

**Minutes of Martham Parish Council Meeting**  
**Held in the Martham Methodist School Room on 20 June 2007 at 19:30 hrs.**

**Those Present:**

*Councillors:*

J Beales; T Brookman; B Carberry; T Gates; M Horrocks; M Huke; K Jordan; P Manifold; T Watson;  
B Wright

*Presiding:* M Huke

*Others:* PC D Cook; Cllr M Coleman

Clerk in attendance: Peter Dawson                      Together with 20 members of the public.

**Apologies:**

Cllr. B Huxtable; County Councillor M Carttiss; Borough Councillor B Coleman

**PUBLIC FORUM**

Joyce Knights spoke on behalf of a delegation of residents from the Avenues estate who complained about the lack of adoption of the highways and sewers on part of the estate. The same issue had been raised with the Ward Councillor Mary Coleman, Great Yarmouth Borough Council, Norfolk County Council and Anglian Water. Mrs Knights presented a letter sent to Councillor Coleman by the Borough Council's Transition Manager, John Hemsworth, that explained the situation and the Chairman whilst expressing every sympathy for the plight of the residents concurred that the advice given in the letter was totally correct. A long debate followed during which it became clear that allegedly the developer had not complied with the requirements of the adoption process under Section 38 and consequently the footpaths, roads and sewers had not been inspected at the proper times and had not been adopted. This was a private matter on private land and the residents need to address the issue by action against the developer preferably through a solicitor. Councillor Mary Coleman gave the same advice. Parish Councillors also suggested residents could seek advice from the Law Society and perhaps through a solicitor taking joint action on behalf of the Avenues' residents/social group.

Mr K Playford and Mr G London expressed their exasperated concern about the "dreadful" state of the footpaths around the village that they claimed were worse than they had been for many years. They demanded to know what the Council was doing about it and why the Council was not organising regular cutting and maintenance of the rights of way. The Chairman explained that there had been fairly recent changes to the Authorities that are responsible for maintaining the footpaths and that in many cases this now rested with the Broads Authority whilst NCC usually cut footpath numbers 1, 2, 3, 15, 16, 17, 19, 20 and 21. The Council was concerned about the effects of double taxation on residents if the Council paid for maintenance which was the responsibility of other Authorities. Nevertheless a comprehensive survey of footpaths had been carried out by walking them during the last month and strimming has been arranged to footpaths 4, 5, 6, 10, 11, 13 & 15. The Chairman gave an undertaking that he would go through the survey in detail with Councillor Horrocks and see what other actions were appropriate. The Chairman also gave an undertaking to contact Mr J Chapman and Mr Norton about making up footpaths to the correct width.

Mr (Snowy) Hurren asked if anything could be done about the uneven surface of the pavement along the west side of Black Street and Councillor Jordan said he would arrange to meet him to look in detail at the area of concern.

An enquiry was made concerning permission for hanging baskets near the pond during the carnival. It was explained that these were previously provided by the publican of the King's Arms and that the Council had no objection.

***Borough Councillors Report***

The Councillor reported that Cllr. Barry Coleman had attended a site meeting with NCC officials at the junction of the A149/Repps Road and that a safety feasibility study had been promised by NCC sometime this year. Councillors Huxtable and Horrocks attended the meeting on behalf of the Council along with the Acting Clerk, Pat Devlin.

A dropped curb outside the Co-op / DIY, opposite Marlborough Green Crescent has been added to the road maintenance programme.

The hedge on Hemsby Road near the Medical Centre has been cut and assurances given that it has been added to the regular Borough Council maintenance programme. The hedge on the north side of the Hemsby Road near the industrial units has not been cut to protect bird nests.

Meetings have been held with NCC in order to try to resolve road flooding problems near to Lowns and in Black Street.

Councillor Coleman invited everyone to a Paintings Preview to be held in St Mary's Church on 6<sup>th</sup> July 2007.

The Chairman asked Councillor Coleman if she could assist by finding out from the Borough Council the total of Section 106 money both held and due in respect of developments within the parish.

Councillor Beales asked Councillor Coleman if something could be done about the very poor telephone service provided by the Borough Council which many people found was totally inadequate with long waiting times. She also complained that general email enquiries go unanswered.

***Police Report – PC Cook had nothing to report.***

In answer to a query PC Cook said that there were no parking restrictions where vans were parked near the Co-op but he would have informal words with the builders. With reference to cars parked partly on the pavement at the bend in Repps Road he said it was technically an offence but it was something of a pragmatic practice that he would act on only if the path was unreasonably blocked.

At this point Councillor Huxtable tendered his apology for having to leave the main Council Meeting that started at 8.35pm.

**COUNCIL MEETING**

***1. Apologies***

Resolved to accept apologies from Councillor Huxtable.

***2. Declarations of Interest***

Cllr. B Wright – Allotment holder. Cllr. K Jordan, Cllr. P Manfold and Cllr T Watson regarding the right of way at Cess Road.

***3. Minutes of Meeting held on 16<sup>th</sup> May 2007***

Councillor Watson asked that the schedule to the minutes of the last meeting be amended to show that he is a representative on the Small Works and Allotments Working Parties and subject to this

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amendment it was **Proposed** by K Jordan, **Seconded** by J Beales and unanimously agreed that the minutes be duly signed as a true record.

### **4. Matters Arising - none**

### **5. Code of Conduct**

- 5.1 The Council received a report that explained that the Standards Board for England had prepared a revised model 2007 Code of Conduct for parish councils. The Standards Board were encouraging all local authorities to adopt the revised Code at the earliest opportunity to help ensure that all members are subject to the same standards across the country.
- 5.2 The basic draft Code does not include paragraph 12(2) of the Code which gives members with a prejudicial interest in a matter the same rights as the public to speak to a meeting and then leave the room before the main discussion and vote. If paragraph 12(2) is not adopted members have no rights, even to speak as a member of the public or a witness. It was explained that paragraph 12(2) is not mandatory for parish councils. Therefore, if the Council wishes to adopt paragraph 12(2), it needs to do so expressly, by adopting the Standard Board's Model Code and by passing a positive resolution adopting paragraph 12(2).
- 5.3 Proposed K Jordan; seconded T Watson and unanimously AGREED that:-
- a) The Council adopts the revised Parish Councils (Model Code of Conduct) per Order 2007 No.1159 as prepared by the Standards Board.
  - b) The Council adopts the optional paragraph 12(2) of the Code of Conduct -2007.
  - c) The Council's Standing Orders be suitably amended to show the adoption of paragraph 12(2) by deleting the existing paragraph 27a of Standing Orders and replacing it with:  
"All members must observe the revised Code of Conduct - 2007 including paragraph 12(2) which was adopted by the Council on 20<sup>th</sup> June 2007 a copy of which is annexed to these Standing Orders."
  - d) In order to make clear that members who have declared a prejudicial interest retain the right to address the council during any time for public participation the following be added after paragraph 41 of the Code of Conduct:-  
"41a. At all meetings of the Council the Chairman may at their discretion and at a convenient time in the transaction of business, adjourn the meeting so as to allow any members of the public and those councillors with a prejudicial interest in items on the agenda to address the meeting in relation to the business to be transacted at that meeting."
  - e) That the date in paragraph 38 of the Code of Conduct (adoption date) is changed to 20<sup>th</sup> June 2007.

6. **Planning**

*Planning Applications Received for Parish Council Comments*

Address	Application Type	Comments
Repps Road	New bungalow & garage	Overdevelopment of site
7 The Green*	Change of use to pizza take-away	No objection, provided any rubbish is cleared away by the business owners
42 Grove Road	One storey side extension	No objection
Land adj Elmside White Street	40 dwellings - revision to plans Oct 2006	Same as previous

*Planning permissions granted by GYBC*

Address	Application Type	Comments
126 Marlborough Green Crescent	Timber car port & garage	Granted

\*Councillor Jordan notified the Council that the applicant had telephoned him about this proposal approximately two months ago and that he gave procedural advice but no opinion as to suitability of the business for the village.

Alberta Cottage, Cess Road - the Chairman reported that he had suggested a revised layout to provide a shared driveway to the garages at this development.

7. **Finance**

The Council considered a request from Martham Fun Carnival for a grant of £100.00 to assist with providing this event. In accordance with its powers under section 137 of the Local Government Act 1972 Council decided that such a grant would be to the benefit of the whole community and the request was **AGREED**. **Proposed** by Cllr. P Manifold, **Seconded** by Cllr. T Watson, *Unanimous*.

EXPENSES JUNE 2007					
	NET	VAT	TOTAL		
Secret Gardens. Extra Village Green cut	£ 95.00	£ -	£ 95.00		
Environmental Agency (allotments work)	£ 5.36	£ -	£ 5.36		
Miracle Cleaning Ltd - Litter picking 1st to 31st May	£ 95.00	£ 16.65	£ 111.65		
Waste Recycling	£ 135.25	£ 23.67	£ 158.92		
Clerk's salary/overtime 14.5.07 to 25.7.07 (Pat Devlin)	£ 330.36	£ -	£ 330.36		
Printing & stationery expenses - P Dawson	£ 19.77	£ -	£ 19.77		
PAYE & NI contributions	£ 410.31	£ -	£ 410.31		
BT 12.6.07	£ 32.02	£ 4.82	£ 36.84		
Section 137 – Martham Carnival	£ 100.00	£ -	£ 100.00		
<b>TOTAL FOR JUNE 2007</b>	<b>£ 1,223.07</b>	<b>£ 45.14</b>	<b>£ 1,268.21</b>		
RECEIPTS JUNE 2007					
Recycling Glass and shoes	£ 222.78	£ -	£ 222.78		
Training on 22.5.07 from Thurne PC	£ 30.00	£ -	£ 30.00		
Training on 22.5.07 from Ormesby St Margaret PC	£ 10.00		£ 10.00		
<b>TOTAL FOR JUNE 2007</b>	<b>£ 262.78</b>		<b>£ 262.78</b>		

*The above Finances were AGREED. Proposed by K Jordan, seconded by T Watson, Unanimous.*

**8. Correspondence**

The listed correspondence was received and noted other than:

- Martham Fun Carnival use of The Green from 5<sup>th</sup> to 9<sup>th</sup> July AGREED.
- Martham Churches Together use of The Green on 1<sup>st</sup> July AGREED.
- St Mary's Parish Church use of The Green fortnightly from 19.5.07 to 8.9.07 AGREED.
- Norfolk Rural Community Council survey to be completed by the Clerk.
- Cllr. K Jordan and the Clerk nominated to attend NCAPTC meeting at Repps on 26<sup>th</sup> June.
- Banking changes at Alliance & Leicester referred to the Finance Committee.
- Copy of letter forming a petition sent to the Borough Council, Broads Authority and the Environment Agency from 17 residents in Cess Road concerning Quirks Plant Hire business operations received.
- A letter from NCC saying improved zebra crossing beacons are to be installed on Repps Road was welcomed.
- A letter from NCC saying the 30pmh speed limit is to be extended further south leaving the village via Rollesby Road was welcomed.

**9. Footways/Highways**

- 9.1 Councillor Beales reported flooding problems had occurred again in parts of Black Street and in the area around the first school in Staithe Road/School Road following recent heavy rain. Reassurances had been given previously by the County Councillor that this would be looked at. It was suggested that when this happens again photographs be taken to strengthen the case when it is next taken up.

**10. Footpaths**

- 10.1 **Footpath and land at Valley Works, Cess Road.** The Land Registry had written explaining the situation further. It was noted that any registration of land could not result in the moving, closing, or blocking of the right of way over it and that the Highways Authority had been included in consultations. This being so it was AGREED that no further representation to the Land Registry be taken. **Proposed** by *Cllr. P Manifold*, **seconded** by *Cllr K Jordan*. *Unanimous.*
- 10.2 Councillor Horrocks was thanked for the detailed report she had compiled into the state of footpaths around the village and the Chairman reiterated the arrangements to study the outcome requirements in detail with her given that some members expressed a preference for greater investment in footpath maintenance. It was AGREED that members be allowed to approach landowners direct when footpaths are not being maintained. **Proposed** by *Cllr. K Jordan*, **seconded** by *Cllr B Carberry*. *Unanimous.*
- 10.3 Councillor Horrocks suggested that the lane off Cess Road be given an official name. The Footpaths Working Party was requested to consider this matter in more detail and report back with recommendations.

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### **11 Personnel**

11.1 The contract for the new Clerk was AGREED, as presented, and the starting date of 9<sup>th</sup> July 2007 noted. **Proposed** by *Cllr. J Beales*, **seconded** by *Cllr M Horrocks*. *Unanimous*.

11.2 It was AGREED to pay expenses of up to £150 to the former clerk for work she was doing to close the accounts for 2006/07 which she would present to the next meeting of the Finance Committee. **Proposed** by *Cllr. M Huke*, **seconded** by *Cllr. K Jordan*. *Unanimous*.

### **12. Communication**

The Communications Working Party had met and presented a draft Annual Report with a recommendation that it be adopted and circulated as widely as possible throughout the village. The cost of full circulation to all households using an existing distributor was estimated to be £565 but it was not clear if this included VAT that could be reclaimed. Subject to final costs distribution to all households via the 'My Martham' magazine was AGREED. **Proposed** by *Cllr. J Beales*, **seconded** by *Cllr. B Wright*. *Unanimous*.

### **13. Small Works**

Reference was made to the damage to the new sign on Hemsby Road that needed welds repaired which would be completed under small works as would improved painting of all four welcoming signs.

14. **Allotments** - nothing to report.

15. **Parish Plan** – nothing to report.

16. **Luncheon Club** – Cllr. Watson said all members had been invited to the next luncheon meeting in August.

### **17. Items for next agenda**

- Fly tipping
- Progress on staithe in Damgate (Cllr. Huxtable)
- May Fair developments
- Village Green Christmas lighting

The next meeting was confirmed as being at 19.30 hrs. on 18<sup>th</sup> July 2007.

***There being no further business, the meeting closed at 22:03 hrs.***

Signed..... Dated.....  
(Previous minutes are also available on the Council Website at: [www.martham.gov.uk](http://www.martham.gov.uk)).