

# HEMPNALL PARISH COUNCIL

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## **Minutes of the Parish Council meeting held on Tuesday 31<sup>st</sup> January 2012 at 7.30pm in The Mill Centre**

**ACTION**

### **Present**

Chairman Geoffrey Moulton, Vice Chairman David Hook, Liz Allen, Debbie Ashford, David Pointer, Mike Turner, Peter Workman and the Clerk Ian Nelson.

### **Members of the public present**

Mrs Margaret Attlee, Mr Ian Cundy, Mrs Sylvia Cundy and Mr Roger Parker

### **Apologies**

Apologies were received from District Councillor Windridge and Richard Delf.

### **Declarations of Interest**

Mrs Allen declared a prejudicial interest and Mr Moulton and Mrs Ashford declared an interest in the Wind Turbine matter and Mrs Allen declared a prejudicial interest in the TCI Scoping Document matter.

### **Minutes of the previous meeting**

The minutes of the public meeting of the 9<sup>th</sup> January 2012 were approved and signed and the minutes of the meeting on 10<sup>th</sup> January 2012 had one amendment and one typo to correct, but subject to this were approved for signature.

### **Public Participation**

Mr Cundy asked if the minutes relating to the potential closed session would be made public in due course. The clerk confirmed that this would be the case once the reason(s) for the closed session no longer applied. Mr Hook stated that the reason the bats issue should be discussed in closed session was because if the parish council decided to treat the survey as confidential it would therefore be inappropriate for members of the public to be present when the matter was discussed.

### **Planning Applications**

#### **New applications since the last meeting:**

Mr & Mrs R Easby, Land rear of Old Mill Barn, Mill Road, Topcroft, NR35 2BW - Change of use of land to residential garden and erection of mower shed, greenhouse and summer house. – Recommended approval.

#### **Applications approved since the last meeting:**

Mr & Mrs Adam Buck, Colreen, Mill Road, Hempnall, Norfolk, NR15 2LP - Proposed single storey rear extension.

### **Community Right to Buy vis a vis Queen's Head**

Mr Hook had investigated this with SNC and NALC. He reported that the District Council's solicitor had advised that the District Council was currently awaiting clarification of procedures with regard to those elements of the Localism Act that apply to the Register of Community Assets / Community Right to Buy. Mr Hook also contacted Tim Horsepole (SNC planning policy team) who said that he was not yet familiar with these aspects of the Localism Act.

NALC advised that in view of the importance attached to preserving local facilities, such as pubs, and in view of the lack of guidance currently available in the Localism Act that the Parish Council write to Richard Bacon MP to seek clarification as to how to register the pub as a community asset. They also advised that the leader and chief executive be copied in on this correspondence.

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**ACTION**

Mr Hook proposed, Mr Turner seconded and it was unanimously agreed that the clerk write such a letter.

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## **TCI Scoping Document**

There was nothing further to report.

## **Correspondence**

### **SNC LDF Development Management Policies Consultation**

This is taking place from 23<sup>rd</sup> January to 6<sup>th</sup> March 2012. Mr Hook volunteered to review the consultation document on behalf of the council.

DH

## **Public Exclusion**

The special nature of the business that followed related to a discussion of the Bat Survey commissioned by the parish council. Mr Hook explained that the purpose of the bat survey was to provide the parish council with objective information as it was felt that material emanating from the developer or a campaign group may contain bias.

He went on to say that as part of the discussion a decision would need to be made as to whether the contents of the survey should be made public and reiterated that in case the parish council decided to treat the survey as confidential it would be inappropriate for members of the public to be present when the matter was discussed.

The clerk stated that the public meeting had already clearly indicated that parishioners objected to wind turbines on the proposed site (put in the numbers of Hempnall parishioners for and against), however it was noted that the parish council wished to reserve its position until an application had been received for consideration.

The clerk warned councillors that they would be in breach of the Code of Conduct if they disclosed or used information discussed or provided in the closed session other than for authorised parish council business unless it was resolved to disclose such information.

The clerk said that minutes of the closed session would be taken and made public in future at an appropriate time.

The clerk advised that although Mrs Allen, Ashford and Mr Moulton had disclosed an interest they were entitled to make representations before leaving this part of the meeting.

Mrs Allen asked if the matter to be discussed in the closed session was purely relating to the bat survey, the clerk confirmed indicated that this was the case. Mrs Allen then asked why Mrs Attlee would be present in the closed session and asked for clarification as to Mrs Attlee's credentials with respect to bat surveys. It was explained that Mrs Attlee had been invited to advise the parish council as to the relevance of the data in the bat survey because it was felt that her level of expertise was far greater than that possessed by any member of the parish council. Mrs Attlee gave an account to the meeting of her credentials.

Mr Moulton urged the parish council to exercise their option to hold a "private meeting" to consider the significance of the bat report and how to use it.

Mr Hook took the chair.

Mr Hook proposed, Mr Turner seconded and it was unanimously agreed that in accordance with standing orders and the Public Bodies (Admission to Meetings) Act 1960 s1, in view of the special nature of the business about to be transacted, it is advisable in the public interest that the press and public be temporarily excluded and they are instructed to withdraw.

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## ACTION

The members of the public (except Mrs Attlee) and members of the parish council who had declared an interest, left the meeting.

### **Bat Survey**

Following discussion in closed session the outcome was such that the minutes of the session could be published immediately below.

Mr Hook invited Mrs Attlee to give her assessment of the bat survey produced by Mr Chris Vine, provided to the parish council on 13<sup>th</sup> January 2012.

Mrs Attlee explained that it was a very professional and up to date survey that, in conjunction with previous surveys carried out on the site, revealed highly significant findings that showed that the local bat colonies were of national and quite probably international importance.

The survey area contains at least 7 and possibly 9 bat species, 3 of which were considered to be very rare in the UK. Of particular significance in relation to wind turbines was confirmation of the presence of high flying Noctule bats (including a roosting site) a species that is considered most at risk from collision and death from wind turbines. The survey also confirmed breeding sites of Barbastelles, a very rare bat.

The survey confirmed that Barbastelle and the other species of bats would commute in all directions from the local woodlands (Saxlingham Grove, Little Wood and Winter's Grove) across the proposed site for the wind turbines.

Mrs Attlee stressed that all bat species had legally protected status and the survey stated that Barbastelles, under the Habitats Directive, had even wider protection and their conservation required the designation of special areas of conservation (SACs).

Mr Hook thanked Mrs Attlee for her contribution and parish councillors discussed the significance of the survey findings. It was considered that the information was very important and relevant to any proposed planning application and in response to a question Mrs Attlee advised that the site was of such importance it justified further survey work.

Mr Pointer proposed, Mr Turner seconded and it was unanimously agreed that the clerk should arrange for Mr Vine to provide a summary of the survey's findings in order to inform parishioners, who had funded the survey, of its contents and significance.

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Mr Pointer proposed, Mr Turner seconded and it was unanimously agreed that the full survey findings would be made available when the parish council considered it to be appropriate.

Mr Pointer proposed, Mr Turner seconded and it was unanimously agreed that the parish council liaise with Mr Vine regarding the possibility of further survey work.

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There being no further business, the meeting was closed at 9.40pm.

Signed \_\_\_\_\_ Date 6<sup>h</sup> March 2012