

Minutes of the Annual Kettleburgh Parish Council Meeting held on Wednesday 16th May 2012

Present: Cllrs. J Bater, D Bell, T Chase, R Durbin, D Germain, D Harris (chair)

The Parish Clerk was in attendance. Eight members of the public and our County Councillor were present. The Chairman welcomed everyone to the meeting which began at 7:15p.m in Open Session. There were no issues raised, Open Session was closed and the meeting began.

ACTION

1. **ELECTION OF CHAIRMAN AND VICE CHAIRMAN:** Cllr Harris was elected as Chairman and Cllr Jessop as Vice Chairman

2. **THE DECLARATION OF ACCEPTANCE OF OFFICE was completed and signed by the Chairman**

3. **APOLOGIES FOR ABSENCE:** Cllrs Jessop, A Wheeler-Rowe

4. **MINUTES** of the meeting held on 14th March were approved and signed.

5. **REPORT FROM COUNTY COUNCILLOR PETER BELLFIELD:**

Cllr Bellfield restated the headings from his annual report, presented at the Annual Parish Meeting on 9th May. There were no queries arising,

6. **PLANNING APPLICATIONS:**

C12/0964: Brook Farm: Erection of a Grain Store

Mr Victor Scott, the applicant, was invited to speak to the meeting. He stated that the proposed grain store is to be situated at the rear of the farmyard and will be 18m square with space for a grain store and for general storage. There were no objections to this proposal. The Parish Clerk will inform SCDC of this decision.

C12/0493 Low Farm: Change of use to Wedding Venue: alterations to Application C10/3150-1. This application had been received between Council meetings. As there were no material changes to the original application, Councillors had no objections to this further proposal.

JC

7. **DIAMOND JUBILEE CELEBRATIONS**

The report given by Cllr Bell, chairman of the Diamond Jubilee committee, at the Annual Parish Meeting is restated:

In 2011 it became clear that the residents of Kettleburgh wanted to celebrate the Diamond Jubilee, so we decided to put a committee together to arrange a weekend of events for the whole parish to enjoy. The committee thought about different ideas and finally settled on the following:

11am: Old-fashioned school races for all to enjoy and the church bells will be rung. Liz Marzetti has kindly agreed to dress as the Queen to present prizes. Allister Compton will be the compère for the day.

1pm: The Big Lunch - we have confirmed 190 people attending and reminiscing with music from the past. We will use local produce wherever possible. The menu has been distributed to villagers to make their choice. There will be a toast to the Queen.

3pm: The Village Hall will be serving high tea amongst a 1950 style living room and an audio and visual history of Kettleburgh in the 50's.

6:30pm: St Andrew's church will be having a celebration service.

8pm: We have hired a marquee and a dance floor in the garden for live music at the Chequers. Children and adults alike can dance the evening away.

Monday 4th June: we have been selected to host a Beacon to celebrate Her Majesty's 60 years on the throne. The building of the beacon has started at Easton Green Cottage. Charles and Juliet Dearlove have also helped arrange a 40-piece choir to help entertain us. There will be a 'walking bus' setting off from the Chequers at around 8:00p.m, with the beacon lighting set for 10:16p.m.

We felt that the events over the weekend should be free to everyone. So we started to look for ways to fund the events. We applied for funding, and also had several residents who agreed to underwrite the entire weekend if needed. However we managed to secure all the funding required. Thank you to everyone who was willing to underwrite the event.

There will be a choice of a commemorative mug or a £5 Diamond Jubilee coin for all 44 children of Kettleburgh. Villagers are encouraged to display bunting outside their houses which is available from Cllr Bell.

8. **THIRD GATEWAY FOR KETTLEBURGH**

The quote from SCC to provide a third gateway for Kettleburgh on the Framlingham Road stands at £2391.02. Cllr Durbin confirmed with Peter Bellfield that the contribution of £1250 from his Quality of Life budget would remain available until January 2013. It was agreed that the Parish Council would use its

reserves, which were originally built up for this purpose, to fund the remainder of the cost. The Chairman noted that as the reserves have lately been used for general expenditure, it had been possible to keep the precept at a low figure. From next year, it will be necessary to match the precept to expenditure, which will mean a significant increase. Cllr Durbin will accept the quote from SCC and ask that the work commences as soon as is possible.

RD

9. FINANCE

a) The Accounts for the year ended 31 March 2012 were received and approved. The Clerk will convey the Council's thanks to our internal examiner, Mrs Persephone Booth.

b) The Financial Statement was received and approved

c) Invoices for payment were approved and signed.

d) The Annual Return Statements of Assurance were completed and signed.

The Chairman recorded a vote of thanks to the Clerk, as Responsible Finance Officer, for the exemplary way in which the accounts have been managed and presented.

10. COMMUNITY EVENTS

First Friday of each month – Coffee morning

Mondays at 10:00a.m – Keep Fit

3/4 June – Diamond Jubilee Celebrations

23 June – Kettleburgh Fete

29 July – Autojumble at Church Farm

11. CLERKS REPORT

a) War Memorial Restoration: the Clerk is waiting for a response from the War Memorial Trust for a grant of £450, 50% of the sum needed to reblack the lettering on the war memorial. It is intended to ask for donations from villagers to raise the balance needed for the work. It was suggested that if there is a shortfall, the Lord of the Manor Fund could be approached.

b) Church Floodlighting for the Olympics: St Andrew's PCC has made the Parish Council aware of a scheme to floodlight public buildings in 'Olympic' colours. It was suggested that the PCC should be asked to give some indication of costs involved.

c) Grass cutting in Kettleburgh: there are two small areas of grass in Kettleburgh that are maintained by SCC. As the grass cutting programme has been cut back due to cost saving, it was agreed with SCC and by the Parish Council, that villagers living close to these two areas should be approached to cut the grass on a regular basis. Mr Sam Parmenter at Beech Cottage is prepared to cut the grass at the end of Lings Field, in addition to keeping the area tidy under the Parish notice board. The Clerk will ask Cllr Wheeler-Rowe if he is prepared to cut the grass at the end of Church Road.

d) Kettleburgh Bridge works: the Chairman spoke of his concern over the proposal to strengthen Kettleburgh Bridge, to allow 44tonne lorries to use the bridge. Investigatory works by SCC, conversations with SCC and online research have produced contradicting statements and opinions. It is clear that the bridge and the road between Kettleburgh and Hoo are entirely unsuitable for large vehicles. Whilst there is an EU directive that any bridge repairs should bring bridges to a standard that accepts 44tonnes, this only applies to primary routes. The Chairman was still waiting for a reply from Lucy Robinson, Executive Head of Highways and Transport at SCC, to his letter which set out in detail the concerns expressed above. It was agreed that once this reply was received, it would be decided what further action was necessary.

e) Code of Conduct Disciplinary Meeting Report: attached to these minutes

f) File note re: CDM regulations: attached to these minutes

g) Meeting dates for 2012-13:

11 July

12 September

14 November

9 January 2013

13 March

15 May (Annual Parish Council Meeting)

8 May 2013 – Annual Parish Meeting

The Clerk will inform the Village Hall bookings officer of these dates.

JC

12. CORRESPONDENCE

All correspondence was circulated amongst Councillors

13. A.O.B:

There were no matters raised.

14. RESIGNATION OF CLERK AND APPOINTMENT OF NEW CLERK

- a) The resignation of Mrs Jackie Clark was confirmed, to take effect from 31 May 2012. The Chairman once again thanked the Clerk for all her work and efforts over the past eight years. He presented a generous gift of garden tokens from all Councillors. The Clerk thanked everyone for this kind thought, stating that while she had enjoyed her time as Parish Clerk, she felt that it was time for someone with a fresh approach and new ideas to take on the role. The Chairman welcomed Mr Martin Sims as her successor.
- b) **Mr Martin Sims was appointed as Parish Clerk from 1 June 2012**
- c) **Martin Sims was confirmed as Responsible Finance Officer to Kettleburgh Parish Council.**
- d) **It was agreed that the mandate for authorised persons to act for the Parish Council at Barclays Bank should be changed: Mrs Jackie Clark to be removed from the mandate and Mr Martin Sims to be added.**

15. DATE OF NEXT MEETING:

Wednesday 11 July at 7:15p.m (*agenda items by 1 July please*)

16. The meeting closed at 8:25p.m.

Kettleburgh Parish Council Meeting held on the 14 March 2012

Agenda Item No 7 – The Pound

During a long discussion under this agenda item a request was made by a Councillor to review the process and procedure associated with a possible breach of the Code of Conduct; the draft minutes of that meeting state:

“It was agreed that the Vice Chairman - Cllr Jessop, and the Clerk would meet to ascertain whether the Code of Conduct should be invoked”.

Subsequently a review was carried out by the Vice Chairman of Kettleburgh Parish Council, Mr Trevor Jessop and the Parish Clerk, Mrs Jackie Clark.

Findings

The Code of Conduct adopted by Kettleburgh Parish Council (KPC) was reviewed initially with the following findings:

- Section 2(2) states that an individual thought to have breached the Code must have been acting in their ‘official capacity’; Section 2(1)(b) states that this could also be someone who claimed or gave the impression that they were so doing.
- If this were the case then Section 3(1) states that Councillors must “treat others with respect”; Section 3(2)(b) states Councillors must not “bully any person”.
- Section 5 states “You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute”.
- “Respect for others” is one of “The Ten General Principles”. However, this is specifically considering diversity and respect for “officers” and “employees”.
- SALC reports The National Code as stating “The code requires members who reasonably believe that another member has broken the Code to report it in writing to the Standards Board for England. SALC would hope that such members would try in the initial incident to talk to the member through the Code and persuade them to avoid re-offending before a formal complaint is made.”

Conclusion

Any retrospective action in regard to the Code of Conduct, if indeed any were required, would appear to be inappropriate in light of SALC’s reporting of the relevant part of the National Code given above. However, it would be appropriate for all Councillors to re-appraise themselves of what the Code of Conduct, previously accepted by them, requires of them.

Kettleburgh Parish Council

File note in regard to the responsibilities the Council has as ‘Client’ in regard to the Construction (Design and Management) Regulations 2007 (CDM 2007)

These regulations are obviously about ‘construction’ however the definition of ‘construction work’ is broad and includes ‘maintenance’. During a discussion of the Council under agenda item 7 on the 14 March 2012 I was concerned that perhaps the Council were neglecting their duties of ‘Client’ under these Regulations.

A review of the Approved Code of Practice that accompanies these Regulations has determined the following:

- The Council would not be seen as a ‘domestic client’ (who have no responsibilities under these Regulations) as they are specifically defined as people who have work done on their own home or the home of a family member.

- Tree planting and general horticultural work are specifically described as **not** being 'construction work'.
- General maintenance is also excluded from 'construction work' (unless it is done as part of other construction work or involves substantial dismantling or alteration of fixed plant which is large enough to be a structure in its own right). Thus cleaning of the bus shelter would not be seen as 'maintenance'.

Conclusion

The scale of work currently undertaken for or on behalf of the Council does not come within the scope of CDM 2007 (if it were the Council would be seen to be the 'client'). However the Council needs to remember that under common law it still has a duty of care to uphold (not covered in the scope of this file note).

Trevor Jessop
Kettleburgh Parish Council Vice Chairman
April 2012