

Kesgrave Town Council

Minutes of the meeting of the Kesgrave Town Council held on Monday 8th December 2014 at 7.15pm in the Council Chamber.

Present:	Mr N Beecroft-Smith	Mr P Mills
	Mr A Comber	Mr J Ogden
	Mr D Fairbrother	Mrs S Ogden (Chairman and District Councillor)
	Mrs S Fairbrother	Mr C Rayworth
	Mr S Lawson	Rev R Spittle

In attendance: Mrs V R Read (Clerk to the Town Council)
Mrs J Francis (Deputy Clerk to the Town Council)
Mr C Hudson (County Councillor)
Mrs D McCallum (District Councillor)
1 Member of the Press
4 Members of the public – 1 arrived at 7.35pm

1. Apologies

Mr M Azmoodeh – illness
Mrs N Goodchild – personal commitments
Mr P Miller – illness
Mrs J Smith – personal commitments
Mr G Lynch (Town and District Councillor) – District Council business
Mr M Grimwood (District Councillor) – personal commitments
Mrs M Neale (District Councillor) – personal commitments
Mr R Whiting (County Councillor) – work commitments
PCSO M Sarbutts – shift changes

2. Declarations of Interest

Members made verbal declarations which they have recorded on the form attached at **Annex 1** to the permanent copy of these minutes.

3. Minutes of the last regular meeting held on 10th November 2014

The minutes having been issued, and following an additional comment at Item 8, were then taken as read, approved and signed by the Chairman.

4. Matters arising (10th November 2014)

None.

5. Minutes of the Extraordinary Meeting – 27th October

The minutes having been issued, were then taken as read, approved and signed by the Chairman. **8 For; DF and SF Abstained**

6. Resolution to exclude the Public under the Public Bodies (Admission to Meetings) Act 1960 (to consider). NB If the resolution is passed the following item will be taken after Item 26.

The Council resolved that the public and the press be excluded for consideration of Item 7. Extraordinary meeting - 4th August 2014 6 a. Matters arising, since publicity would prejudice the public interest by reason of the confidential nature of the business. 8 For; DF and SF abstained. Mr Fairbrother stated he believed this should be discussed in public.

The following item was taken after item 26 and is minuted there.

7. Matters arising from the 27th October Extraordinary Meeting

8. Minutes of the Extraordinary Meeting – 10th November

The minutes having been issued, were then taken as read, approved and signed by the Chairman. The Matters Arising from these minutes are detailed at Item 20 but were taken immediately after the adjournment.

9. Chairman's Report

The Chairman reported she had twice attended the Office, in the last month, to meet with Developers with the Clerk and on one occasion was joined also by Mr Mills as Chairman of P&D. The first occasion was to discuss informally the development of the Tesco land between Ropes Drive and Ferguson Way. No application is being lodged at present and the Chairman had advised the developer that in her opinion this was very suitable for development as a Community facility such as a skate park. The second meeting was with representatives from the Co-op and this is detailed at Item 13.c but was taken, and is minuted, after the adjournment.

An adjournment was declared:

- **to receive reports from the County and District Councillors**

A written report on behalf of both County Councillors had been forwarded to Members and is held on file.

Mr Hudson, County Councillor, reported:

- he was still pursuing the flooding issues;
- he had attended a World Aids Day Service in his capacity as Chairman of SCC.

Mrs McCallum, District Councillor, reported:

- she is also pursuing flooding issues, in particular at Bell Lane;
- new applications for 306 Main Road and 3 Ashdale Road will be considered at the January Development Management meeting;
- she has given Community Enabling Budget to the Youth Club and allocated some for the WW1 memorial;
- the bench placed at Bell Lane junction in memory of Cyril Battershill will have a plaque fixed on it before Christmas and she intends to decorate the bench with tinsel in Cyril's memory.

Mrs Ogden, as District Councillor, reported:

- she had met with the ASBO Team at SCDC. The proposed order regarding Peart Grove will be taken to Cabinet in January following which the consultation papers will be issued by SCDC for KTC to duplicate and envelope. She would be grateful for offers of support to deliver these to residents in the vicinity of Peart Grove;
- she had attended a SCDC Policy Development meeting to discuss the Draft Leisure Strategy;
- she has donated £500 Community Enabling Budget to an organisation who help young people with learning difficulties prepare for and find work;
- she still has Community Enabling Budget left and has spoken with Mr Lynch, who also has some available, about the possibility of using it for detached Youth Work in the summer of 2015.

– **to receive Police Matters reports**

Members had sight of the following reports which are held on file.

- 1 PCSO monthly report (PCSO Mike Sarbutts)
- 2 12PT monthly report for November 2014
- 3 SNT crime figures for November 2014

It was noted that acknowledgements had been received from the Chief Constable and the Crime Commissioner regarding Council's letters on the effect on Police presence as a result of the fire at the SNT. The previous letter regarding Police presence in general has not been acknowledged and this will be drawn to their attention.

– **to allow members of the public to speak**

Residents spoke on:

- the proposals for a Youth Council. A resident believed this should be for 11 – 25 and that fears of bullying of younger members were unfounded. In his experience bullying is done by peer groups. Later in the meeting Rev Spittle stated his comment was not that this age spread could lead to bullying but might be intimidating for young members;
- support for a Co-op Convenience store;
- the landscaping at the pump house, which in his opinion does not satisfy the conditions placed on the Cedarwood Green planning application. The Clerk undertook to investigate this;
- the MJH and fields which a resident believed to be a great facility;
- the lack of draft minutes for the November meetings on the website. The Clerk explained pressure of work had prevented these from being passed to the web master. Agreed minutes will now be forwarded.

Mrs McCallum as a resident and landlady at The Bell advised everyone:

- Rudolf will be making an appearance at The Bell on the 18th December between 6.00 and 6.30 and children are very welcome to attend;
- £5,000 had been donated to the Hospice as a result of the Fun Run;
- following the successful reinstatement of the Firework evening the school is happy to host a repeat event next year. The 3,000 tickets were all sold and next year it has been agreed this number can be increased to 3,500. Mrs McCallum thanked everyone who had contributed to the success of the evening and stated £2,500 has been granted to the High School and £5,000 remains as initial funding for next year. The Chairman stated she was full of admiration for Mrs McCallum's achievements on this issue and asked, and Council agreed, that Council's thanks to Mrs McCallum be minuted for her work in ensuring this much enjoyed event took place. It was noted that walking to the event next year might incorporate a lantern walk similar to that at Aldeburgh.

Mrs Fairbrother drew Members attention to issues which had been raised on Facebook and asked Mrs McCallum if she had received any confidential information. Mrs McCallum stated she had not and asked for that to be minuted.

Mrs McCallum added that she had been very offended by statements made about her on this social media site, which she had considered to be for friends to discuss issues. Some hurtful accusations had been made about her organisational skills and her drinking habits. While she admitted she did like a drink or two after work she does not drink when on Council business. Her Facebook page is not undertaken as a District Councillor but in her capacity as Landlady at The Bell.

Item 20, 11c, 24 were brought forward on the agenda and are therefore minuted at this point.

20. Public Open Space issues (Item 8. Minutes of the Extraordinary Meeting – 10th November)

- a. Anti-social Behaviour** The Chairman in her report had updated Members on this issue.

Later: Non retrievable fido bins have been installed.

b. Additional Youth Provision A sum of money has been placed in the budget to provide some finance if additional equipment is deemed possible.

c. Peart Grove/Cedarwood Green, Fencing Investigations on fencing similar to that at MJH have been undertaken and quotations sought on providing fencing around the MUGA and teen shelter. While this fencing is not as rigid as that to the East of Cedarwood Green it is two metres high and supported at three metre intervals and would be difficult to climb over. There will be three gates, one wide one to the North West and two single gates at the South West and South East corners. Research has shown that in other parts of the country similar areas of Public Open Space have been fenced off. Gates are then opened at 8.00 am and closed at dusk, and notices to this effect are displayed and advertised prominently. It was also noted that permission can be applied for from the District Council for re-designation to day time use as a public park but it is unlikely there will be enforcement if this is not done. The Head of Legal Services at SCDC has been investigating the possibility of fencing off the area and Council agreed the Clerk will write to advise her of Councils intention to erect a fence in the light of their own investigations. A recommendation had been made by F&G with regard to the quotations however as further information on augmenting the chestnut paling has now been received the following resolution was taken.

The Council resolved that the public and the press be excluded for consideration of issues within Item 20. Cedarwood Green fencing, since publicity would prejudice the public interest by reason of the confidential nature of the business. Unanimous.

d. Bull Drive Barriers The siting and finance of barriers at Pontins Walk/Bull Drive was discussed. This will be progressed and Mrs McCallum offered Community Enabling Budget as finance to which the Council expressed their thanks.

Mr Hudson and Mrs McCallum left the room while Members considered the following.

11. Planning and Development Matters

c. Proposal for Co-op Convenience Store, Hartree Way The Chairman drew Members attention to the plans within their meeting papers which were also displayed on the notice board for Members of the Public to view. The area off Hartree Way between Newman Drive and the Veterinary Hospital is designated for use by a Convenience store and the Co-op have expressed an interest. They have had discussions with SCDC planners on a proposed layout with the store to the East of the site. Planners have suggested reversing the layout placing the store to the West. Council were very supportive of the proposed store but agreed they preferred the original proposals which would in their opinion be more visually acceptable and of less impact on residents in Newman Drive.

Mr Hudson and Mrs McCallum returned to the meeting.

24. Youth Council Provision

Mr Ogden explained he had not been able to progress this in the run-up to Christmas when his full-time occupation workload was very heavy. It is his intention to make progress in the New Year. There was discussion on the age range which the Youth Council would encompass as 11 – 25 year olds would entail DBS checks and safeguarding issues. It was also noted that at 18 young people could stand for election to the Town Council. Consideration could be given to a two tier system (11 - 17 and 18 - 25) which could encourage progression. It was suggested if Mr Ogden needed help to progress this issue he might wish to approach the previous Youth Parliament Member.

10. Notices and Correspondence

a. Items for discussion

The Deputy Clerk brought the following items to Members' attention:—

- 1.D Email received regarding BT Payphone confirming the removal at Penzance Road.
- 2.D Letter of thanks received from Kesgrave District Girl Guiding for £60 grant.
- 3.D A letter received from a Mr Yildiz requesting a pitch for a hot food van. It was explained this is one of several requests received in recent months. While to date the decision has always been in the negative some further consideration should be taken. The applicant will be informed the possibility of allowing trading from the Rupert Fison Centre Square will be considered by R&A at their next meeting when they also consider the future of the Market.
- 4.D Proposed upgrade of the existing telecoms equipment on the site of Kesgrave Wood, RMC gravel work, Kesgrave, for which the consultation period had expired.
- 5.D Letter of thanks for donation from The Royal British Legion.
- 6.D Response letters from Police and Crime Commissioner which had been discussed and minuted within the adjournment.

A copy of the lists of Notices and Correspondence, including those for information only, were issued to each Councillor and are attached at **Annex 2** to the permanent copy of these minutes.

Mr Hudson and Mrs McCallum left the meeting.

b. Councillor Representative Reports None.

11. Financial and Governance Matters

a. Draft Minutes of the last meeting held 2nd December 2014 had been issued to Councillors and are attached at **Annex 3** to the permanent copy of these minutes. Mrs Fairbrother queried the terminology used in the final paragraph at Item 10b. The Clerk confirmed her intention to resign, not retire.

i Budget 1st April 2015 – 31st March 2016 (F&R Item 7)

The Council went through the draft document page by page. The first page was deferred until after Item 26 as this deals with Staff salaries and the following resolution was therefore taken.

The Council resolved that the public and the press be excluded for consideration of page 1 of the Budget, since publicity would prejudice the public interest by reason of the confidential nature of the business. Unanimous.

The adjusted budget is attached at **Annex 4** to these minutes and it was agreed that subject to discussion on page 1 the Precept demand should be for £221,300. **Unanimous.** Suffolk Coastal will be informed accordingly.

It should be noted that at:

page 2. Mr Comber gave details of the benefit Kesgrave News has for the Council and the Community as a whole. He had previously emailed all Councillors to that effect and a copy of that document is attached at **Annex 5** to these minutes.

Page 3. The additional item of Business support was considered and Council were advised some advice is being sought from SALC. The general feeling of the Council was that support of this sort for HR and Health and Safety policies would be advantageous.

page 7. DF and SF voted against the Market aspect

All other individual **pages** were **agreed unanimously**. It should be noted because of the adjustments agreed, Annex 5 to the F&G minutes is not attached to these minutes.

ii. Transfers between Reserves (F&R Item 8)

As part of the Budget, transfers between Reserve Funds are to replace the Long Strops fund with £66,781

and for the remainder to be called MJH Repairs and Renewals

Mr Comber and Mr Rayworth left the room for the following 3 items.

b. Receipts and Payments Copies of the statements of Receipts & Payments were issued to each Councillor and are attached at **Annex 6** to the permanent copy of these minutes. Council **agreed** the Receipts & Payments be accepted with no further discussion and settlement of the accounts was approved.

c. Transfer between accounts It was **agreed** £9,200 be transferred from Barclays Instant Access Saver to Barclays Current Account.

d. Transfer of Reserve Funds

Transfer within Reserves:

Youth Club MJH hire - November	224.00	To MJH
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Transfer to and from Reserves

Spark	500.00	To Youth Club
Firework ticket sales	340.00	To Firework Display
Firework ticket sales	1,070.00	To Firework Display
Miscellaneous Youth Club float & extras	343.79	To Youth Club
Miscellaneous	4.00	To Youth Club
Firework ticket sales	4,720.00	To Firework Display
M'Sham Playgroup for equipment	1,000.00	To MJH
Resident donation	40.00	To Youth Club
Hudson's Ltd	1,311.04	From MJH
MJH Project Manager	1,804.50	From MJH
Firepower- glass key box	8.60	From MJH
Viking - bins	32.41	From MJH
Poundland - Youth Club equipment	6.00	From Youth Club

Mr Comber and Mr Rayworth returned to the meeting.

e. Late items for information None.

10. Community Services Matters

a. Market Council had discussed the Market within the Budget debate. A spreadsheet was overdue and Mr Comber will be meeting with the Market Manager and the Deputy Clerk to consider the general situation with regard to stalls and footfall.

b. MJH (Millennium Jubilee Hall) A spreadsheet had been presented to F&G the previous week. Council's attention was drawn to there being no necessity to load the Precept this year with the third £50k.

c. Youth Club Reverend Spittle advised Council that numbers are still high which puts pressure on staffing the evenings.

11. Planning and Development Matters

a. Planning applications received since 13th October 2014, responses for comment/approval and other planning matters The list of planning applications where comment was required, those which were not contentious and the decisions received, had been issued to each Councillor and is attached at **Annex 7** to the permanent copy of these minutes.

b. SCDC Area classification Nothing to report.

The following item was taken after the adjournment and is minuted there.

- c. **Proposal for Co-op Convenience Store, Hartree Way**
- d. **Late items for information** None.

12. Recreation and Amenities Matters

a. Roads, footways and footpaths

i. **All Saints Traffic Lights** The Clerk read to Council an email from SCC regarding the proposals for a trial switch off of the lights at All Saints Roundabout. The email is held on file and explains the adjusted cost of undertaking the trial and approximate time scales. Mr Whiting and Mr Hudson had previously agreed to each pay 1/3rd of the overall cost with KTC paying the last 1/3rd. The approximate cost is now £21k to £23k and the County Councillors are still prepared to fund 1/3rd each.

Council were aware of the resident pressure to have the lights switched off. It was agreed the increase in cost was totally unexpected, the proposal for a trial of only 2 weeks was too short and there was some discussion over the suggested timing of the trial in May. The Clerk will contact the officer dealing with the trial and clarify issues before a decision is taken.

b. Play Equipment Improvements and Provision, Additional Play Equipment and fencing Oak Meadow Nothing to report.

c. POS Adoption

i. **SCDC Conditional Contract of Sale of Oak Meadow** Nothing to report.

d. **Parkrun** This event continues to attract participants but the Kestrels have only recently started to use the outside toilet and storage facility for the season. A settling in period is necessary to determine if the two users can work together satisfactorily.

e. **Late items for information** None.

15. Community Information Project (CIP)

As Mr Ogden had reported at Item 24 he has not had time to progress this issue.

16. Electoral Boundary Review

Nothing to report.

17. Five Year Plan including Staffing Committee/Sub-Committee Terms of Reference

Mr Ogden presented the revised papers following the F&G Committee meeting and these are attached at **Annex 8** to the permanent copy of these minutes. Each Committee is to be supplied with a copy for their next meeting to enable them to consider from their perspective their own aims and responsibilities. The document will then be brought back to Council for agreement. It was stressed this a working document.

The Clerk explained if the Staffing Committee is to be a Sub Committee it will need to sit under the F&G Committee. If it was to be a Committee it would stand in its own right. There was some discussion on how far the documentation for this Sub-Committee should proceed with a new administration due in place in May. It was agreed Terms of Reference should be drawn up before May by F&G Councillors who have experience of the issues.

18. Kesgrave Library

The Library quarterly report is attached at **Annex 9** to the permanent copy of these minutes. It was unanimously **agreed** the quarterly payment can be made in January. Council agreed a letter be sent to the Library Team thanking them for the stunning report and for all they are achieving for the Community.

19. Policy Documents – Filming, videoing, photography and Audio Recording at meetings, adapted at SCDC

Members had been issued with a copy of the Policy recently adopted by SCDC, and this is attached to these minutes at **Annex 10**. It was **agreed unanimously** to adopt the same policy.

The following item was taken after the adjournment and is minuted there.

20. Public Open Space issues (Item 8. Minutes of the Extraordinary Meeting – 10th November)

- a. Anti-social Behaviour**
- b. Additional Youth Provision**
- c. Peart Grove/Cedarwood Green, Fencing**
- d. Bull Drive Barriers**

21. Resolution to exclude the Public under the Public Bodies (Admission to Meetings) Act 1960.

This Council resolved that the public and the press be excluded for consideration of Item 22. Resident complaint regarding Member of Staff since publicity would prejudice staff confidentiality, and that these matters be deferred to follow item 26 on the agenda.

The following item was taken after Item 26 and is minuted there.

22. Resident complaint regarding Member of Staff

23. Standing Order Section 21, Relations with the Press and Media

Council was informed Mr Fairbrother had tabled a Formal motion on Standing Order 21 but it was not agendad as this as the request did not conform to Standing Orders. The Item had however been placed on the agenda to enable discussion to be held.

Mr Fairbrother stated he believed this Standing Order should be rescinded as he did not believe the Clerk should make statements on his behalf and he believed in free speech.

Council discussed the difficulties which can arise when a Councillor makes a personal statement to the media which is misinterpreted as being the Council view by the listener/reader. Adherence to the Standing Order can also reduce the number of contacts made by the press to individual Councillors. Mr Fairbrother suggested the Clerk could misrepresent his views in a statement but Rev Spittle reminded him a Press Officer negates this difficulty as she speaks for the body corporate and does not comment on individual views.

After further discussion it was agreed the Clerk will investigate the origin of SO 21 and report back.

The following Item was taken after the adjournment and is minuted there.

24. Youth Council Provision

25. Report from Clerk and Press Officer

An article has been submitted for page 3 on the New Year and its new beginnings with regard to the impending elections, marketing the MJH and the recent death of Henry Ferguson, the previous Kesgrave Clerk.

Council were advised of the Office opening hours over the Christmas period: closing at 1.00pm on Monday the 22nd December and re-opening on Friday at 9.00am on the 2nd January. It was noted Staff will, as usual, be in attendance at various unspecified times during that period.

26. To receive such other communications or matters of sufficient urgency and importance that the Chairman will allow for discussion (to be notified to the Clerk by 12.00 noon on the day of the meeting)

None.

The remaining members of the public left. Council was able to then consider the following.

20. Public Open Space issues (Item 8. Minutes of the Extraordinary Meeting – 10th November)

c. Peart Grove/Cedarwood Green, Fencing

Mr Rayworth explained he had also received a quotation for more robust fencing and for the chestnut paling needed to block the self made entrances onto Cedarwood Green through the hedgerow. It was agreed he would approach CW-Fencing and ask for a revised quotation on that recommended by the F&G Committee to include the chestnut paling. A ceiling figure of £7,000 was **agreed**.

11. Financial and Governance Matters

a. Draft Minutes of the last meeting held 1st December 2014

i Budget 1st April 2015 – 31st March 2016 (F&R Item 7)

– Members considered page 1 of the draft budget which is attached at **Annex 4** to these minutes. It was understood a figure had been inserted for the Clerks position which may or may not be sufficient, it not being possible at this time to determine the salary this post will attract. There has been no adjustment for some years in the salary scale for the Clerks despite the additional workload. SALC are being approached for advice. It was agreed the overall budget for Salaries on page 1 be as stated in the document.

22. Resident complaint regarding Member of Staff

The Chairman reminded Members of the issues surrounding the complaint against the Deputy Clerk. A resident had claimed his personal data had been issued in breach of the Data Protection Act. Council discussed the matter and how the resident was made aware of this as the email was issued only to Councillors. On being asked a direct question Mrs Fairbrother stated the resident had asked her for the information.

Council considered the response received from the Information Commissioner which stated:–

“As the details have only been passed within the organisation i.e the Council, there has been no disclosure and therefore no breach of the data protection act.

It would only constitute a breach if it went into the public domain from the Council, so his complaint appears to fail at the first hurdle.”

In the light of this information Council agreed there was no complaint to answer and they will not take the matter any further. The Chairman will advise the resident accordingly.

7. Matters arising from the 27th October Extraordinary Meeting

Mr Fairbrother and Mrs Fairbrother stated they did not believe they had done anything wrong and therefore had no reason to apologise.

The Clerk stated she too had considered there was no reason for her to apologise but as she had accepted the decision she had done so.

Mr Fairbrother also stated even if he had so apologised he was still to be penalised. Members drew his attention to the final resolution taken at the Extraordinary meeting and the reinstatement to Committee places if an apology was received.

No apology was made by either Councillor.

The meeting closed at 10.55pm

Chairman

Date of next meeting:

– **Monday 12th January in the Council Chamber at 7.15pm**