeting for the 14th December in place of the Parish Council meeting if BDC and CCP are able to attend..

6.4 Breckland Local Plan – noted inspection dates.

7. Finance:

7.1 The payments to be made as at Annex A were APPROVED. PROPOSED Cllr Bevan, seconded Cllr Cousins.

7.2 The transfer of accounts to Scribe software has not yet taken place – invoice to be paid as at Annex A.

7.3 NOTED receipt of second instalment of precept £11853.93 from Breckland District Council.

8. Policies.

8.1 Employment Policies to be reviewed at the next meeting.

9. Administrative Matters:

9.1 SAM2 – it was AGREED to return to Westcotec for the necessary battery change. To note that Castle Acre Parish Council have been contacted with regard to sharing the cost of the upgrade to Bluetooth. No response to date. Clerk to chase.

10. Highways:

10.1 To receive updates re; village gates and additional SAM location following site meeting. Cllr K McLeod reported a very positive Highways meeting addressing many issues within the parish. Estimated village gate cost = £5,000 pair (50% to be paid by Council). More detail to next meeting where a decision will be taken on application. Clerk is also to obtain a quotation for the pathway to the Community Centre and seek funding. SERCO fund being announced early 2024.

10.2 Verge Cutting in village – no response as yet from Highways.

11. Correspondence.

11.1 SlowWays Email – Noted.

12. Date and time of next meetings.

Thursday 9th November 2023

Thursday 14th December 2023 now to be Neighbourhood Plan meeting if possible, if not cancelled.

Thursday 11th January 2024

Thursday 8th February 2024

Thursday 14th March 2024

Thursday 11th April 2024 – Also Annual Parish Meeting.

Thursday 15th May 2024 – Annual Parish Council Meeting.

13. Matters for next agenda.

Community Resilience Plan

Budget 2024/25

Biodiversity plan

Employment Policies

Payments to be made by Sporle with Palgrave Parish Council - October 2023					
Company	Amount	VAT		Reason	Cheque/DD
R Tyrrell	£30.00		£30.00	Bus Shelter Cleaning - September	Chq 002
T T Jones	£272.19	£ 54.44	£326.63	Oct Nov Dec	bacs
Sporle Community Association	£18.00		£18.00	Hall Hire - September	bacs
Sarah Hunt	£615.70		£615.70	October Salary incl wfh	bacs
HMRC	£130.72		£130.72	October Payment	bacs
Norfolk Pension Fund	£220.92		£220.92	October Payment	bacs
Eon	£28.69	£1.43	£30.12	pavilion to 8th September	DD
Eon	£23.90	£1.20	£25.10	pavilion to 8th October	DD
Vodafone	£12.00		£12.00	Handset – September/Oct	DD
Vodafone	£8.26	£1.65	£9.91	airtime contract September	DD
Vodafone	£8.26	£1.65	£9.91	airtime contract October	DD
Sse – streetlights	£442.22	£81.50	£523.72	Electricity sept	DD
Sarah Hunt	£183.95	£29.90	£213.85	refund comm. Payback	DD
Scribe accounts	£657.00	£131.40	£788.40	Annual accounts package	bacs
Kalvin McLeod	£ 55.96	£5.33	£61.29	refund Comm. Payback	bacs
Total	£2707.77	£ 308.50	£3,016.27		

31 JANUARY 2018

LO1-18 | FINANCIAL ASSISTANCE TO THE CHURCH

Introduction

The purpose of this briefing is to consider whether a parish council or, in Wales, a community council may provide financial assistance to the church (or other religious bodies).

Relevant legislation

s.6(1) (a) of the Local Government Act 1894 (“1894 Act”) transferred powers from the Vestry and Churchwardens to the newly formed parish councils **“except so far as relates to the affairs of the church or to ecclesiastical charities.”** s.6(1) (c) of the 1894 Act confirms the powers, duties and liabilities conferred on parish councils include “the holding and management of parish property **“not being property relating to affairs of the church or held for an ecclesiastical charity”**”.

S.8 of the 1894 Act gives parish councils further powers including the power “to execute any works (including works of maintenance or improvement) incidental to or consequential on the exercise of the powers in s.6 , **“not being property relating to affairs of the church or held for an ecclesiastical charity”** and further “to contribute towards the expense of doing any of the things above mentioned, or to agree or combine with any other parish council to do or contribute towards the expense of doing any of the things above mentioned”. It should be noted that the prohibition relates to the nature of the property concerned not to the use to which that any funding will be put. Thus funding to make a church hall suitable for meetings of the guides and scouts is still prohibited because the building is church property.

Despite references in the above provisions to parish councils, the 1894 Act applies to both England and Wales.

The powers in the 1894 Act prohibit councils’ involvement in property relating to the affairs of the church e.g. the maintenance or improvement of buildings or land or contributing to the costs. The question often asked is whether that prohibition still applies or is it overridden by legislation made after the 1894 Act. Examples of such legislation are:

- s.214(6) of the Local Government Act 1972 (“the 1972 Act”) which provides that councils which are burial authorities may contribute to another

person's expenses (e.g. the PCC or synagogue) in providing a cemetery in which residents in the council's area may be buried.

- s.215 of the 1972 Act permits a council to maintain a closed churchyard.
- s.137 of the 1972 Act which allows a council to incur expenditure for any purpose except one which is subject to a statutory prohibition, restriction or limitation.
- s.138B of the 1972 Act empowers a parish council to support or facilitate a religious event.
- The General Power of Competence in s.1 of the Localism Act 2011 ("the 2011 Act") is available to eligible parish councils that satisfy the conditions in Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012/965.

NALC's views

There is an accepted legal principle, applied by the courts, which is that in interpreting what an Act of Parliament means, a specific provision overrides one of a general nature. In other words, if two statutory provisions are in conflict or overlap, the detailed provision will prevail over the more general one. In applying this principle, NALC's views are as summarised below.

Ss.137 and 138B of the 1972 Act and s.1 of the 2011 Act constitute general provisions and do not override the specific prohibitions in s.8 of the 1894 Act. S.137 expressly provides that expenditure cannot be incurred purposes which are subject to a statutory prohibition, restriction or limitation.

S.2 of the 2011 Act confirms that the general power of competence does not allow an eligible parish council to get round any statutory prohibition, restriction and limitation which existed before the general power was introduced.

S.214(6) of the 1972 Act which permits a council as a burial authority to contribute to the expenses of anyone else providing a cemetery, appears to overlap with the specific provision in s.8 of the 1894 Act which prevents a council from contributing to the affairs of the church and, in NALC's view, the specific provision would prevail.

S.215 of the 1972 Act is a specific provision in respect of the responsibilities of a council (whether or not a burial authority) to maintain a closed churchyard which, in NALC's opinion, thus overrides the prohibitions in ss. 6 and 8 of the 1894 Act.

Summary

There is no current case law to resolve the question of whether or not the 1894 Act restrictions override the provisions in later Acts of Parliament and ultimately it would be for the courts to determine the extent of any prohibition from the 1894 Act. Any court action started so as to resolve this point is likely to be expensive and time consuming.

It would, of course, be possible for Parliament to clarify the point with a specific provision in new legislation, however, the Government's current view on the legal issues is that there is no need for any further legislation as they believe the 1894 Act restrictions do not override the provisions in later Acts of Parliament.

Whilst there is no consensus on this issue, a council that considers making a payment in these circumstances needs to consider whether it is prudent to take a course of action that it cannot be certain is legally valid.

Biodiversity

Background

Under the Natural Environment and Rural Communities Act 2006 there is a duty on public authorities in England, including Parish Councils to have regard to conserving biodiversity as part of their policy or decision making. This was further strengthened by the Environment Act 2021 so public authorities must now consider what they can do to conserve and enhance biodiversity in England. This means a public authority must;

- Consider what they can do to conserve and enhance biodiversity.
- Agree policies and specific objectives based on their consideration.
- Act to deliver policies and achieve objectives.

Biodiversity refers to the variety of life on earth¹. Biodiversity is everywhere: in gardens, fields, hedgerows, mountains Rivers and the sea.

The Local Area

Sporle with Palgrave Parish Council is a rural village, with a considerable number of natural areas, including hedges, ditches and farmland.

Parish Council responsibilities

The Parish Council owns no land - it is the sole trustee of the Pavilion, recreation field and children's playground charity which is responsible for the playing field.

The Parish Council is responsible for the grass cutting of the recreation field and undertakes ditch cutting and hedge cutting where necessary on the field.

The Parish Council is currently investigating the development of a Neighbourhood Development Plan and will ensure that biodiversity is discussed and incorporated as possible.

What the Parish Council will do

- Consider the impact on biodiversity in the decisions made through the Parish Council, especially when commenting on planning applications.
- It will reduce the use of pesticides and herbicides used on Parish Council/charity owned land
- It will review how it manages the land at the Recreation Field, to include but not be limited to;
 - Leaving standing and fallen dead wood as a habitat for invertebrates
 - Leaving leaf litter and dead vegetation wherever possible as a habitat for invertebrates
 - Removing invasive and non-invasive species that are detrimental to native flora or fauna as required.
- As Trustee for recreation ground charity the Parish Council will

¹ As defined in 'Biodiversity 2020: a strategy of England's wildlife and ecosystems' by DEFRA

Sporle with Palgrave Parish Council
58 Hercules Road, Hellesdon, Norwich, Norfolk, NR6 5HH
ADOPTED Wednesday 9th November 2023

- Ensure that there is a margin of uncut grass around the hedges to allow longer grasses to grow
 - Allow fallen tree branches to remain, if safe, to allow invertebrates to habitat
 - To preserve the trees and encourage biodiversity area under the trees will be wilded, either to grow as long grass and flowers.
- Hedge cutting takes place twice a year. All hedges are cut outside of the bird nesting season.
- The Parish Council will look to purchase and install bird and bat boxes in the charity owned trees.
- The Parish Council will look to promote biodiversity via the Parish Council website.

¹ As defined in 'Biodiversity 2020: a strategy of England's wildlife and ecosystems' by DEFRA

9.1 Castle Acre response:

Both volunteers and councillor chair are both agreed if the internal battery / batteries need changing that is then what should be done. Could we please have an idea of what the cost of this might be, I am sure CAPC will share the cost 50/50 as we have done in the past. Can we assume that if the monitor is going back to the manufacturer / supplier, Westcotec that it will be checked over at the same time?

In respect of the bluetooth enabling, our volunteer has never had an issue downloading data (until a month or two ago) if the batteries are up to scratch. He said he has no need for bluetooth as he hard wires the machine at home to retrieve data and would not be prepared to take his laptop out roadside, we agreed there appears to be no need to have bluetooth installed, certainly not on behalf of Castle Acre.

Castle Acre_PC would like to send sincere thanks to yourself or the Councillor who is happy to deliver the SAM 2 to Westcotec for the fitting of new batteries.

We will otherwise await an estimate of cost for the replacement of the internal batteries?

9.2 Gardening Club response.

Sorry forgot that you asked for info re slabs around village sign.

Not for pay back team as it needs a professional.

But turf needs to be removed so slabs would be level with grass and they need to be levelled on sand(?) cemented in and cement in between slabs too so that weeds and grass do not grow between them. One row should be enough.

This would certainly help keep the bed tidier as the grass and weeds grow into it at the moment but garden group do not have the funds or expertise to do this.

Another suggestion was upright metal edging put in but I think that would cause problems with grass cutting and the grass and weeds just seem to grow over that sort of stuff. Slabs would be preferable as they create a good barrier if done properly.

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Section 53(5) of and Schedule 14 to the
Wildlife and Countryside Act 1981

The Definitive Map and Statement of Public Rights of Way for the County of Norfolk

To: Ms. Sarah Hunt, Spore with Palgrave Parish Clerk, 58 Hercules
Road, Hellsdon, Norwich, Norfolk NR6 5HH,

Proposition: Re-establishment of unity between the two component parts of Ruckold's Lane by upgrading Spore with Palgrave BR1 to a restricted byway, RB1. The highway is almost certainly a very ancient highway that has been treated cartographically as a single road. It is a former coach road and had sufficient reputation to be labelled on a large number of maps including all large-scale Ordnance Survey Maps. It was also shown on the Finance Act (1909-10) IRS Duties on Land Values map and on the Ministry of Food National Farm Survey 1943 Map as "white roads" in their particular context. This is indicative that the landowners at their respective times considered the highway to be a public vehicular road. Both these documents were kept incommunicado for 50 years and so their content is not widely known. There is appreciable other evidence to support the proposition. It is not suggested that mechanically-propelled vehicles should return

I, L David Ormerod, rights of way volunteer of 7 Mill Lane, Swaffham, Norfolk PE37 7EU hereby give notice that on October 1, 2023, I made an application to the Norfolk County Council, County Hall, Martineau Lane, Norwich NR1 2SG for due consideration that the definitive map and statement for the area be modified as above.

Date: October 1, 2023	Signature: <i>L. David Ormerod</i>
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Applicant's Reference: EH 089

Norfolk County Council Reference:

Note not forming part of the Statutory Notice

The Definitive Map and Statement of Public Rights of Way in the County of Norfolk is a record of rights of way in the County. This application has been made because it appears that a public right of way exists which has not been recorded in the Definitive Map and Statement. A definitive map modification order will not create new rights but will just record those rights which already exist. This application is made in order to assist the County Council to meet its statutory duty to record public rights of way. For further information, please contact the Norfolk County Council Case Officer on 0344 800 8020. Notes on finding and interpreting evidence of highway status can be found at *Rights of Way: Restoring the Record* ISBN 978-0-9574036-1-1.

From: Britton, Julie <Julie.Britton@breckland.gov.uk>
Sent: 10 October 2023 12:43
Cc: Smith, Teresa
Subject: FW: CONSULTATION: Polling District, Polling Place

Importance: High

Good afternoon all,

Under the Electoral Registration and Administration Act 2013, all local authorities have to undertake a review of all polling districts and polling places every 5 years. Breckland Council has launched its consultation on its existing and proposed polling places.

The aim of the review is to ensure:

- all electors in a constituency have such reasonable facilities for voting as are practicable in the circumstances,
- as far as is reasonable and practicable every polling place is accessible to all electors who are disabled.

The Acting Returning Officer (ARO) has been consulted on the current polling arrangements and the ARO's proposals can be viewed on our Website at: [Review of Polling Districts, Polling Places and Polling Stations 2023 - Breckland Council](#)

We invite you to submit any comments on the existing arrangements, or on the (Acting) Returning Officer's proposals by midnight on **Friday 17 November 2023**.

Comments can be made by:

- using the online form available on the website: [Comment on the Polling Districts, Polling Places and Polling Stations Review 2023 - Breckland Council](#);
- in writing to: Electoral Services, Breckland Council, Elizabeth House, Dereham, NR19 1EE;
- or email to elections@breckland.gov.uk

Kind regards

The Elections Team

Teresa Smith

Democratic Services Team Leader
Breckland Council

T: 07464 900987
M: 07464 900987



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