

# TOSTOCK CHRONICLE

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FEBRUARY - MARCH 2001

## PARISH COUNCIL



By now residents will be aware that the recent High Court case against Mr. J. Clarke, Rookery Mead Piggeries for non compliance of an earlier court ruling was dismissed by Judge Mellor. Over the page is a copy of the letter from Mid Suffolk District Councils solicitors and despite the disappointment and frustration of knowing that these offensive smells will still continue, everyone is urged to

phone — FREEPHONE 0800 317650 —

to report the problem whenever it occurs. The District Council will NOT give up and still needs the support and co-operation of all the affected villages.

An Outline Planning application to build two properties in the grounds of Reynolds House was objected to by the councillors and subsequently a site meeting was held with the M.S.D.C. Planning Committee, members of the Parish Council and several residents. A conservation officer and the proposed developers were also at the meeting.

Despite a request in the Chronicle a year ago it has been noted that horses are still being ridden on the trackway along the Green. This is a private trackway for access to the properties on the northern side of the Green. The horses are also leaving a lot of droppings which is unacceptable. At all time horses should be on the Public Highway and the co-operation of riders would be appreciated.

There have also been complaints regarding the large numbers of cars being parked in Leys Road and even a lorry at times. In the interest of safety the drivers of these vehicles are respectfully asked to find alternative off road parking - possibly to the rear of their properties.

The proposed precept for 2001/2002 remains the same as last year at £2515. Last December the police made spot checks in Norton Road and as a result seven motorists were caught exceeding the speed limit. Further checks will be made from time to time.

In February 2002 Queen Elizabeth II will be celebrating her Golden Jubilee. Whenever there has been a Royal historical event of this nature in the past, this village has always held some event to celebrate the occasion. Residents are asked to let the parish council know their views and ideas as to what form the village can stage some activity.

## Rookery Farm - Clarke

I write formally to report on the outcome of the proceedings heard by His Honour Judge Mellor on Monday 11<sup>th</sup> December.

The application for committal detailed ten specific allegations of occasions when a public nuisance had been caused by the activities at Rookery Farm. John Clarke, who was unrepresented, admitted that a public nuisance had been caused on three of these occasions. At this early stage in the proceedings the Judge indicated that in view of the Defendant's admissions he was unlikely to take any different view as to the appropriate course of action no matter how many further allegations were proved. The matter was adjourned briefly to enable us to consider our position in the light of the Judge's observations. It was agreed by all that to proceed to prove the remaining allegations would achieve nothing and was likely to be counterproductive. Accordingly the Defendant's admissions were accepted and the case was outlined in detail by Greg Stone QC.

Mr Clarke's mitigation was in line with our expectations. He particularly stressed the following points:-

- (a) That the delays in completing the construction of his new cooking plant were unforeseen and not of his making.
- (b) That the timetable was in any event too tight.
- (c) That he had invested a considerable sum of money in the works to date.
- (d) That he was confident that they would be effective in abating the nuisance.

I attach my note of the judgment given. I do not pretend that it is a verbatim account but, given my inability to take shorthand, is the best that I can achieve! It certainly conveys the sense and import of the Judge's comments. I have applied for a full transcript which I will copy to you as soon as it is received. However the important elements of the judgment are:-

- 1 Having considered the range of penalties available to him, and commented that an admonition was insufficient given the seriousness of the breaches, the Judge chose to adjourn the application. His justification for this was that he did not wish to interfere with the progress which he believes Mr Clarke has made towards compliance with his undertaking.
- 2 He ordered Mr Clarke to pay the Council's costs of the application on an indemnity basis. This is the most severe costs order that the Court can make.
- 3 He certified that the matter was suitable for leading counsel.

All concerned with the case regard it as disappointing that the Judge did not take the opportunity to punish the serious breach of Mr Clarke's undertaking. In the course of his judgment however the Judge acknowledged that the rights of the residents must prevail and indicated that in the event of the nuisance continuing he would consider an application for an order prohibiting Mr Clarke from continuing with the current swill-based feeding regime. He also acknowledged that ultimately closure of the farm might be necessary.

It is clear that the Judge regarded the most important objective to be the cessation of the nuisance and no doubt felt this could best be achieved by allowing Mr Clarke to achieve compliance with his undertaking. I am fully aware of your reservations as to the likely effectiveness of the works that have been undertaken. It remains imperative that the situation is monitored and in the event of further incidents of public nuisance, the matter should be referred back to the Court promptly. This will not involve the making of a new application but rather the restoration of our existing application. If this proves necessary I would expect the matter to be heard by the Court urgently and in relatively short time.

I am sure that the Authority will be anxious for the costs of this application to be assessed and an order obtained against Mr Clarke at the earliest opportunity. To this end I have already spoken with my costs draftsman and will be letting her have the files within the next few days. In this way I hope that the assessment procedure can commence within two to three weeks and be concluded within three to four months.

Whilst it is disappointing that Mr Clarke appears to have escaped without penalty, I am sure that the proper way to regard these proceedings is a further step along the way to achieving the ultimate objective of the proceedings, which is the final cessation of this most unpleasant nuisance.

ST ANDREW'S CHURCH, TOSTOCK

CHURCH SERVICES FOR FEBRUARY AND MARCH

<u>4th February</u>	10.00a.m. 6.30pm	Joint Benefice Communion Service at Norton Open Door Informal Service at Pakenham
<u>11th February</u>	11.15 a.m.	Family Service
<u>18th February</u>	10.00a.m.	Holy Communion
<u>25th February</u>	10.00a.m.	Morning Prayer (BCP)
<u>4th March</u>	10.00 a.m.	Joint Benefice Communion at Tostock
<u>11th March</u>	11.15a.m.	Family Service and Holy Baptism
<u>18th March</u>	10.00 a.m.	Holy Communion (BCP)
<u>25th March</u>	10.00 a.m.	Mothering Sunday Service



The season of Lent begins on Ash Wednesday 28<sup>th</sup> February. There will be services of Holy Communion at 10.00a.m at St Andrew's Norton and at 7.30p.m at St Mary's Pakenham.

March 25<sup>th</sup> is Mothering Sunday and there will be a special service at 10.00a.m.

Last year our Lent Course proved stimulating to those who came along. This year there will be a five week course at which we will be able to discuss some of the teachings of Jesus. The subjects for discussion will be; Forgiveness, God, Money, Heaven and Hell and Being Human. It is planned to meet on Wednesday evenings at 8pm at the home of David and Margaret Ritchie Woodside Cottage Norton Road commencing on 7<sup>th</sup> March. All are warmly invited to come to these meetings. If you want more details contact the Rector Tel: 01359 230287

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CHURCH SOCIAL COMMITTEE

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The total amount of monies raised for St. Andrews Church during the year 2000 was £1335.15.

A very big THANK YOU to all those kind people who have helped and supported us over the past year.

The first events for the year 2001 will be -

COFFEE MORNING Tuesday 13th February  
10.30am in Village Hall

There will be the usual stall and raffle

VILLAGE LUNCH Tuesday 13th March  
12.30pm in Village Hall

consisting of FISH PIE followed by  
TREACLE SPONGE & CUSTARD

WE HOPE TO SEE ALL OUR FRIENDS AT BOTH EVENTS AND  
THERE IS A BIG WELCOME FOR NEW ONES.

To celebrate the Queens Jubilee next year, it has been suggested that a new Alter Frontal could be made - the idea of it being like a patchwork design. We need as many ladies as possible to help with this. Anyone who is keen to be part of this team please contact Jeanne O'Reilly tel: 270337

## TOSTOCK GARDEN CLUB



A small but select band of members and friends braved the elements on 23rd January and were treated to an excellent talk by Caroline Holmes on Herbs And Gardens.

She is such an accomplished and amusing speaker that we hope to persuade her to make a return visit on another subject.

Our next meeting in the Village Hall is on February 27th at 7.30 p.m. when we shall be discussing next years programme and hoping for some new ideas.

This will be accompanied by wine, fruit juice and nibbles and all members and any newcomers will be very welcome to join in this lighthearted affair.

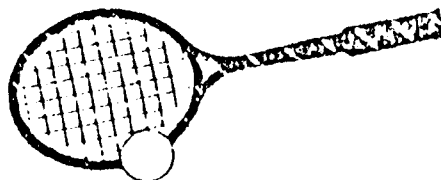
### L I N E   D A N C I N G

We meet on a WEDNESDAY EVENING at the VILLAGE HALL from 7.30 - 8.30pm  
cost £2 per head.

IT IS GREAT FUN AND GOOD EXERCISE

COME ALONG AND JOIN US - that goes especially for the GENTS - our two regulars need some support!!!

## TOSTOCK TENNIS CLUB



This year's Annual General Meeting is to be held on Tuesday, 27 March at 7 30 pm in the village hall.

The committee hopes that a lot more members will come along to this year's AGM than has been the case in the past.

Now that the court has been resurfaced the committee would like to hear from members how this facility could now be better utilised and maintained.

## TOSTOCK VILLAGE HALL MANAGEMENT COMMITTEE

Planning permission has now been granted for an extension to the village hall for changing rooms/shower facilities. Applications, with supporting documentation, to grant funding bodies are currently being collated. It is hope that these will be submitted to the various organisations within the next two months.

Tostock Village Hall Management Committee would like to express their enormous appreciation to Carl Buckle for not only clearing the flowerbed at the front of the village hall but also for the replanting that he has agreed to do when the warmer weather arrives.

The committee is also looking into the possibility of obtaining a permanent entertainment licence, id for five years, so as to obviate the need for individual applications for each social funtion.

## Tostock Past and Present Society

The monthly meeting on *Monday February 5th at 8 p.m.* will consist of the AGM with reports from the Chairman and Treasurer and election of a Committee. This will be followed by a talk by Dr Jane Fiske on *18th Century Family Life*. This is a return visit by Dr Fiske who edited the well-known *Oakes Diaries 1778-1827* in two volumes, published in 1990/1.

The first of Clive Paine's lectures will be on *Tuesday February 20th at 7.30 p.m. on Suffolk and the Peasants Revolt 1381*. There is a special fee for Clive Paine's lectures.

The March meetings being on *Monday March 5th at 8 p.m.* with *An Introduction to Antiques* with David Holmes. Then there are two more Clive Paine lectures on Tuesday evenings at 7.30 p.m., as follows :  
*March 13th : Cardinal Wolsey of Ipswich & Education in Tudor period*  
*March 27th : Queen of Hearts v. Bloody Mary in Suffolk in 1553*  
All welcome at our meetings.

The Society is organising a three day visit to the *Battlefields of World War I* on the weekend of *June 8-10th* visiting important Battlefield sites, memorials, museums, and particularly the Somme and Ypres, with an expert guide. This is arranged by Newmarket Travel Service and the cost is a reasonable £89.50. If anyone would like to join our coach party, please contact the secretary, Heather Spencer on tel.270395 for full details.

### NEWS FROM THE TOWER OF ST. ANDREW'S TOSTOCK.

The bells will be rung on the morning of SATURDAY 10th FEBRUARY for a Training Session of the Suffolk Guild of Ringers, North Western Area.

Cleaner required for Family House  
in Tostock. 3 to 4 hours per week.  
For further information  
tel: 01359 270271

Is your garden  
a jungle?

Call Jane Hamblin  
garden design and build  
Tel: 01359 270644

LAND ARMY DESIGNS  
[www.landarmydesigns.co.uk](http://www.landarmydesigns.co.uk)

POORS ESTATE CHARITY

ALLOTMENTS

All the materials for the 'Millennium' Wildlife hedge have now been delivered from Mid-Suffolk District Council, and the site has been rotovated twice in preparation for planting. We shall begin planting on Saturday 17th February at 10 a.m. and would be very grateful for 'volunteers' to help. Allotment plots are available at £8 per annum or £4 for a half plot. These will be ploughed ready for use. Contact Jeanne O'Reilly 270337

— "UNDER FIVES" SERVICE —

THE NEXT SERVICE WILL BE HELD ON MONDAY 5th FEBRUARY at 2 p.m.  
As several children now attend Playgroup in the mornings, it was decided to change the time.