

## Kesgrave Town Council

Minutes of the meeting of the Kesgrave Town Council held on Monday 12th January 2015 at 7.15pm in the Council Chamber.

**Present:**

Mr M Azmoodeh	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
Mrs N Goodchild	Rev R Spittle
Mr S Lawson	

**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)  
Mr R Whiting (County Councillor)  
Mrs D McCallum (District Councillor)  
PCSO Justin Moss  
PCSO M Sarbutts  
1 Member of the Press  
3 Members of the public

### 1. Apologies

Mr N Beecroft-Smith – personal commitments  
Mr P Miller – personal commitments (left on answer-phone)  
Mrs J Smith – personal commitments  
Mr M Grimwood (District Councillor) – personal commitments  
Mr G Lynch (Town and District Councillor) – District Council business  
Mrs M Neale (District Councillor) – personal commitments

### 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 8th December 2014

The minutes having been issued, Members were reminded of the expanded minute at Item 11.a.i. Page 7. The minutes were then taken as read, approved and signed by the Chairman.

### 4. Matters arising

**a. Resident complaint regarding Member of Staff (Item 22 December 2014)** Mrs Ogden reported she had informed the resident of Council's decision. The resident has stated he does not accept this and will be taking the issue to the Information Commissioner.

The Clerk had undertaken at the December meeting to investigate the origin of Standing Order 21. She explained to Council the differences between the previous Model SOs, the current Model and the current KTC SO's. This is documented at **Annex 2** to these minutes which was subsequently emailed to all Members.

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

Mr Fairbrother stated as previous minutes document the background to the issues relating to Item 6 the Public had a right to hear the debate. However, Council were mindful all issues involving Staff must be held in camera to protect employment rights.

**The Council resolved that the public and the press be excluded for consideration of Item 6. Special Motion since publicity would prejudice the public interest by reason of the confidential nature of the business. 9 For; DF and SF against.**

**6. Special Motion The following motion was placed on the agenda at the request of Mr D Fairbrother and Mrs S Fairbrother**

**That with immediate effect the unjust suspensions of Stephanie Fairbrother and Derrick Fairbrother are lifted with no strings attached as this council has failed to provide any written evidence to support these suspensions.**

This item was taken after Item 21 and is minuted there.

**7. Chairman's Report**

The Chairman reported she and the Clerk had met with Leigh Jenkins from Police Headquarters and the Clerk from Rushmere St Andrew Parish Council. The Service Level Agreement for the Match-funded PCSO was signed by the two Clerks. The countersigned document has since been received. There had been some discussion on the monthly report being provided and Council noted the changes in the presentation.

In response to a query from Mrs Fairbrother the Clerk agreed she had accidentally misled Council over the termination date of the previous agreement, there being some confusion over starting dates of previous agreements.

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**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, stated he would appreciate:

- feedback from residents with regard to the future of the Police Headquarters;
- comments on the difficulties experienced by vulnerable and disabled residents in the County who find themselves disenfranchised because of the lack of local banking facilities.

Mr Rayworth thanked Mr Hudson for the progress which has been noted in clearing of soakaways in some parts of the Town.

Mr Whiting, County Councillor, reported:

- flooding issues in Kesgrave are now top of the County list;
- and noted that within the meeting Council would be talking about the trial switch off at All Saints roundabout, the crossing of the A1214 at Cambridge Road and the Public footpath in Fentons Wood.

Mrs McCallum, District Councillor, reported:

- over 50 children visited Santa and his reindeer at The Bell;
- many people had remarked on adornment of the bench at Bell Lane which she had put on in memory of Cyril's fondness of tinsel;
- on the PPG planning obligation which came into force in November which removed the requirement

for developers of 10 or less dwellings to provide a percentage of affordable units and play space contributions.

Mrs Ogden, as District Councillor, reported:

- she had attended a Licensing hearing where a taxi driver had his licence withdrawn for a fortnight;
- she had met with SCDC Solicitor regarding the Public Space Protection Order being prepared.

Consultation with residents near to Cedarwood Green with regard to this Order is now to be undertaken by SCDC;

- Mr Whiting had kindly put her in touch with a County Officer in the Communications Centre who is able to give advice about anomalies which are observed on Streetlife.

- **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

PCSO Moss presented some documentation on the trends in Anti Social Behaviour and thefts from 2006 to 2014. There is a reduced trend in ASB however there was, in the last year, a marked increase in theft from unsecured motor vehicles. The document is attached at **Annex 3** to these minutes.

Following the report at the December meeting reminder letters to the Chief Constable and the Crime Commissioner regarding Council's letters on Police presence in general has been drawn to their attention. Later: The Crime Commissioners response, which is held on file, was scanned and emailed to Members.

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

Mrs Goodchild, as a resident, drew members attention to the consultation regarding the withdrawal of some Ipswich / Peterborough Services. The document had been issued to all Members and will now be placed on the February agenda for further discussion.

A representative from Park Run addressed Council with an update on the event which has now been in place for 3 months. Start-up funding had been provided from District Councillors which had been much appreciated. Starting at 9.00am on Saturday mornings the average participation is 146 with a peak of 280 on New Years Day. 20 to 25 participants act as marshals, time keepers etc and a new post has now been put in place to monitor parking as this is recognised to be an issue which needs addressing. Councillors were encouraged to attend this event to see for themselves and to take part if they wished. Storage is an issue and it was hoped the gazebo, urn etc, which are currently stored in a local participants garage, could either be given storage space on site or access could be made for one car to transport this to the building. Mr Rayworth will liaise with the organisers over this on the understanding that it will be just one vehicle using the driveway from the car park to the building.

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**Item 12.d. was brought forward on the agenda.**

**12. Recreation and Amenities Matters**

**d. Park Run** Council had been pleased to receive the report in the adjournment on the success of the Park Run venture. The Deputy Clerk explained Kesgrave Kestrels have been experiencing some conflict between Park Run attendees and their own members when the outside facility is being shared. The conflict lasts no longer than half an hour and asked if Park Run could bring their start time forward to alleviate the problem. Unfortunately due to individual circumstances neither Club can change their start times. Mr Rayworth stated he may have a solution and would discuss it with the organisers.

## 8. Notices and Correspondence

### a. Items for discussion

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

- 1.D SCDC Letter re: Regulation 18 – Town and Country Planning (Local Planning) (England) Regulations 2012 Issues and Options Consultation. This will be considered at the P&D meeting on 19th January 2015.
  - 2.D Army Reserve Recruiting wish to use Rupert Fison Square to attract more volunteers. They have been referred to both Alan Comber for the Kesgrave Scouts and Danielle Redden for the Youth Club to share information.
  - 3.D Council considered the SCDC consultation on Royal Death and National Mourning Protocol, and agreed they would wish to have a local opportunity for people to sign a condolence book. It was noted the issue was to be brought to the next Chief Executive/Town Clerks meeting and the Clerk will raise there Council's suggestion of a loose leaf book at SCDC which Parishes could add to.
- A copy of the lists of Notices and Correspondence, including those for information only, were issued to each Councillor and are attached at **Annex 4** to the permanent copy of these minutes.

### b. Councillor Representative Reports None.

## 9. Financial and Governance Matters

- a. **Receipts and Payments** Copies of the statements of Receipts & Payments were issued to each Councillor and are attached at **Annex 5** to the permanent copy of these minutes.

Council **agreed** the Receipts & Payments with the exception of those relating to Councillors be accepted with no further discussion and settlement of the accounts was approved.

**Mr Comber, Mr Ogden, Mr Rayworth and Reverend Spittle left the room** and Council **agreed** the payments in which they had declared an interest.

**The above named Councillors then returned to the meeting.**

Some discussion was held on the Receipts and Payments list and the decision taken previously to issue an interim list on the Friday before a meeting. Council was reminded this complicates the procedure and causes difficulties. The lists are available at the meeting and all payments are either regular monies due (salaries, utilities etc) or invoices for one-off payments which have already been agreed before an order is placed. Any unusual payments are routinely drawn to Councillors attention at the meeting before the list is approved. This decision was taken in June in the interests of efficiency and will therefore be reviewed at the February meeting.

It was noted an interim VAT payment, which includes the majority of that due for the MJH Project, has been claimed successfully.

- b. **Transfer between accounts** It was **agreed** £14,800 be transferred from Barclays Instant Access Saver to Barclays Current Account.

### c. Transfer of Reserve Funds

#### Internal Transfer:

Youth Club MJH hire - December	168.00	To MJH
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#### Late December Payment:

A C Leigh	708.75	From MJH
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Spark	500.00	To Youth Club
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Resident donation	40.00	To Youth Club
Miscellaneous - Pampered Chef	62.91	To Library Community Group
Christmas Fair	367.00	To Library Community Group
R Spittle - tuck purchases	399.31	From Youth Club
Equipment – pop-up goals	67.24	From Youth Club
KHS donation	2,500.00	From Firework Display
Mrs McCallum expenses	60.00	From Firework Display
Ashby Energy Ltd	350.00	From MJH
Equipment – dustbins	15.84	From MJH
MJH Project Manager	990.00	From MJH

d. **Late items for information** None.

## 10. Community Services Matters

a. **Market** A spreadsheet was issued to Members and is attached at **Annex 6** to these minutes. Mr Comber explained he and the Deputy Clerk had held a meeting with the Market Manager when a number of issues had been discussed regarding the way forward including:

- re-considering the criteria for stall holders to widen the scope;
- the footfall which is between 250 to 400. This is dependant partly on the weather. It is considered to close the Market after Christmas for two months when the footfall is at it's lowest is not practical as it will break the habit of shoppers;
- advertising in the press to be targeted for special events.

It was also drawn to Members attention the Market Manager cost is under budget. Reverend Spittle asked that Councils thanks be passed to her for all she achieves.

Mr Lawson stated he had visited the December Market and had been very impressed.

Mrs Odgen asked if Pauls Fish Bar sign on Fentons Way on Tuesdays could be moved as it obscures the view of drivers exiting Fentons Way. This will be requested.

b. **MJH (Millennium Jubilee Hall)** Mr Rayworth reported marketing of the hall availability has got off to a good start in the new year with an additional evening booking and several one-off hirings. The new knee rail alongside the drive is to be erected soon and will act as a cycle-rack. Only two gaps will be left which will channel people from the field onto the drive. It is hoped this will result in fewer difficulties on Saturday mornings when there is a short crossover of use between ParkRun and the Kestrels. A new drain is to be installed to get rid of the puddle just before the barriers.

c. **Youth Club** Reverend Spittle reported a meeting had been held with the Lead Youth Worker. A trial is to be held with year 7 and year 8 attending on alternate Tuesdays with a view to enable more Youth Work to be undertaken.

## 11. Planning and Development Matters

a. **Planning applications received since 5th December 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.

Mr Rayworth had attended the recent Development Management Committee meeting to speak against two applications. Both were refused and his report on the surrounding planning issues is attached at **Annex 8** to these minutes and will be taken to the P&D meeting on 19th January 2015.

b. **SCDC Area classification** Nothing to report.

c. **Late items for information** None.

## **12. Recreation and Amenities Matters**

### **a. Roads, footways and footpaths**

**i. All Saints Traffic Lights** Following a request from the December meeting Council were advised the cost of an additional week of trial would be £6,000. Some debate on the value of this was held but, understanding the two County Councillors are still happy to fund a third of the cost each, Council **agreed** to ask for a two week switch off. **Against CR and PM.** These Councillors wished it noted they do not object to the scheme but to the vastly increased cost since discussion commenced.

**ii. Crossing on A1214 near junction of Cambridge Road** Council were advised the current island is too close to Cambridge Road to be a pedestrian crossing point. A scheme therefore needs to be drawn up to move this and redesign it. Councillor Whiting has offered monies from next years Highway Budget if the scheme has KTC support. Council **agreed** they wish to progress this but expressed their concern over the statement the cost should be no more than £5,000. They cannot accept escalating costs over this project. The Clerk will enquire if leaving the current island in place as well as constructing a new one is a viable option and would reduce the cost.

**iii. Public Footpath through Fenton's Wood** Council were advised the claimed footpath across Fentons Wood is to be considered on Wednesday at a Suffolk County Council Rights of Way meeting. County Officers do not consider the evidence submitted is sufficient and the recommendation to their Committee is to reject the application. Council agreed not to send a representative as they are aware the original landowner did advise residents the area was private and notices had been erected in the past.

### **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** Members had been issued with a copy of the Conditional Contract of Sale of Land at Oak Meadow POS, Supplemental Deed and questions posed by the Solicitor and the proposed answers drawn up by Mr Comber and the Deputy Clerk. Members were also informed following a request from KTC, SCDC has agreed to assist towards the costs of Solicitor fees and searches incurred with the transfer. Members were reminded that part of the works included in the Conditional Contract was to carry out a tree survey which SCDC has also confirmed if any major items of work to trees are identified, these will be carried out prior to transfer and paid for by SCDC. Council had no questions regarding this matter therefore the Deputy Clerk will contact the Solicitor in order to progress the transfer.

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

### **d. Parkrun**

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

## **13. Community Information Project (CIP)**

Mr Ogden reported he will be emailing all Councillors with a link to the website in order for him to obtain information to be added to it. It will then be possible to demonstrate the site more widely.

## **14. Electoral Boundary Review**

Nothing to report.

## **15. Five Year Plan**

Following the December meeting each Committee is to look at the draft plan documents and make their own comments. No Committee meeting has been held to date but Planning & Development and Community Services meet in January and Recreation & Amenities in February 2015.

## **16. Kesgrave Library**

No report was expected this month.

## **17. Policy Documents**

No Policies have been brought for review this month because of pressure of other work.

## **18. Public Open Space issues**

**a. Anti-social Behaviour** Nothing to report.

**b. Additional Youth Provision** The Hive had its first evening session the previous Friday. This facility is open to any young people of secondary school age.

**c. Peart Grove/Cedarwood Green, Fencing** The fencing contractor was due to start on 19th January however is now expected on site on Tuesday 13th January 2015. **Later:** The work was completed on Wednesday 14th January.

**d. Bull Drive Barriers** Because of the Christmas break, no progress has yet been made over these barriers which are to deter motorbikes and mopeds between Pontins Walk and Bull Drive.

## **19. Youth Council Provision**

Mr Ogden reported he continues to progress this issue.

Mrs Ogden left and returned during the following item.

## **20. Report from Clerk and Press Officer**

**a. Meeting dates for the coming year** Members were issued with a calendar of meeting dates which is held on file and will be placed on the website and on noticeboards.

An article has been submitted for page 3 of the February issue of Kesgrave News on the Elections and Cedarwood Green Fencing.

A further article marketing the MJH has also been submitted.

Kesgrave News will again take profiles of those people standing for election in May. Candidates will need to supply a photograph and up to 100 words to the Editor. This should be by the 10th March for inclusion in the April magazine as the May magazine may not be delivered to all homes in time for the Election.

## **21. To receive such other communications or matters of sufficient urgency and importance that the Chairman will allow for discussion**

None.

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

**6. Special Motion** The following motion was been placed on the agenda at the request of Mr D Fairbrother and Mrs S Fairbrother.

**That with immediate effect the unjust suspensions of Stephanie Fairbrother and Derrick Fairbrother are lifted with no strings attached as this council has failed to provide any written evidence to support these suspensions.**

Council were reminded they were considering a Special Motion as a decision had been made within the last 6 months but no fresh evidence was available.

Mr Fairbrother re-iterated his belief that:

- he and Mrs Fairbrother had not received written evidence of the reasons behind their suspensions and these should be lifted;
- even if he apologised he was still to be penalised as he would be excluded from any matters relating to staffing issues.

Mrs Fairbrother stated the original complaint had been from her and to include Mr Fairbrother in the suspensions was not correct.

Mr Rayworth who, with the Chairman, had conducted the investigations reminded the meeting of the documents which had been issued: that Mrs Fairbrother had made the original complaint on behalf of them both, however this could not be accepted; Mr Fairbrother had then submitted his own complaint when the investigation was already under way; both Councillors had received all the documentation at the same time as the rest of the Council for the October Council meeting.

Mr Fairbrother stated the Clerk was guilty of gross misconduct which could have resulted in her dismissal, but she had got away with it “scot free”. Mr Rayworth and others were quick to point out this was not the case, the Clerk had received a verbal warning regarding the email in question, the strongest sanction which could be considered, and her apology is on public record.

Mr Fairbrother stated he did not intend to apologise and had been advised by his Solicitor that he should send all the paperwork to Eric Pickles, Secretary of State for Communities and Local Government. With no apology forthcoming from Mr Fairbrother a prolonged debate followed on when the suspensions agreed at the September meeting would have run their course, and whether debates at subsequent meetings altered this. It was **agreed** both Councillors would be entitled to resume their seats on Committees with effect from 10th March. **5 For; JO against; SL abstained. DF & SF (the subject of the vote) and SO & CR (who conducted the original hearings) did not vote.**

Some debate was held on when communications were no longer required to be acknowledged by the Office and answered by the Chairman, but this was not resolved.

Council then considered the Special Motion and the recorded vote was as follows:

**For: Mrs S Fairbrother; Mr D Fairbrother**

**Against: Mr A Comber; Mr C Rayworth; Mrs S Ogden; Mr J Ogden; Mr P Mills;  
Mrs N Goodchild**

**Abstentions: Mr M Azmoodeh; Reverend R Spittle; Mr S Lawson**

The meeting closed at 10.10pm

Chairman

**Date of next meeting:**

- **Monday 9th February in the Council Chamber at 7.15pm**