

DEBENHAM PARISH COUNCIL

Minutes of an ordinary meeting held on Monday, January 19th 2009 at commencing at 7.38 p.m. at Dove Cottage.

Present: Councillors G Baxter, R Blackwell, L Cockerton, S Dalison, J Farthing, V Payne, K Voller, F Winrow-Giffin, District Cllr K Guthrie, Acting Clerk Mrs C Williamson, Acting RFO Mrs D Bedwell and 22 members of the public

Apologies for absence: Councillor Walters (family illness)

As Cllr Walters was absent, a Chair had to be elected. Cllr Baxter proposed that Cllr Winrow-Giffin should chair the meeting and was seconded by Cllr Blackwell, all in favour.

The temporary clerk advised the meeting that regrettably Cllr A Baxter's resignation had been received.

2. Reports

2.1 Police Report: this had been circulated earlier by email and was received.

2.2 District Councillor's report: This had been circulated earlier by email and was received. Cllr Guthrie also provided leaflets for Wingfield Barns, recently refurbished under the new ownership of MSDC. She also mentioned that we were under a statutory obligation to set the precept this evening, although a decision about Debenham Leisure Centre funding could be finalised later, perhaps using money from our reserves and then put up the precept next year. She urged us to support DLC generously. She also mentioned the recent fire at the thatched cottage on Gracechurch Street: the owners had received a lot of support from people in the village and were bearing up well. She felt that we should be mindful of their situation.

2.3 County Councillor's report: none received.

3. Open Parish Council Meeting

4. Declarations of interest with regard to items on the agenda and additions to register:

Cllr Blackwell declared a financial interest in Item 8, Debenham Leisure Centre.

5. 7.48 p.m. Suspension of standing orders: *Meeting open for to allow members of the public to speak: agreed that this should be extended to a maximum of 15 minutes.*

5.1 Mr M Morley asked the parish council to consider the following, if funding were provided for DLC:

1. That a member of the parish council should be a member of the DLC board and a trustee
2. All information should be available eg the DLC annual accounts should be prominently displayed
3. Debenham residents should have preferential rates of membership of DLC.

5.2 Mr Weston reported that he had been unable to attend the public meeting as it was already full when he arrived. Therefore, he didn't know what was going on or how to access DLC's balance sheets etc. He was advised that they were available through the Charity Commission website and Cllr Blackwell, as a DLC director, said that he would provide a copy of accounts etc if necessary.

5.3 Mr Hammond: He wished to support DLC through the parish council. He appreciated people who did voluntary work and regretted any disharmony between the two groups. Issues need to be discussed by DLC and the parish council, who must not lose this opportunity to support DLC now. He was advised by council that private exploratory meetings had already been held and a working group set up.

5.4 Mr Cockerton advised the parish council to be generous with its donation to DLC – a substantial lump sum was needed.

5.5 Mr Ridge: referring to minute 12.1 of December 15 2008 meeting – voiced disapproval of the concept of developing the Irvine Martin site when DLC was already there. Cllr Baxter explained that a new centre would offer facilities that DLC did not have, such as a venue for the uniformed youth groups. If the village showed an interest (through the poll on the website) the parish council could explore the idea further.

5.6 Mr A Hutt wished to see the parish council press for 50% representation on the DLC Board, with a right (for the parish council) to appoint whom they wished; DLC should be seen to be publicly accountable and not resemble a closed shop, meetings should be open to the public with the agenda and minutes publicly available.

5.7 Mr P Huish: MSDC had had a service level agreement with DLC for three years. In the world of commerce, if a supplier did well, he was paid well. In his professional experience, measures were always put in place which had to be complied with when funding was supplied. The parish council should do likewise, as guardians of the community chest.

5.8 Mrs L Hammond: advised the meeting that DLC was not a closed shop, the AGM was open to the public and the accounts were readily available. The directors could be asked for any information required.

5.9 Mrs Galpin asked to have the DLC accounts displayed on the parish noticeboard. Cllr Blackwell said that DLC was registered with Companies House and with the Charity Commission. To join the Board you had to put yourself forward and be voted on. MSDC's Service Level Agreement was not as normally expected (* Explanatory note from Cllr Blackwell: MSDC funding was given to DLC for general use in running the centre, with mention being made of such in the accounts. The sports hall was originally owned by MSDC but being situated on land owned by DLC, this awkward position was solved by MSDC 'gifting' the building to DLC.) MSDC had a duty to provide sports and leisure facilities. Facilities had been on the site since 1967 and was self-funding until 5 years ago when the economic downturn started. This was a great opportunity to move forward and he was very encouraged by what he had heard locally. DLC had had to set up a limited company to run the bars at the centre as the Charity Commission were concerned that a charity made over half its income from the sale of alcohol – normal practice for any charity selling alcohol in any quantity. The directors were personally responsible for the limited company as well as the charity and took no payment.

5.10 Mrs H Huish: DLC is a company limited by guarantee so there is no personal financial liability unless negligence were proven.

5.11 Mr R Cockerton: he had helped to set up the company whereby each director had to provide £5000 of personal funding as a guarantee – the legislation had changed now.

8.08p.m. standing orders resumed

6. Minutes of Previous Meetings

6.1 December 15th (ordinary):

Re minute 2.1, District Councillor's report: insert 'were looking to' at beginning of line 4 – agreed.

When this alteration had been made, Cllr Winrow-Giffin proposed and all who had attended the meeting were in favour, that the minutes were a true and correct record and be signed as such.

6.2 January 12th (planning)

Cllr Winrow-Giffin proposed and all who had attended the meeting in favour, that the minutes were a true and correct record and be signed as such.

6.3 January 13th (public): The clerk had written up notes of the meeting which were available on the website and also in hard copy upon request.

7. Vacancies for councillors: to consider any co-option.

7.1 In the light of recent swift changes in council membership, Cllr Dalison proposed, seconded by Cllr Farthing, that members of the public who were interested in joining the council should first attend at least two consecutive

meetings before being considered for co-option. Cllr Blackwell was concerned that this might be seen as a barrier to anyone putting themselves forward for council.

7.2 Cllr Winrow-Giffin, seconded by Cllr Payne, put forward an amendment: that prospective councillors should attend at least one meeting before being considered for co-option.

7.3 A vote was taken, the amendment first: 7 were in favour. The amendment was therefore carried.

7.4 The temporary clerk advised the council that two members of the public had requested consideration for co-option, one of whom was in the audience this evening. It was agreed that they should be advised of future meeting dates.

8. Debenham Leisure Centre: update. Cllr Blackwell had declared an interest in this item and took no part in discussion.

8.1 A well-attended public meeting had been held on January 13, notes were available on the website as were questions raised at and after the meeting, along with the answers from DLC. The temporary clerk advised the meeting that SALC had told her that NALC (National Association of Local Councils) had strongly advised that any decision to donate funds to DLC should be subject to their approval as they were investigating the legality of funding a charity which incorporated a limited company. Cllr Blackwell advised the meeting that profits from the limited company were donated to the charitable trust through Gift Aid as was usual. The Annual Meeting of DLC would be held on 12 May at 8.00p.m.

9. RFO's report

Mrs Bedwell expressed her thanks to Mr Cockerton for recent work and advice and would make a longer report at the next meeting.

9.1 Request from temporary clerk for annual pay increase: this was requested to be £12.16 from January 1st 2009. Cllr Winrow-Giffin proposed that the increase be permitted, all in favour. The temporary clerk thanked the council for this.

9.2 Notification of alteration in car expenses: this was received.

10.1 Accounts For Payment: Cllr Winrow-Giffin proposed, seconded by Cllr Voller, that the following accounts be paid:

1. C. Williamson fees	£1079.92
2. C. Williamson expenses	£87.32
3. D. Bedwell fees (15.12.08 to 16.01.09)	£565.44
4. D. Bedwell expenses	£44.04
5. Itgen DPC/021 (Jan 09)	£100.00
6. Anglian Water(10.08.08 to 29.08.08)	£104.52
7. Moffat Electrical (Xmas tree electrical work)	£626.13
8. Digital Copier Services (quarterly min billing Dec08 to Mar09)	£29.13
9. MSDC grass cutting (Aspall Rd and 2 x p/areas)	£816.63
10. BDO External Audit fee 07/08 accounts	£488.75
11. B&G Services (01.12.08 to 04.01.09)	£840.08
12. Roger Gladwell	£414.00
13. UK Hosts (invoice not yet received)	£94.00
14. Anglian Water - Allotments - 12.08.08 to 06.01.09	£47.94

Mrs Williamson explained later in the meeting that her fees were exceptionally high this month because of a serious increase in her workload, assumed to be temporary.

10.2 Payments Received

1. P M Long allotment fees (8B)	£11.71
2. W J Knights (sale of slide)	£50.00
3. Ethel Bestford internment fees	£81.18
4. Interest received in December (correction due to drop in int. rates)	£92.74
5. MSDC Cleansing Grant April to Sept. 08	£2877.66

11. Grasscutting and hedge and tree maintenance contract 2009: for consideration. One tender had been received so far, to be kept confidential until two more had been received.

12. Request for funding from Friends of Sir Robert Hitcham Primary School: it had already been agreed with the person who made the request that this could be left until the next meeting, but that council should be aware of the request when deciding on the precept .

13. To consider and finalise precept request for 2009/2010

13.1 Cllr Walters had forwarded new workings based on the figures discussed at the December 15 meeting. The budget and precept were discussed using this information.

9.05 p.m. Cllr Blackwell declared a prejudicial interest and left the room.

13.2 Cllr Baxter proposed, seconded by Cllr Voller, that £15,000 be donated to DLC, the money to come from unmarked reserves. It should be paid in four instalments, on the first day of April, July, October and January. Conditions would be applied to be finalised at a later date and would have to be accepted by DLC directors. It would also be subject to a satisfactory outcome to NALC's concerns.

13.3 Councillor Cockerton proposed an amendment: based on the outcome of the public meeting ie support for DLC and a perception that there would be an increase in the precept, she recommended a donation of £20,000,- £15000 from reserves and £5000 from the precept for 2009-2010. This would represent a 9% increase in the precept on last year. She was seconded by Cllr Payne.

13.4 A vote was taken on the amendment: 2 in favour. The original proposal was therefore carried.

9.30: Cllr Blackwell returned to the meeting

13.5 After further consideration, it was unanimously agreed to accept the precept figure stated in Cllr Walter's spreadsheet of **£56383.46**.

14. Planning matters

Re-application: 3202/08, Land at Maltings Farm. The agent for the development had advised the temporary clerk that if the application were approved, a sum of £50,000 would be donated to DLC. It was agreed that the matter should be discussed at greater length at a meeting on Monday, January 26 at 7.00p.m. at Dove Cottage.

9.55 p.m. interval of ten minutes agreed

10.05p.m meeting resumed

15. Clerk's Report including committee, working groups and website report: this was received by council (Attachment 3, plus website report, attachment 4). It was anticipated that next month's topics would be discussed in

greater detail. Favourable comments had been received on the Christmas trees and thanks were given to all who had helped erect , decorate and dismantle them.

16. Freedom of information act: draft completion of publication form and adoption if appropriate: to be considered at next meeting

17. Correspondence

17.1 Received to 12.1.2009: to note except where indicated

SCC Leader of SCC re unitary councils: report on affordability of options
SLCC: practitioners conference, 28 February 2009, Stoke-on-Trent
MSDC Financial Management: re tax base for precept (not 808.14 Band D equivalents)
Local Council Review magazine, January
Barclays Bank forms for Woodland Accounts
SNAP housing support and advice project info
Pearce and Kemp statement £901.23
London 2012 Olympic Games - maximising opportunities for Suffolk meeting 9.2.09
SCC leaflets re Older People in Suffolk
MSDC leaflets re Countryside Events
MSDC introduction letter from Asst Sports Dev Officer Richard Neal
MSDC Discovery Project Newsletter
Communities and Local Government - consultation doc on recommended practice
SCC re outdoor furniture leaflets
Npower welcome letter
Information Commissioners Office re freedom of information obligations
A and L information re accounts changes
D Hughes - email to R Walters
MSDC: risk assessment request re litterpicker plus accounting form
SALC Local Councillor magazines (15) and leaflets
MSDC Building Control re new sign for Low Road
V Gillard enquiry re markets n Debenham
SALC's response to codes of conduct consultation
Freedom of information act information (received via L Cockerton 7.1.09)
Digital Copier Systems re increase in copy cost
Arts Centre Halesworth - arts day 26 March - by email

17.2 Correspondence sent:

Barclays Bank	Signed application form
Ipsos Mori	Questionnaire completed by C Williamson
R Walters	Leaflets and post for circulation to council
D Bedwell	Invoices
D Bedwell	Invoices
Impact Landscapes	Cancellation of contract
Orwell Landscapes Ltd	Draft job specification
S Bradbrook	May Walking Festival leaflets
Bloomfields	Request for gate installation costing

Charity Commission	Request for hard copy of Annual Return for URC Ground
Gudgeons Prentice	Return of signed document re transfer of ownership of lavatory block
Chief Medical Officer	Income and Protection Team – form re N Rush
Orwell Landscapes Ltd	Final job specification plus map
A1 Tree Maintenance	Final job specification plus map
NPower	Direct Debit instructions

18. Chair’s urgent business: any items not on this agenda but of such urgency as to merit, in the Chair’s opinion, immediate action. None

19. 10.20p.m. Suspension of standing orders: Meeting open for maximum five minutes to allow members of the public to speak

19.1 Mrs Huish advised council that she was still receiving post marked ‘Debenham Parish Council’ and hoped that this error could be amended.

19.2 Mr Morley asked that MSDC be advised that Cllr Walters is now the representative on the Strategic Plan committee.

19.3 District Cllr Guthrie: expressed her gratitude for the earlier contributions and discussions about DLC, although she was disappointed that there was nothing voted for this current year, suggesting that we offer a lump sum now with conditions.

19.4 Mr Hutt asked what the outcome would be if DLC refused our conditions. He was advised that agreement would be required and discussion would take place if necessary. Was DLC dependent on our contribution and might it close in April if DLC didn’t receive it? He was concerned that the parish council would get the blame in the press. Cllr Guthrie said that MSDC would be making a contribution anyway and that DLC was not dependent on a similar contribution from the parish council.

19.5 Mr Morley apologised for interjecting earlier in the meeting (not recorded). He wondered about the perception of DLC management to our offer of funding. Payment from reserves would indicate that it would not be on a long-term basis.

19.6 The temporary clerk advised the council that she had been dealing with a query about previous offers of funding by the parish council to DLC – members of the public at this meeting may be able to assist her. Mrs Huish told her to search Employment and Finance minutes in November/December 2006/7 – she had approached Mr Hughes informally with a proposal of funding but he said he would only require it for projects.

19.7 Mr Morley said that at the last DLC AGM he had raised the suggestion of regular payment but this was disputed by Cllr Blackwell (on DLC Board).

19.8 Cllr Guthrie confirmed that she had asked MSDC for more funding, that there were different coffers for capital projects and that she would ask again.

20. Employment matters: (see also 9.1) The temporary clerk advised the meeting that her hours, originally contracted for eight per week, had risen significantly recently. Normally she now expected to work an average of 16 hours per week and this was noted.

21. Any other business: information exchange only: none.

22. Date of next meeting: January 26th (planning), February 9th (Planning, Finance and Employment) February 16th 2009 (ordinary)

23. Temporary exclusion of press and public: *That pursuant to the Public Bodies (Admission to Meetings) Act 1960 the Public and Press be excluded from the Meeting due to the confidential nature of the business to be discussed concerning legal issues; potentially sensitive personnel content.*

.....Chair.....Date

