

Burwell Parish Council
Asset and Environment Group
Meeting of 20.12.22 7.30 pm at The Jubilee Reading Room

Minutes

Present: Joan Lonsdale (Chair), Lea Dodds, Jim Perry, Liz swift, Michael Swift, Geraldine Tate, Hazel Williams, and Ian Woodroofe.

A&E/201222/01 Apologies for absences and Declarations of Interests

Apologies for absence had been received from Gus Jones, Derek Reader, and Paul Webb. There were no declarations of interests.

A&E/201222/02 Approval of the minutes of the meeting held on 25th October 2022.

The minutes of the meeting held on 25th October were approved and signed as a true and accurate record of the meeting. Proposed by Liz Swift and seconded by Lea Dodds.

A&E/201222/03 Consideration of Action Sheet items and updates from minutes

Project	
GMH refurbishment	<p>The Clerk reported that the final account for the project from Cadnam's had been received by Paul Mills (Varsity). Paul Mills has gone back to Cadman's stating that this is too high at £477000 and that it should be in the region of £450000. He awaits a response from Cadnam's. Delays and issues should be used to contest the final account figure. It is still felt that something should have been said by the professional's employed for the project about the non-compliant entrance to the small hall. In future, the original hall door at the front of the building should be open for all bookings and used as the main entrance. Signs directing hirers to this entrance need to be installed.</p> <p>Training is being arranged for the use of the heating system and heat pump. It was suggested that two sessions should be held, if possible, one for staff and one for Councillors. Blackout blinds for the Velux windows are not available. This needs to be raised at the meeting with Varsity. Some feel that total blackout blinds are not necessary. Some issues such as the repainting of the servery ledge and the stage nosing will be dealt with when the 12-month defects work is done. Ian Woodroofe to look at the original specification for the dimmable light control to see if what has been installed meets the specification. Matters relating to the Audio-Visual equipment still to be raised with AED.</p> <p>The Clerk to find out if Cadman's have had the opportunity to look at the roof leak yet (this does not form part of Cadman's contract).</p>

A&E/201222/04 Wild Burwell Grass Cutting Proposal

The Grass Cutting Contractor has now looked through the proposal from Wild Burwell. He is willing to accommodate much of the proposal into the work he does. There are

some changes to his charges and the proposal for the verges will not see any change to the cost per cut. He is prepared to collect the grass, but not remove from the sites. Not all verges will be suitable for cutting in line with the proposal and it was agreed that the Contractor should exercise judgement using his expertise and knowledge in deciding which verges can be cut in line with the proposal and which should not. The overall cost for cutting in line with the proposal is higher but not to the extent that it becomes an issue for Council. The group continued to discuss the composting bays and agreed that one bay should be situated at the rear of the Cemetery, one close to the Community Garden at the Recreation Ground and several bays in Priory Meadow.

The group makes the following recommendation to Full Council.

The Asset and Environment Group recommends to Full Council that the proposal from Wild Burwell for grass cutting in the village is adopted. However, in relation to the verges, which may not all be suitable, the Contractor to exercise judgement using his expertise and experience as to which verges in the village should be cut in line with the proposal and which should not. Composting bins should be erected as follows:

1no. at the rear of the Cemetery consisting of 1 bay

1no. as part of the Community Garden at the Recreation Ground consisting of 1 bay

1no. in Priory Meadow consisting of several bays.

A&E/201222/05 GMH – External Lighting - Consideration of quotations

Three quotations had been requested and two returned to provide additional external lighting to the rear of the Gardiner Memorial Hall. The quotations received are for two different types of light and it was suggested that the specifications for the lights quoted for should be obtained before a decision is made. It was noted however that when the phase 2 extension is built then the additional light would no longer be required. The following recommendation to Full Council was therefore agreed:

The Asset and Environment Working Group recommends to Full Council that the quotation from Barnwell Electrical to install additional lighting to the rear of the Gardiner Memorial Hall in the sum of £375.00 plus VAT.

The Clerk was asked to find out when the lighting and fencing at the Recreation Ground is due to be carried out.

A&E/201222/06 Margaret Field – Ditch

Margaret Field is exceptionally wet, and it has been suggested that if the original ditch in the verge outside of the hedge is reinstated, drainage would improve. The ditch was filled in when the second entrance gate was installed when many car boot sales were being held on the field. This gate has not been used for a number of years and the entrance is currently blocked with concrete boulders. The Clerk was asked to obtain some quotes to get the ditch reinstated.

A&E/201222/07 Cemetery

Collapsed Hedging along the rear side of the Cemetery (Baker Drive) – Consideration of quotations for replacement hedge

This item will be discussed at the next meeting when all quotations have been received.

A&E/201222/08 Trees – Mingay Park (Cricket Ground)

An email has been received from some residents in Reach Road regarding trees overhanging their gardens from Mingay Park. The Clerk was asked to contact the ECDC Tree Officer, Kevin Drane and ask if it would be possible for him to take a look at the trees and advise on any required work.

A&E/201222/09 Disabled access - Spring Close

A letter has been received from a resident about possible disabled access to Spring Close. The group considered the request and felt that the best location where something could easily be done is near the kissing gate at the entrance where the unmade up Spring Close road joins the made-up section of the road. The Maintenance Officer to look if there are any feasible options. The Clerk to respond to the letter from the resident.

A&E/201222/10 Allotments

Pond

A group of allotment holders have created a pond on an area within their adjoining plots unsuitable for cultivation. The allotment holders have provided information on how the pond was constructed and what they intend to use it for. They also intend to have a fence around the pond. Having read the information provided, the group agreed that the pond could remain, but the allotment holders should provide the Council with a risk assessment. Should any or all of the group of allotment holders give up their allotments, the pond will need to be removed.

CCTV/Signs/Allotment Security/Bees – Response from BAGS

An email from BAGS in response to the working groups comments to the requests made from BAGS at the last meeting was noted. It was reported that the padlocks on the gates are often not properly locked. The allotment holders need to be reminded of the need to lock the padlocks.

Junior Section of the Society DBS Request

BAGS has asked if it is possible for the DBS application for Joshua Saward could be done through the Parish Council. This is possible as the Council has been told by Lizzy Wales, she is able to do them on our behalf. The Clerk to ask if BAGS require any others to be done for those who are working with the Junior Section.

Soil erosion – Newmarket Road entrance

The Hedge Cutting Contractor has raised concern over the years that he is finding it increasingly difficult to cut the hedge on the right-hand side of the entrance to the allotments from Newmarket Road due the erosion of the soil on the edge of our property. He believes that the erosion is being made worse by vehicles using this entrance to access the allotments. The Maintenance Officer to be asked to look at the issue and advise. The entrance will need to be closed for vehicle access and the hedge left uncut. Pedestrian access can remain. The neighbouring properties need to be made aware of the situation.

General Skip for allotment holders

At the previous Assets and Environment Meeting it was agreed that a skip would be provided for the allotment holders once a year. BAGS has suggested that this is arranged for the Spring bank holiday. This should be possible as long as the ground is not too wet making it not possible for the skip lorry to access the site.

A&E/201222/11 Any Other Business

There were no other matters to be discussed.

A&E/201222/12 Date of the next meeting

The next meeting will be held on 28th February 2023.

The meeting closed at 8.40 pm

Signed

Dated

Yvonne Rix

From: Richard Kay <Richard.Kay@eastcambs.gov.uk>
Sent: 09 December 2022 12:47
To: climatechange
Subject: Thermal Imaging Camera Loan Scheme

Dear Parish Councils

I wish to raise to your attention a recently launched Thermal Imaging Camera Loan Scheme set up by ECDC, which actively encourages Parish Councils and other Community Groups to come forward and borrow up to three cameras at a time. The cameras are then used to survey homes in that local area (where the home owner has asked for a survey), to see if their property is leaking heat.

We are currently trialling the scheme in Witchford, with full roll out across East Cambs, on a first-come-first-served basis, from January 2023.

For further details if you are interested, please see the following for more information: [Thermal Camera Loan Scheme | East Cambridgeshire District Council \(eastcambs.gov.uk\)](#)

Do please pass on this information to any community groups in your area, if you think they may also be interested in taking up the offer.

Regards

Richard Kay
Strategic Planning Manager

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Thermal Camera Loan Scheme

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How does the scheme work?

The Cameras can not be borrowed by individual households. Instead, a local Parish Council or Community Group asks to borrow one or more cameras, for 1-4 weeks. Representatives of that Council or Group then organises a way for residents who want their home to be surveyed to get in touch with them. It will be up to each Parish Council or Community Group to set up the precise arrangements for registering an interest in a visit, and how and when visits are undertaken.

Can I register an interest now?

During December 2022, Witchford Climate Action Group are the first Group to trial the scheme, and are organising visits throughout that month for residents of Witchford. Please remember, this is a volunteer Group, giving up their own time for free, so will only have limited time to arrange and make visits.

By the end of December, the cameras will be returned to East Cambridgeshire District Council, ready to be loaned out to one or more Parish Councils or Community Groups from the start of January. Hopefully, throughout Winter and early Spring, several Parish Councils and Community Groups across East Cambridgeshire will get the chance to borrow a camera.

If you are a Parish Council or Community Group with an interest in borrowing one or more cameras, then please see the [application form](#) or get in touch via climatechange@eastcambs.gov.uk.

If you are a local resident interested in a visit, then please ask your local Parish Council or, if there is one, your local community group, to see if they are aware of this scheme and whether they have registered an interest to borrow a camera. As a reminder, the cameras are not available for individual borrowing direct from East Cambridgeshire District Council.

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and yellows show warm spots.

So, if you are **inside** a home, the darker colours are highlighting where heat is being lost to the outside. If you are **outside** your home, the brighter colours are showing you where heat is being lost from your home.

I've had a visit, where can I go to for more help?

If you are interested in knowing how to reduce heat loss from your home, please visit our [Energy Efficiency](#) help pages, which includes tips on what you can do as well as grants that may be available.

Who has booked the cameras so far?

The table below highlights who has recently booked a camera. Cameras are loaned on a first come, first served basis, but we will endeavour to keep the table below as up to date as possible. Remember, only a Parish Council or Community Group can borrow a camera, and we have a maximum of three cameras available at any one time.

Who?	When?	How many cameras?
Witchford Climate Action Group	Until 4 January 2023	3

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Yvonne Rix

From: Stewart Broome <Stewart.Broome@eastcambs.gov.uk>
Sent: 20 December 2022 15:15
Subject: Licensing: Consultation/call for evidence re: CCTV in licensed taxis and private hire vehicles
Attachments: CCTV questionnaire.pdf; CCTV consultation document.pdf
Importance: High

Good afternoon

Please note, East Cambridgeshire District Council's Licensing Authority is currently consulting on the subject of CCTV in vehicles licensed for the purpose of hire and reward i.e. taxis and private hire vehicles.

The reason for this call for evidence is due to the Department for Transport (DfT) which published its Statutory Taxi and Private Hire Vehicle Standards in July 2020 with a strong focus to protect all passengers and users of taxis and private hire transport services.

The statutory guidance makes it clear that the Government expects the recommendations contained within it to be implemented by a Licensing Authority, unless there is a compelling local reason not to.

The statutory guidance states that:

"All licensing authorities should consult to identify if there are local circumstances which indicate that the installation of CCTV in vehicles would have either a positive or an adverse net effect on the safety of taxi and private hire vehicle users, including children or vulnerable adults, and taking into account potential privacy issues."

In order to fulfil its obligations, East Cambridgeshire District Council is now inviting members of the trade, public and stakeholders to respond to this call for evidence. The deadline for comments is 3pm on the 13th March 2023.

Copies of the attached questionnaire for members of the public will be placed in all warm hubs in the district, Ely Library, and subject to their approval as many doctor surgeries as possible. An online version of this form is available at: [Licensing Policies | East Cambridgeshire District Council \(eastcambs.gov.uk\)](https://www.eastcambs.gov.uk/consultation/consultation-on-cctv-in-taxis-and-private-hire-vehicles).

If you have any questions, please do not hesitate to contact me.

Kind regards

Stewart.

Stewart Broome
Senior Licensing Officer
East Cambs District Council
The Grange
Nutholt Lane
Ely
CB7 4EE
01353 616287
Pay, report, apply online 24 hours a day



Kind regards

Stewart.

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Burwell's First Repair Cafe

Report to Burwell Parish Council

The idea for a Repair Cafe in Burwell arose from Burwell Parish Council's Climate Forum. In February 2022, Geraldine Tate and Lea Dodds, members of the Climate Forum, participated in a Repair Cafe training webinar organised by Cambridge Carbon Footprint. Convinced that a Repair Cafe was feasible, they gave a positive report to the Parish Council which, at its April meeting, unanimously gave its support to the venture.

A small steering group was formed to take the project forward, meeting for the first time in June. The members were Geraldine Tate, Alex Spencer, Jenny Hopkins, Liz Swift and Lea Dodds. The intention was to establish the Repair Cafe with broad community involvement and, to that end, the Steering Group used Burwell Community Noticeboard's Facebook page to publicise the project and request volunteers for the Launch Team. The Launch Team held its first meeting in late July with 16 volunteers present. At this point the venture shifted from being an idea with good potential, to a viable project backed by an enthusiastic group of volunteers. In the weeks that followed, new volunteers came forward, raising the number to 24.

The Steering Group held frequent planning meetings, maintaining an overview and preparing material for the Launch Team meetings. In late August, Mike Carrington joined the Steering Group, taking care of the online booking system and Burwell Repair Cafe website. In November, Pat Cleary also joined, having offered to take on the recording and analysis of repairs. With Mike and Pats' arrival the group became more mixed, with 4 Parish Council members and 3 non-Parish Council members.

The Launch Team divided naturally into an admin group and a repairers group. The admin group held meetings as required to plan refreshments, hall layout, furniture, signage etc. Repairers sometimes attended, but mostly they were kept informed by email.

Throughout this period, Burwell Parish Council provided essential support in the form of seed funding and the free use of the Council premises for the planning meetings and for the Repair Cafe itself. Cambridge Carbon Footprint (CCF) was also very supportive - answering numerous questions about safety, publicity, insurance, booking systems, room layout etc.

We had 8 local repairers signed up for the event but needed more to meet the demand for the repair of small electrical appliances. Cambridge Carbon Footprint helped by putting out a call to their pool of volunteer repairers, boosting the final number of repairers to 11.

September and October were busy months as the volunteer team worked towards the big day, now confirmed as Sunday 6th November. With the website and online booking system ready for action, publicity for the event began on 13th October using Facebook, posters, Clunch magazine and the websites of Burwell Parish Council, Burwell Repair Cafe and Cambridge Carbon Footprint.

Following CCF advice, 80% of repair slots were made available for online booking and the remaining 20% were ring-fenced for drop-in repairs. This worked well, and by the end of the month all the online slots had been filled; new enquirers were advised to try turning up on the day.

The Repair Cafe ran from 10.00 – 13.00 on the 6th. It was very successful, with more than half of the 49 items brought in being repaired. This prevented the production of an estimated 162 kg of waste and 407 kg of carbon dioxide. The items repaired included CD players, food mixers, a lawn mower, bicycles, childrens toys and an enamelling kiln.

The Repair Cafe also brought social benefits; the event had a calm atmosphere, with the refreshments area acting as a hub. Visitors appreciated the repair service and also the organisational work that had made it possible. Comments made in the feedback forms were very complimentary regardless of whether or not the item had been successfully repaired. Six people volunteered to help at future events (5 for admin and 1 new repairer).

Financially, it is early days for the Repair Cafe. Most of the expenses incurred to date are annual and will be shared across four Repair Cafes: November (2022) and February, June and September (2023). The torrential rain definitely reduced the number of casual visitors to the event and on another day the cafe takings would have been much higher. Based on the figures below, the Repair Cafe is financially viable and, in due course, it may be possible to pay the hall hire charges

Outgoings (rounded)

12 months liability insurance (5/11/22 – 4/11/23)	226.00
Website domain purchase	45.00
Membership of Repair Café Foundation (49 Euros)	43.00
Posters/advertising	9.00
Photocopying	6.00
Fee to borrow Mackays tool kit	20.00
	<u>349.00</u>

Income (rounded)

Donations taken on the day	171.00
Cafe takings (after expenses)	<u>51.00</u>
	222.00

In conclusion, Burwell is now up and running with its own Repair Cafe, backed by a team of willing volunteers. The benefits to the community are:

- Products are used for longer and don't have to be thrown away: less landfill
- Reduced need for new raw materials and the energy needed to make new products
- CO2 emissions reduced - because manufacturing new products and recycling old ones causes CO2 to be released
- Repair skills can be shared
- Saves the expense of buying new – supports those on low incomes
- The event itself is enjoyable and brings communities together

Lea Dodds 03/01/2023



Summary of the meeting with Sustran on Tuesday 6th December 2022 at the Gardiner Memorial Hall

Members of Burwell Parish Council, Reach Parish Council, Soham Town Council, Fordham Parish Council, Swaffham Prior Parish Council, District Councillors and Jonathan Cooke, A to B1102 Group met with members of Sustran to talk about the Feasibility Studies carried out by Sustran on behalf of East Cambridgeshire District Council focusing on the routes between Swaffham Prior, Reach and Burwell, and Burwell to Fordham (Soham).

Following an introduction and brief outline of the purpose of the feasibility studies, Nigel Brigham (Sustran Engineer) explained that there are a number of link ups within the area to the National Cycle Network, but many are indirect routes. Normally the remit for this level of feasibility studies would be from the County Council not the District Council, but in this instance the remit has come from ECDC as part of their East Cambridgeshire Cycling and Walking Routes Strategy. The routes that the District Council are looking at do not form part of the Swaffham Greenway.

The 2020 Gear Change Policy of segregated routes for motorists, cyclists and pedestrians will revolutionise the country's roads. Government funding is available but mainly at this stage for urban areas. It will cost around double the amount to fund routes in rural areas. Those using the funding must meet all the criteria set up within the policy when constructing a cycleway, if not all met, funding has to be returned.

When designing a route every factor needs to be taken into account for example how junctions work and how people navigate around those junctions. In rural areas space for any new route has to be available. It must be at least 3m away from the existing carriage way and the cycleway itself has to be at least 3m wide. Often private land has to be acquired, which can be an issue although compulsory purchase is available. Speed of existing traffic and traffic volume has to be taken into account. Ideally any vehicles travelling adjacent to a cycle way without the 3m space would be travelling no faster than 20 miles per hour.

The B1102 is a major challenge due to around 5000 vehicles per day often travelling at the national speed limit. Sometimes the only way to provide the segregated route is by having a one-way system, which can prove controversial.

To make room for cyclists in Cambridge there is a need to reduce the volume of traffic, hence the proposed congestion charge.

In addition to the need to purchase land and traffic changes, settlements must also have good routes to get to the end destinations.

Between Burwell and Swaffham Prior it may be possible to use the edge of agricultural land. Burwell to Fordham, land acquisition is a problem.

Areas where biodiversity and ecology is an importance have to be replaced, the required survey reports adding a costly expense to the project.

The straightish line is the best and the route should be no longer than the car route, if it is longer then cyclists will not use. One participant felt other factors should be taken into account not only the most direct route.

The disused former railway could be seen as a good opportunity to create a direct route between Burwell and Swaffham Prior but unfortunately this is ecologically protected due to butterflies.

A bridge would be required over Devil's Dyke should the route of the road be followed, again this is a very expensive addition for any route. If a cycleway was to be installed on the Newmarket side of the B1102, a bridge would still be required over Devil's Dyke and also one over the main road into Burwell to bring you back to the correct side of the road. Power cables also need to be taken in to account, and these reasons it is likely that the Newmarket side of the road will be unsuitable.

Slopes to bridges need to be low gradient to make them easier to negotiate.

Planning laws are a lot tighter now where heritage is concerned.

Burwell Village

Ideally traffic speed should be limited to 20 mph. There is already low traffic levels away from the main roads. There may be a need to create a one-way system incorporating the High Street, Newmarket Road, and Isaacson Road. The High Street cannot accommodate segregated travel for pedestrians, cyclists and motor vehicles due to width constraints.

Should a new development be created behind 58 to 64 Swaffham Road effort should be made for the provision of a cycle route through Section 106 funding.

It was explained that this was what had happened with the Newmarket Road Development, with West Suffolk Council working for the last five to six years on the creation of a cycleway between Burwell and Exning. The current construction plans may not meet the new cycleway standards.

Burwell Parish Council is looking to apply for 20 mph for the village or zones in the village through the LHI.

Burwell to Fordham

Councillors from Fordham would like a one-way system in their village, but financial implications are too high.

It is not possible for a cycleway to run adjacent to the road due to properties, the A142 and railway line. However, following the byway from North Street, along Cockpen Road and through into Fordham may be achievable. This would still need bridges over the A142 and the railway. Network Rail has to approve all bridges and tunnels over or under railway lines.

The Wicken to Soham cycleway is due to be upgraded and the route between Burwell and Wicken through the National Trust land is beneficial. The National Trust has been consulted on the Wicken/Soham cycleway. Concern was raised about Dyson Drove and the amount of large, heavy vehicles travelling along the route, making it dangerous for cyclists riding to Wicken. This is a narrow road which is not suitable for widening to allow for a segregated lane for cyclists.

No study was carried out for a route between Fordham and Isleham.

If the intention was for a one-way system to be installed in Burwell, extensive consultation would be required, preferably with pictorial examples of existing similar projects. To run along side any active travel route there needs to be a good public transport service. It was noted that the current service being carried out by Stevenson's only continues to the end of March 2023.

For a cycleway to work, people need to want to use it, not made to use it.

Sustran needs to work with other public transport providers, with any plan being easy to use and to look attractive. Currently residents do not use public transport as the service is poor. Those who do use the service include a large number of students travelling into Cambridge for Post 16 education.

The Burwell to Swaffham Prior link should have been included as part of the Greenways Project.

It is thought that East Cambs District Council is looking at making some sort of investment into cycleways, although District Councillor David Brown pointed out that The District Council has money for seed funding but not enough to deliver cycleways.

There is concern about the lack of inclusion of Burwell and beyond, in the Greater Cambridgeshire Partnership Transport Plan and this needs to be addressed.

The following are priorities in the short term:

Burwell to Swaffham Prior Cycleway

Burwell to Exning Cycleway

Burwell to Wicken to Soham Station

Engagement and support from the County Councillor is required.

Sustran will need to liaise with Sally Bonnett, East Cambs District Council.

Any known contact details for landowners should be sent to Sally Bonnett.

National Infrastructure Planning
Temple Quay House
2 The Square
Bristol
BS1 6PN

Customer Services: 0303 444 5000
E-mail: Sunnica@planninginspectorate.gov.uk

To: The Applicant and all Interested
Parties for information

Your Ref:

Our Ref: EN010106

Date: 12 December 2022

Dear Sir / Madam

Planning Act 2008 – Section 89 and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 9

Application by Sunnica Ltd for an Order Granting Development Consent for the Sunnica Energy Farm

Procedural Decision regarding Applicant's Second Change Request

The Applicant gave notice in its Deadline 3A submission '8.52 Update by the Applicant on Heritage Matters and Substation Connection' [REP3A-037] of its intention to submit a request to make further changes to the application. The document identifies the nature of the changes proposed and suggests how the submission of the change request could be accommodated within the Examination Timetable. The Applicant states that it intends to submit the formal request to change the application at **Deadline 5** (13 January 2023) and in its view the proposed changes do not require additional non-statutory consultation. The proposed changes were referred to and discussed briefly at the Compulsory Acquisition Hearing (CAH1) and the Issue Specific Hearing (ISH2) held respectively on 6 and 7 December 2022.

The Examining Authority (ExA) notes the reasons given for the Applicant's view that no extra statutory consultation is required, which include that the changes that are being made are directly as a result of feedback that it has received through the Examination process by the same parties who would be consultees to any consultation that would be carried out. The changes involve removing land (including the extent of compulsory acquisition) and elements of the Proposed Development, thereby reducing impacts rather than changing or expanding them, and parties will be able to make submissions in respect of the consequences of the proposed changes during the Examination process.

In summary the proposed changes relate to the substation connection at Burwell; the impacts of the Proposed Development on an area of potential archaeological importance at Snailwell (namely the historic landscape associated with a Roman villa); potential impacts to the B-50 bomber crash site close to Isleham; and archaeological mitigation at field W04 (as shown numbered on the Parameters Plan [APP-136]) of the Scheme.

The ExA notes that the Applicant is now in a position not to pursue its grid connection Option 2 in the application (including a substation extension on third party land) and will bring forward a change to the Application to account for the removal of this Option. We also note the Applicant's intention to bring forward a change to the application to remove the whole of Sunnica West B from the Proposed Development as a site proposed for solar development (and its associated mitigation), the "crash site exclusion area" at Isleham, and to exclude (via changes to the Works Plans) an area encompassing the concentration of features in the north of field W04.

In relation to the Option 2 land, the Applicant seeks to retain powers for the compulsory acquisition of rights to enable cabling to pass through that land to connect to Burwell substation; in relation to Sunnica West B it would still require a cable corridor to connect to the substation, and there will still be a need for the cable route corridor to traverse along the northern boundary of W04 to the north of the additional area of protection.

The Applicant's document [REP3A-037] was also discussed in more detail in the Issue Specific Hearing (ISH3) held on 8 December 2022 under the agenda item Principle and Nature of Development. All local authorities present indicated that in their view the proposed changes to the application did not require additional non-statutory consultation. There were no views expressed to the contrary, however the ExA agrees with the views expressed by some Interested Parties that the procedure should be governed by the overarching principle of fairness.

The ExA considers that no extra statutory consultation is required for these proposed changes and confirms that the Applicant should proceed with submitting the Changes Application at **Deadline 5**. Provided this occurs we consider that all Interested Parties will be able to make submissions in respect of the consequences of the proposed changes within the Examination process.

Further consideration will be given to any consequential changes deemed to be necessary to the Examination timetable which will be notified to the Applicant and all Interested Parties.

Yours faithfully

Grahame Kean

Grahame Kean
Lead Panel Member for the Examining Authority

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Yvonne Rix

From: Neil Dobson <neil.dobson_ex@hotmail.com>
Sent: 12 December 2022 11:36
To: Yvonne Rix
Cc: Maggie Camp, Lavinia Edwards Cllr, David Brown Cllr, Brenda Wilson, Derek Reader, Elizabeth Swift, Geraldine Tate, Gill Miller, Gus Jones, Hazel Williams, Helen McMenamin-Smith, Ian Woodroffe, James Perry, Jennifer Moss, Joan Lonsdale, Lea Dodds, Linda Kitching, Michael Geary, Paul Webb
Subject: Re: Playing Field Standards Compliance

Dear Mrs Rix,

Thank you for your email 7th December and the reply to my question regarding the number of times floodlighting had been used at Margaret Field in the year as is required by GPDO Part 4, however, it was unclear if it was the total number or only those occasions of use by the football club.

My query, 27th October, remains unanswered, the approximate date that the storage container forming the “temporary storage facility” sited on the playing field September 2017 was removed and replaced 21 October 2022 by another, to form a “temporary storage facility”. In the interim period the requirement for storage at the field was met by a Keter domestic garden store. I would also refer Councillor Paul Webb, to his email, inadvertently copied to me, 5 April 2022, “I think the Club is to place a storage container on site, as per before, to store removable goal posts”. The now two pairs of moveable goal posts, rather than the previous one pair, are being stored around the shipping container not inside it. If the storage facility only contains those items of equipment that had been quite adequately stored in the interim period in a domestic garden store; the white lining equipment, the goal nets, and coloured training small bollards, then the stationing of the shipping container is simply a “sledge hammer to crack a nut”. If the facility is being used to store empty space, then it is not required; it simply serves to blight the countryside location and breaches the restrictive covenant on the land. The exaggeration of a perceived need both now and for the future, when the Sports Hub comes into being as part of the Newmarket Road housing development, points to a poor assessment of need having been undertaken.

I must correct your statement, “Burwell Football Club currently use their temporary flood lighting at their 1 hour Thursday night training sessions during the winter season”. There is not one but usually simultaneous training sessions and in total, with setting up, drop offs and pick-ups by vehicles, it equates to around three hours. There was a shorter training session on a Tuesday evening though this seems to have been ended as you have stated.

As you correctly state, “Margaret Field was gifted with a covenant, “given to the inhabitants of Burwell for their recreational use”, unlike Mingay Park Sports Ground which was given to the Parish Council by Section 106, the Parish Council entering into a 999-year lease agreement with peppercorn rent with the land owner D.S. Smith. The LPA recognising by proper sports and recreation assessment, as is required by Planning Policy Guidelines, that additional sports and recreation facilities were required as a result of housing development (01/00304/FUL) at the location. The lease contract states that the use of the sports ground is for groups in “Burwell and surrounding villages”. In October 2017 LPA Enforcement challenged the Parish Council and queried the use of the Sports Ground. The Parish Council advised the Enforcement Officer, Joleen Roman, the Sports Ground was available to other groups from Burwell and surrounding villages, “other than the Cricket Club”. I expect the LPA undertake periodic reviews and audits of Section 106 measures. A listing for the last five years of other groups that the Parish Council had given approval to use the Sports Ground would be useful to the LPA Enforcement Team. As a recent D S Smith plc shareholder, I would also welcome a copy and given the contractual implications the District Solicitor would also probably wish to have a copy.

I was surprised by the content of your mail, 7th December, after you informed me on the 18th November that matters were not being discussed until the full council meeting 13th December 2022. I feel your email may have been a rather transparent attempt to evade and pre-empt constructive and meaningful deliberation and discussion by the full council.

The Parish Council’s stance in respect to the adoption of playing field standards may have some merit if the Parish Council was a private landowner. The Parish Council is not, they are our first level of government. The “Playing Field Standards” have been incorporated into National policies and Planning Policy Guidelines on playing fields, in County

Council Policy and in both in general policy and Sports and in Recreational Planning Policy at District Council level where provision for residential buffer zones is provided.

As a public playing field, there is no dependency on whether a playing field is "registered as a Field in Trust". In fact, County Council Policies were in place before the "National Playing Fields Association" changed its emphasis and name to "Fields in Trust". The County Council incorporated the recommendations of the "Six Acre Standard" into policy over two decades ago for all public open space and playing fields in the county. The "Six Acre Standard" has formed an important part of the planning process throughout England contributing to assessments of local provision, and determination of local standards, the adoption of appropriate planning policies and the development of Supplementary Planning Guidance by central government.

Central government had called for more clearly defined and adopted policy for open space, sport and recreation, inclusive of all outdoor facilities. Those policies defined standards relating to quantity, quality and accessibility. Parish councils do not adopt policy, it is conveyed to them either from central government, County Council, or District Council. If a parish council had the discretion to ignore County and District policies when it was not convenient it would be wholly bad government. The Parish Council must wherever possible follow Best Practice. Best Practice in this instance would dictate that the Parish Council observe laid down Playing Field Standards. The Parish Council have an overriding responsibility to protect the residential amenity of parishioners and precept payers. Parishioners must have confidence that both national and local guidelines, and the law, are being followed by our first level of democracy.

It is disgraceful that an individual has to complain and fight the first level of government to get residential protection as laid down by national policy. The Parish Council has actively promoted Margaret Field from being an Open space, a parcel of Memorial land, to a Sports Ground. The consequence of their actions has made for non-compliance. The non-compliance element, the position of the Multi-Play Equipment, needs to be properly managed and addressed. There is no need for long discussion simply a decision on siting of equipment if the playing field is going to be used more intensely by a wider catchment, notwithstanding that there is a Sports Ground, provided by Section 106, not 200 metres away from the playing field.

The playing field has transitioned given the wider user catchment area to a Neighbourhood Equipped Area for Play. This is more than evident with the devastation caused by the sheer volume of vehicle traffic using the entrance of the playing field. Unfortunately, the damage cannot be remedied by an area of hardstanding, or grasscrete as Heath Road, at the position of the playing field entrance gates, is prone to high flooding. Hardstanding would exacerbate surface water flooding and any such development would be in direct conflict with District Council surface water drainage policies.

With the use of floodlighting on the playing field the categorisation rises further. Little discussion is needed; there is a requirement for compliance and a domestic property buffer of 30 metres, there simply needs to be a retrofit of the twenty plus year old Multiplay Equipment to a location further into the playing field. If the time allotted for the agenda item allows, I feel discussion should move on to the Parish Council's observance of the stipulations and restrictions of the playing field's restrictive covenant.

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The Parish Council's Observance of the Restrictive Covenant

Since August 2017 the parish council have had what could be described as a "cavalier" approach to their Permitted Development Rights at the playing field, without having thought for the implications and having scant regards to the Memorial Gift of land to the inhabitants of Burwell. The parish council made a promise to observe the stipulations and restrictions of the restrictive covenant; those promises have not been kept and the parish council have breached most of the five stipulations placed upon them when Mr Poole, District Solicitor, enforced the stipulations and restrictions.

The first stipulation, "... to erect and **maintain** a 4' 6" chain link fence on concrete posts along the northern boundary of the land". The fence was erected and was maintained, unfortunately, for the last few years there has been thoroughly inadequate maintenance. The fence is broken and posts damaged in many places making the playing field insecure. The playing field is now unsafe for unsupervised play which had been one of the field's strong points and a great asset to the community. A child could easily walk from the playing field, through the garden of The Meadow House and straight on to the open main road. Child safety should not be taken so lightly! This is deplorable. The boundary is very overgrown and in a terrible unkempt state along its entire length. The Parish Council have failed to respect the Memorial Field, the use by the beneficiaries of the gift and their obligations to the first clear unambiguous stipulation placed on them. The restrictive covenant has been breached to the detriment of all the inhabitants of Burwell. The Parish Council

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have broken their word and their failure to properly maintain is unlawful. I learn from social media that a cut-through has been formed from the field to Issacson's Road.

The southern boundary is covered by the third stipulation relating to environmental protection. Unfortunately, given the ludicrous positioning of the "locked" toilet facility at the furthest south-westerly corner of the field, it is not used. There are well worn tracks from the playing field into the tree lined southern boundary; it is used as a toilet, particularly by adults; a far cry from the intention of the stipulation within the Deed of Gift for environmental protection of the flora and fauna, and wildlife habitats, or respect to a Memorial Gift of land.

It would be thought that the fourth stipulation needed no explanation. I am sure that the District Solicitor would echo the words given in the Parish Council's requested legal direction from Mr. Ricketts, the Head of Legal Services, NALC, "the restrictions on the use of the land in question are clearly set out in the Deed of Gift. Essentially, the land can only be used for recreational purposes by the inhabitants of Burwell and only a pavilion can be built on the land". Land Law, not Planning Law, relies on statute law namely The Buildings Act 1984, (Note *), in the determination of what constitutes a building. It is beyond doubt that both structures, the shipping container and the Portaloo, fall within the statutory definition of "a building". The stipulation of, "not to erect any building other than a pavilion on the said land", is more likely than not to have been breached by their placement on the playing field. The facilities being locked and for the use by one group compound the breach by their exclusivity of use. Furthermore, it is inconceivable that Cyril Tait O'Callaghan would bequest a shipping container and a Portaloo in loving memory of his wife to the inhabitants of Burwell. The Parish Council should remove the structures without delay.

I suppose we are fortunate so far that the last stipulation, that the playing field is "known as Margaret Field", remains. An old discoloured sign adorning the main gate.

Given the location of my home the stewardship and management are of great importance. As a beneficiary of the Deed of Gift of Margaret Field it is becoming far too repetitive and tiresome to enforce the stipulations and restrictions of the restrictive covenant time and time again on the Parish Council to no avail. The Parish Council's actions demonstrate that they have taken too few steps to observe their legal commitments. Those commitments were made to Mr. Poole, a previous Secretary and Solicitor to the District administration, when the Deed of Gift was conveyed to them for the inhabitants of Burwell and the restrictive covenant enforced. Perhaps the District Solicitor could advise the Parish Council as to whether her predecessor Mr. Poole made provision for remedy in the circumstance of Parish Council failure. I doubt very much this is the case as I doubt it would ever be envisaged that the Parish Council would break their promises. If the Parish Council no longer wish, or cannot, observe the stipulations and restrictions of the Deed of Gift the District administration may be able to facilitate the return of the parcel of land without charge to the estate of the Grantor, Cyril Tait O'Callaghan.

Neil Dobson

Note*. Definition of a building in law, The Buildings Act 1984, The Act, consolidated previous legislation for buildings and their component parts, and related matters, in England and Wales. In the Statute 'building' means, "*any permanent or temporary building and, unless the context otherwise requires, it includes any other structure or erection of whatever kind or nature, (whether permanent or temporary, including a vehicle, vessel, hovercraft, aircraft or other movable object of any kind in such circumstances as may be prescribed for those purposes), as a building*".

From: Yvonne Riv yvonne@burwellparishcouncil.gov.uk

Sent: 07 December 2022 09:43

To: Neil Dobson <neil.dobson_ox@hotmail.com>

CC: Maggie Camp <Maggie.Camp@eastcambs.gov.uk>, Lavinia Edwards <lavinia.edwards@eastcambs.gov.uk>;

David Brown <David.Brown@eastcambs.gov.uk>, Brenda Wilson <brenda.wilson@burwellparishcouncil.gov.uk>;

Derek Reader <derek.reader@burwellparishcouncil.gov.uk>, Elizabeth Giff

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Julian <julian@burwellparishcouncil.gov.uk>, Gas Jones <gas.jones@burwellparishcouncil.gov.uk>;

William <william@burwellparishcouncil.gov.uk>, Robert McManis Smith <robert.mcmanis.smith@burwellparishcouncil.gov.uk>

[illegible]



Cam Sight, 167 Green End Road
Cambridge, CB4 1RW

tel: 01223 420 033

Yvonne Risk,
Burwell Parish Church,
99 The Causeway,
Cambridge.
CB25 0DU

20th December 2022

Dear Ms Risk,

On behalf of everyone at Cam Sight, I would like to thank you for your kind donation of £100.00, towards Cam Sight's work supporting local people living with low vision and blindness.

Your donation will be used to support a wide range of services to local people living with sight loss. This will include our Low Vision Centres with their range of equipment; information and advice; community support to people in their homes and peer support groups across Cambridgeshire and technology training in the use of computers with speaking and magnification for people with sight loss.

I have enclosed a gift aid form. If you are able to complete the form and return it, we would be able to collect tax from the government at no extra cost to you.

Thank you once again for your supporting the work of Cam Sight.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Antony Moore".

Antony Moore
Chief Executive Officer.

www.camsight.org.uk info@camsight.org.uk

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