

NOTE: In the case of non-members, this agenda is for information only

DEREHAM TOWN COUNCIL

Assembly Rooms, Quebec Street, Dereham, Norfolk NR19 2DJ

Telephone: Dereham (01362) 693821 Fax: (01362) 693405

E-mail: generalenquiries@derehamtowncouncil.org

Web Site: www.derehamtowncouncil.info

8th May 2025

Dear Councillor

You are hereby summoned to attend the next meeting of **Dereham Town Council** which will be held at the Memorial Hall, Dereham on **Tuesday 13th May 2025 at 7.30pm** to consider the items on the Agenda below.

Yours faithfully

A N Needham

**Mr A N Needham
Town Clerk**

Members requiring further information, or with specific questions, are asked to raise these with the appropriate officer at least two working days before the meeting. If the information requested is available, this will be provided, and reported to Council.

A G E N D A

1. To receive apologies for absence.
2. **Declaration of Interest.**
In accordance with the Localism Act 2011, Members are asked at this stage to declare any Disclosable Pecuniary Interests or Other Registerable Interests; as defined by the Code of Conduct adopted by the Council. Councillors shall declare such interest as soon as it becomes apparent, disclosing the nature and extent of those interests. Failure to disclose any Disclosable Pecuniary interests or to knowingly give false or misleading information is a criminal offence under section 34 of the Localism Act 2011

Adjournment for Public Speaking - meeting to be adjourned for up to 15 minutes maximum to take questions from members of the public or to allow County and District Councillors who are not Town Council members to give a report and answer questions.
3. To receive announcements.
4. To receive from the Chairman, confirm as correct and sign the minutes of the **Full Council meeting** held on **Tuesday 8th April 2025**.

5. To receive from the Chairman, confirm as correct and sign the minutes of the **Extraordinary Full Council meeting** held on **Tuesday 15th April 2025**.

6. **Heritage & Open Spaces**

- a) To receive from the Chairman, confirm as correct and sign the minutes of the **Heritage & Open Spaces Committee meeting** held on **22nd April 2025**.

- b) To discuss any matters arising and vote on any recommendations listed below.

To receive a report from Community Access Warden.

The committee proposed that a meeting be arranged with County Officers, and possible site visits.

7. **Recreation**

- a) To receive from the Chairman, confirm as correct and sign the minutes of the **Recreation Committee meeting** held on **22nd April 2025**.

- b) To discuss any matters arising and vote on any recommendations listed below.

To discuss funding for the refurbishment of the Skate Park.

The committee recommended that off-site commuted sums for sport be used to refurbish the skate park then the same level of funding be set aside in an ear-marked reserve our additional open spaces and sports provision.

To consider policy on boundary trees.

The committee recommended that where the evidence is clear that a tree is a boundary tree it be treated as such, but where there is some doubt, that the tree be treated as being the town council's sole responsibility. This would not be a policy but guidance to be reviewed when sufficient evidence has been accumulated.

8. To receive from the Chairman, confirm as correct and sign the minutes of the **Plans meeting** held on **Tuesday 22nd April 2025**.

9. To receive and adopt the list of accounts paid, the Financial Statement and list of accounts to be paid.

10. To receive any updates/reports from members of the Council who are County or District Councillors.

DEREHAM TOWN COUNCIL

8th April 2025

At a meeting of the **Full Council** held on **Tuesday 8th April 2025** in the Memorial Hall at **7.30pm**.

Present: Councillors R O'Callaghan (Chairman), H Clarke, C Coleman, P Duigan, Z Flint, A Greenwood, S Green, R Jamieson and P Morton.

Also in attendance: District Councillor A Webb, T Needham (Town Clerk) and J Barron (Deputy Town Clerk)

116. To receive apologies for absence.

Apologies for absence were received from Councillors A Brooks, H King and L Monument.

117. Declaration of Interest.

There were no declarations of interest.

The meeting was adjourned

- Mr John Watts addressed Councillors saying that he had heard that social housing at Sandy Lane in Dereham was being cleared for Operation Scatter asking if this was true.
 - Councillor R O'Callaghan replied that he was not aware of this.
 - Mr Watts was asked to email his concerns to the Town Council so that his concerns could be raised with the appropriate authority.
- District Councillor Bill Borrett spoke about Local Government Reorganisation and answered questions.
- District Councillor A Webb said that she did not think that Local Government Reorganisation would be good for local residents.

The meeting resumed

118. To receive announcements.

The Town Clerk T Needham announced that there would be additional meetings on the following dates:

- 15th April 2025 Extraordinary Meeting to discuss carparks
- 6th May 2025 Teams Meeting regarding proposal for land at the rear of the Maltings.

119. To receive from the Chairman, confirm as correct and sign the minutes of the Full Council meeting held on Tuesday 11th March 2025.

Proposed by Councillor R O'Callaghan, the minutes of the Full Council meeting held on Tuesday 11th March 2025 were agreed and signed.

120. **Social & Welfare**

- a) To receive from the Chairman, confirm as correct and sign the minutes of the **Social & Welfare Committee meeting held on 25th March 2025.**

Proposed by Councillor C Coleman, the minutes of the Social & Welfare Committee meeting held on Tuesday 25th March 2025 were agreed and signed.

- b) To discuss any matters arising and vote on any recommendations listed below.

The following recommendations were agreed and approved by the council.

To consider charges for Saturday Burial.

That the additional fee of 50% for Saturday and bank holiday burials be removed and replaced by an additional admin fee of £50.

Times interments can take place.

The only limitation should be that the filling in of a grave should be completed before darkness falls.

Interments on public holidays.

Interments be allowed to take place on bank holidays with the exception of Christmas day.

When conducting a funeral undertakers should always be mindful of others and be sensitive and respectful. If funerals are not sensitive and respectful to others, then the Council reserves the right to exclude those undertakers from conducting future funerals in Dereham.

121. **Markets & Buildings**

- a) To receive from the Chairman, confirm as correct and sign the minutes of the **Markets & Buildings Committee meeting held on 25th March 2025.**

Proposed by Councillor S Green, the minutes of the Markets & Buildings Committee meeting held on Tuesday 25th March 2025 were agreed and signed.

- b) To discuss any matters arising and vote on any recommendations listed below.

The following recommendations were agreed and approved by the council.

To consider letting conditions for the Cemetery Lodge.

It was agreed that the Town Council ask the estate agent to draw up a criteria for the letting conditions for the Cemetery Lodge to ensure that any tenant appreciates and is sympathetic to its unique location.

122. To receive from the Chairman, confirm as correct and sign the minutes of the **Plans meeting held on Tuesday 11th February 2025 and Tuesday 25th March 2025.**

Proposed by Councillor R O'Callaghan, the minutes of the Plans Committee Meeting held on Tuesday 11th February 2025 and Tuesday 25th March 2025 were agreed and signed.

123. **To receive and adopt the list of accounts paid, the Financial Statement and list of accounts to be paid.**

Proposed by Councillor R O'Callaghan, the list of accounts paid, the Financial Statement and list of accounts to be paid were agreed

124. **To appoint Councillor R Jamieson to the Recreation Committee, Heritage and Open Spaces Committee and Personnel Committee.**

It was agreed that Councillor R Jamieson be appointed to the following Committees:

- Heritage & Open Spaces
- Recreation
- Personnel

125. **To consider allocating additional budget to repair brick shed near to Lodge.**

Proposed by Councillor R O'Callaghan, seconded by Councillor Z Flint it was agreed to allocate additional budget to repair the brick shed near the Lodge.

126. **To consider a request for funding for safer street wardens.**

It was agreed that this should be deferred to the next Full Council meeting for further consideration.

127. **To receive any updates/reports from members of the Council who are County or District Councillors.**

Councillor R O'Callaghan advised that he had recently had an interesting meeting with the Police and suggested that all Councillors google Blue Book a Guide to Personal Security.

128. **To discuss the closure of Toftwood Surgery.**

Since the closure of Toftwood Surgery it was felt that Orchard Surgery were manging the extra patients while Theatre Royal Surgery were having problems due to not having any additional doctors or rooms.

It had been suggested by George Freeman MP that the Fred Nicholson site would be ideal for a medical centre.

It was agreed that the Town Clerk write a strongly worded letter to the ICB address the concerns of the Town Council.

129. **To discuss the Local Government Reorganisation.**

After much discussion it was agreed to revisit this in October, Councillors were encouraged to respond to the consultation individually.

130. **To nominate candidates for the Norfolk Association of Local Councils.**

Proposed by Councillor R O'Callaghan, seconded by Councillor Z Fint, it was agreed that Councillor C Coleman be a candidate for the Norfolk Association of Local Councils.

131. **Exclusion of press and public**

Proposed by Councillor R O'Callaghan, it was agreed to pass a resolution to exclude the Press and Public from the meeting on the grounds that the Business to be transacted is confidential and publicity would be prejudicial to the public interest.

132. **To consider tenders for the Recreation Ground path surfacing.**

Proposed by Councillor S Green, seconded by Councillor A Greenwood, it was agreed that the tender for the Recreation Ground path surfacing would go to KDG Surfacing.

Chairman

DEREHAM TOWN COUNCIL

15th April 2025

At an **Extraordinary Meeting** of the **Full Council** held on **Tuesday 15th April 2025** at the Memorial Hall, Dereham at **7.30pm**.

Present: Councillors L Monument (Chairman), H Clarke, C Coleman, P Duigan, Z Flint, S Green, A Greenwood, R Jamieson, H King, P Morton and R O'Callaghan.

Also in attendance: Town Clerk A Needham and Deputy Town Clerk J Barron

133. To consider apologies for absence.

Apologies for absence were received from Councillor A Brooks.

134. Declaration of Interest.

There were no declarations of interest.

135. To consider taking over car parks from Breckland Council.

The Council considered its Powers to provide off-street car parking places under section 57(1) of the Road Traffic Regulations Act 1984 and was of the opinion that ownership would be necessary for the purposes of preserving local amenities.

Councillors discussed the possibility of taking over the car parks from Breckland Council and felt that any Unitary Council would not have the same level of focus on the Town as Dereham Town Council would have. The Councillors felt that Dereham would be better served in the long term if the car parks were managed at the very local level rather than by a more remote unitary council.

Proposed by Councillor L Monument, it was agreed that it would be in Dereham's economic best interest if the car parks were managed by Dereham Town Council rather than a unitary council.

Councillors went on to discuss the principle of leasehold and the specifics of the lease being offered by Breckland Council.

Proposed by Councillor L Monument, it was agreed to turn down the offer of leasehold from Breckland Council and request that Breckland Council consider offering the freehold title to the Town Council.

Councillors discussed how the operation of the car parks could be funded, either through the Dereham council tax or charging for use of the car parks. No consensus was forthcoming on the preferred method of covering the costs of the car parks.

The Council resolved that questions relating to the preferred method of covering the costs of car parking would be included as part of public consultation.

136. Exclusion of press and public

Proposed by Councillor L Monument, seconded by Councillor S Green, it was agreed to pass a resolution to exclude the Press and Public from the meeting on the grounds that the Business to be transacted is confidential and publicity would be prejudicial to the public interest.

137. To consider any terms for the taking over of car parks from Breckland Council.

Councillors agreed that the Clerk write to Breckland Council advising that Dereham Town Council are interested in acquiring the freehold of all of the public car parks in Dereham from Breckland Council with the following to be proposed as some suggestions for inclusion within the heads of terms:

- **Restrictive Covenants**
- It is assumed that covenants will be placed on the land restricting the use of car parks and auxiliary services and activities
- **Pre-emption clause.**
- Giving the vendor the first option to buy the land back on the same terms as it was originally sold, if the land is ever being sold.
- **Old Becclesgate** - transferred at nil cost
- **Consideration given to transferring at less than market rate.**
- **Transfer date and commuted sum.**

If a freehold offer is made to the Town Council, then a draft heads of terms would be brought back to the Council for approval.

Chairman

DEREHAM TOWN COUNCIL

22nd April 2025

At a meeting of the **Heritage & Open Spaces Committee** held at the Memorial Hall on **Tuesday 22nd April 2025 upon the rising of the Planning Committee.**

Present: Councillors P Duigan (Chairman), Z Flint, A Greenwood, R Jamieson, L Monument and P Morton.

Also in attendance: Councillor H Clarke, Town Clerk T Needham, Deputy Town Clerk J Barron, and Community Access Warden Ken Hawkins.

1. **To receive apologies for absence.**

Apologies for absence were received from Councillor A Brooks.

2. **Declaration of Interest**

There were no declarations of interest.

3. **To receive a report from Community Access Warden.**

The Community Access Warden Mr Ken Hawkins presented his report to the committee. He said that many of the issues marked on his report were longstanding and all required action from Norfolk County Council, unfortunately Norfolk County Council did not appear to be taking any notice.

The committee proposed that a meeting be arranged with County Officers, and possible site visits.

4. **To discuss the Dereham Conservation Area Appraisal.**

The committee discussed the Dereham Conservation Area Appraisal and agreed that it was a good document, subject to a few amendments relating to market place and Cemetery Lodge and should be supported and welcomed.

It was noted that the Dereham Action Partnership was working to encourage shop owners to improve their shop fronts in Dereham Market place and Councillors were supportive of this initiative.

Chairman

DEREHAM TOWN COUNCIL

22nd April 2025

At a meeting of the **Recreation Committee** held at the Memorial Hall on **Tuesday 22nd April 2025** upon the rising of the Heritage & Open Spaces Committee.

Present: Councillors Z Flint (Chairman), P Duigan, A Greenwood, R Jamieson, L Monument and P Morton.

Also in attendance: Councillor H Clarke, Town Clerk Tony Needham, and Deputy Town Clerk Jillian Barron.

1. **To receive apologies for absence.**

Apologies for absence were received from Councillor A Brooks.

2. **Declaration of Interest.**

There were no declarations of interest.

3. **To elect a Vice Chairman**

Councillor Z Flint proposed Councillor A Greenwood, seconded by Councillor P Monument. There were no other nominations. It was agreed that Councillor A Greenwood be Vice Chairman of the Recreation Committee 2024/25.

4. **To discuss funding for the refurbishment of the Skate Park.**

The committee discussed the funding for the refurbishment of the skate park and the various off-site commuted sums either being held by Breckland Council or due to be received in the coming years.

The committee recommended that off-site commuted sums for sport be used to refurbish the skate park then the same level of funding be set aside in an ear-marked reserve our additional open spaces and sports provision.

The committee discussed the provision of equipment for children with mobility impairments, felt that this be looked at in more detail and the possibility of a specific reserve of disabled play equipment be considered as part financial year end.

5. **To consider policy on boundary trees.**

The committee agreed that no changes should be made to the Council's tree policy at this moment in time.

The committee recommended that where the evidence is clear that a tree is a boundary tree it be treated as such, but where there is some doubt, that the tree be treated as being the town council's sole responsibility. This would not be a policy but guidance to be reviewed when sufficient evidence has been accumulated.

Chairman

DEREHAM TOWN COUNCIL

22nd April 2025

At a meeting for **Plans** at the Memorial Hall on **Tuesday 22nd April 2025 at 7.00pm.**

Present: Councillors L Monument, H Clarke, P Duigan, Z Flint, R Jamieson, A Greenwood and P Morton.

Also Present: Town Clerk T Needham and Deputy Town Clerk J Barron

1. To receive apologies for absence.

Apologies from Councillor H King and A Brooks.

2. Declaration of Interest

There were no declarations of interest.

3. PL/2025/0448/VARMAJ

Land at Greenfields Road, Dereham

Provision of affordable housing as part of the development no longer viable

Strongly Object, Requested the Town Clerk compile notes. Please see attached document

PL/2025/0341/HOU

Primrose Farm Bungalow Northall Green

Double Garage/Store and rear extension

No Objections, Concerned about Great Crested Newts on the site.

Chairman

Dereham Town Council
April 2025

PL/2025/0448/VARMAJ – land at Greenfields Road, Dereham.

Dereham Town Council strongly object to this application and feel that because this is a request to divert from local plan policies, unless the officers are minded to refuse the request, then the decision should be made by the planning committee.

Comments regarding the application below.

a) **Financial Viability Assessment.**

There is concern as to the suitability of this assessment. While there is not time to go through the document in great detail, a number matters jump out which may indicate that the quality of the assessment is not as robust as it should be for such an application. These matters are:

- i. In the executive summary, the figures in the table don't appear to add up.
- ii. Para 2.2, the author states that **[emphasis added]** *"conclusions set out in this report, were carried out on the basis of a broad-based study, **given the limited detailed site information available**"..."the authors accept no responsibility of whatsoever nature to third parties to whom this report or any part thereof is made known. **Any such party relies upon the report at their own risk"**.*

This statement seems to suggest that Breckland Council **should not** be relying on this report for the purposes of decision making.

- iii. Para 2.5 - Given the reference here to *"no imminent sign of the pandemic ending"* indicates that the report seems to have been written in spring 2021 rather than January 2025!
- iv. Section 4.0 Planning guidance. There are many references to guidance relating for 'plan making'. As it is understood that this is a variation of condition rather than consultation on changes to policies in the local plan, these references may be irrelevant.
- v. Para 5.3.3. the report states that *"offer prices are based upon an extensive marketing exercise undertaken by Pioneer and reported back to Matthew Homes on the 29/01/2025."* The report is dated 21/01/2025, so it is not clear how these figures could have been included within the report,
- vi. if Matthew Homes received them 8 days after the report was completed!
- vii. 5.4.5 not relevant to this application but wrong all the same, the £57,000 is for outdoor sports provision **not** play equipment, this contribution must remain as the applicant is not willing to provide outdoor playing space on the development site.

There therefore seems to be a sufficient number of discrepancies and caveats in the report to render it irrelevant. As the author makes clear:

*“the authors accept no responsibility of whatsoever nature to third parties to whom this report or any part thereof is made known. **Any such party relies upon the report at their own risk**”.*

The principle to requesting the amendment.

- b) The applicant claims that recent and current market conditions regarding cost of materials is significantly impacting the viability of this development.

These constraints are impacting all developers in Dereham and across the country. Other developments are not coming forward demanding there be no contribution to affordable housing.

While this site may well have certain constraints, these were all known at the time that this developer purchased the land from the original land owner. If the developer did not take these constraints into consideration at the time the purchase price was agreed, then that seems like a management error on their side. The financial viability assessments are not there to insulate business from poor decision making.

If this was an application from the original land owner stating that he was unable to sell the land to a developer for a reasonable price, then the application would make more sense. Nobody forced this developer to buy the land at that price they agreed, there was a willing buyer and a willing seller.

- c) Policy background.

Previously, developers could submit viability assessments at any time. National Planning Policy Framework (NPPF) has been amended to include a condition which stated that any viability assessment should be made at the application stage. Current NPPF para 57 below [**emphasis added**]:

Should viability be assessed in decision taking?

Where up-to-date policies have set out the contributions expected from development, planning applications that fully comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment **at the application stage**. Policy compliant in decision making means that the development fully complies with up to date plan policies. A decision maker can give appropriate weight to emerging policies.

Such circumstances could include, for example where development is proposed on unallocated sites of a wholly different type to those used in viability assessment that informed the plan; where further information on infrastructure or site costs is required; where particular types of development are proposed which may significantly vary from standard models of development for sale (for example build to rent or housing for older people); **or where a recession or similar significant economic changes have occurred since the plan was brought into force.**

The applicant seems to be relying on the second paragraph which state:

“or where a recession or similar significant economic changes have occurred since the plan was brought into force”

The application should be dismissed because one viability assessment has already been made and while there have been economic pressures, these have not been so significant as to require a review of the Affordable Housing policy HOU 07, which requires 25% affordable housing i.e. this is the only development unable to deliver the required affordable housing, therefore not a significant economic event outside of the control of the management of this developer.

c. Other matters.

This development should be contributing to offsite sports provision in lieu of onsite provision, and should be engaging with the Town Council with regards to this. At the Breckland Planning meeting on the 20th December 2021, the Planning Committee stated (and minuted) that a note be included in the consent in relation to a Member's desire for the “agent to speak to Dereham Town Council in respect of open space/S106 Agreement and sports provision”.

It is disappointing to note that despite repeatedly trying to engage with the developer and agent regarding the off-site sports provision, the developer has not engaged positively with the Town Council.

d. Making the decision.

As this is a request to divert from adopted policies, the Town Council could request that the decision is made by committee rather than officers.