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**Minutes of the Town Council meeting held in The Old School Community Centre
at 7.00 p.m. on Thursday 16 April 2015**

Present: Cllrs. Paul Bishop, Derek Blake, Margaret Godwin, Phil Gryce
Gayle Mallows, Loveday Perceval-Maxwell
County Councillor Mary Evans, Borough Councillor Alaric Pugh,
Maureen Smith, RFO, 6 members of the public

1 Apologies for absence – Cllr. Keith Haisman

2 To receive declarations of members' interests and consider requests for dispensation
Cllr. Mallows declared an interest in item 10 ii) CPFA

Section of the meeting open to the public:

3 Police Report – PCSO Ross presented the police report (see attached) and encouraged members of the public to report crimes to the police.

4 Public Participation –

A member of the public congratulated Clare Town Council on acquiring Clare Castle Country Park and asked to speak about item 14 of the agenda. He reminded councillors that in previous years Clare Parish Council had backed the campaign for the retention of the 2-hour free parking in the Country Park car park and urged the Town Council not to support that aspect of the proposal from the Trustees. He also requested that the Town Council consider making a request to the Trustees to waive the car parking charges to residents during the closure of Cavendish Road for gas mains works in the summer.

A member of the public asked for clarification on the valuation of the Country Park as he believed that if it was around £500,000, it was a very low valuation. He asked if this is because there were a large number of liabilities.

Cllr. Blake responded that this figure was not one that he recognised, although he was aware that the transfer had been approved by HM Revenue and Customs. Of course, the transfer had been effected for nil consideration, with a substantial dowry attached. He added that he believed the valuation for insurance purposes was substantially in excess of the figure quoted.

The Chairman said that the matter of the County Council's valuation of the Park would be clarified and a written response sent. Cllr. Mallows asked the parishioner if he was pleased that the Country Park has transferred into the ownership of Clare. The parishioner responded that it was a wonderful asset if there was enough money available with which to run it.

Another parishioner commented that he was delighted that the Park had been transferred and referred to a letter he had sent to the Town Council regarding the contract of works to the buildings in the Park. He asked what the status of the tender process was and that he had hoped local businesses had been involved. Cllr. Bishop responded that a detailed response would be sent in writing but in summary, as part of the process to allow things to move forward in the negotiations with Suffolk County Council, it had been agreed that the Town Council and SCC would have joint responsibility for the works. Concertus had been appointed as the architect and project manager, operating the contract through the Suffolk Framework for Small Works.

Cllr. Blake added that there had been a formal tendering process under these arrangements. Cllr. Evans provided further explanation that when public money was being spent, SCC had to prove that the contract had been awarded in line with EU Regulations.

Another parishioner raised concerns about the decline in businesses based in Clare and the subsequent decline in people coming to Clare to shop.

Cllr. Bishop responded that the Town Council hoped to work with the businesses to promote Clare. Cllr. Gryce reported that he understood that some Clare businesses were working together as Clare Business Association to obtain funding for works such as the painting of shop fronts.

Cllr. Blake added that the HLF bid being applied for had in mind the promotion of Clare as a destination containing significant heritage assets both in the Park and in the Town. The idea was to raise the profile of both the Park and the Town, and it was hoped that this would have a

beneficial effect on the Town's businesses.

A parishioner expressed his concern about the diminishing businesses in Clare and concern that business premises had been approved for conversion into residential use. Cllr. Gryce explained the planning process and that the planning authority (St Edmundsbury Borough Council) had a number of policies and requirements that applicants applying for a change of use would have to meet and that economic viability was one of the tests that might be applied. Cllr. Mallows added that Clare Town Council was very much in favour of retaining businesses and shops in Clare and she recalled a number of changes of use applications that Clare Town Council had objected to, however, on some occasions the planning authority did not agree and granted permission to convert business premises into residential dwellings.

A parishioner asked which buildings in the park are being worked on. Cllr. Blake responded that the works would be to the Station Master's House and the Goods Shed.

A parishioner asked about the tender process and the name of the contractor. Cllr. Mallows responded that the name of the contractor was Abacus. Cllr. Bishop added that as the parishioner had requested the details in a letter, a formal response would be sent to him. Cllr. Blake added that there had been nothing hidden about the tender process other than issues of commercial sensitivity.

A parishioner asked for confirmation that the building work would be within budget. Cllr. Blake confirmed that it was a fixed price contract and therefore had to be completed within budget.

5 **County Councillor's Report** – See attached report. Cllr. Evans added that she had provided SCC's Highways Department with a list of jobs to complete before she attends the annual meetings. Cllr. Gryce thanked Cllr. Evans for her help.

6 **Borough Councillor's Report** – Cllr. Pugh sent his apologies.

End of public section of meeting

7 **To approve minutes of previous meetings held on 19th March 2015**
The minutes were approved unanimously.

8 **To receive an update on actions from the previous meeting**

The Clerk reported that all actions were complete.

The Clerk reported having consulted LCPAS and received confirmation that a donation to a charity in memory of a councillor would be acceptable as a Section 137 contribution. Cllr. Mallows proposed a donation of £100 to the British Lung Foundation in memory of Cllr. Leslie Warmington. Cllr. Blake suggested the amount be £150. Cllr. Gryce proposed that a tree also be planted in the Nuttery in memory of Cllr. Warmington. Both proposals were agreed unanimously.

9 **Clerk's Report** – see attached report.

Cllr. Gryce added reports of vandalism of a car, youths appearing to be attempting to damage the bench outside the Co-op, a fire in the Nuttery and congregation of youths by the buildings on the common.

Cllr. Godwin reported that she will be attending a meeting with the Youth Officer, PCSO and Simon Pickering, the Families & Communities Officer regarding what can be done to provide something for youths to do in Clare.

10 **Finance**

i) Presentation of monthly reports – Cllr. Godwin proposed the adoption of the monthly accounts. Approved unanimously.

ii) Decisions required:

a) Cllr. Mallows presented a paper from the CPFA (see attachment to the minutes) requesting clarification on the availability and permitted use of earmarked funds of £24,538.08 noted as being held by the Town Council for the CPFA. The letter had been considered by the Finance Committee. Cllr Blake stated that this is a valuable asset for the Town and it should be noted that the Town Council is already investing in the CPFA by way of the Public Works Loan

Board loan which is still being repaid. Cllr. Blake suggested that the earmarked funds should not be used for day to day funding but used for essential health and safety work and for capital projects that extend the range of sport on offer. Cllr. Godwin proposed that the earmarked funds be held to the order of the CPFA and used as suggested by Cllr. Blake. Approved unanimously.

- b) Cllr. Godwin presented a paper from the Clare Castle Country Park Trustees (see attachment to the minutes) and proposed that the amounts of £30,879.24 and £50,000 be transferred to the Trust. Approved unanimously.

RFO

11 **Correspondence** - see attached report.

12 **Planning** - None

13 **To receive items for decisions required by Town Council Committees and Working Parties**
No decisions required.

14 **To receive an update on Clare Castle Country Park car park charges**

Cllr Blake commented that Clare Town Council had discussed car park charges in the past and fought to obtain agreement for free parking until 11am. He added that the management agreement with the Trust specifies that they must provide details of the budget and the car park charges form park of it. Cllr. Blake reported that he had been very surprised to read about the decision in the Country Park newsletter and had expressed disagreement with the decision not to consult Clare Town Council on this matter and that although the Town Council could not take the decision, councillors should have had an opportunity to make their objections known. Cllr. Blake stated that he feels the Town Council has been denied the opportunity to make representation that might have made the Trustees rethink and believes they should be censured in the form of a letter.

Cllr. Mallows agreed that the Town Council should write to the Trustees and ask them to reconsider because of concerns about the loss of the free parking period and its implications for local businesses.

Cllr. Gryce added that the public concession was a special arrangement unlike any other public car park. He believes the increase in the permit fee from £20 per year to £50 is too much, too soon and although it is still a good price, it is a big increase in one go.

It was agreed to write the Country Park Trustees and make the following points:

- The foolishness of the decision – the increase is too soon and too much
- The announcement was disastrous in terms of PR
- Consultation is enshrined in the management agreement, yet there was no consultation with the Town Council on this matter and Councillors are very disappointed in the Trustees.

Cllr. Gryce suggested that the letter also include a suggestion to meet to discuss bye laws in the Country park. Agreed unanimously.

15 **To receive a proposal for the location of a new bus shelter**

Cllr. Gryce reported that a decision is required on the location of a new bus shelter which is to be provided as part of the monies held from Section 106 money as a result of the Land East of the Granary development. The suggested locations are:

1. Current bus stop at entrance to the Granary
2. Market Hill (by bus ramp)
3. Outside the Town Hall

Cllr's decided that there was insufficient information to be able to consider this and requested further details including details of the design of the proposed bus shelter and approval for the planning authority as it may be placed in the conservation area.

Cllr. Gryce

16 **To receive an update on the request for assistance from the fire station**

Cllr. Evans reported that she had met with the Deputy Fire Chief who confirmed that the fire service property department is looking at remedial works to Clare Fire Station.

17 **To receive agenda items for next meeting**

23rd April – To approve Year End figures. To consider planning applications.

21st May – Location of new bus shelter

18 To confirm the date of the next meetings as 23rd April and Thursday 21st May 2015 (annual meeting of the council).

Confirmed.

A vote of thanks was proposed to Cllr's Blake and Haisman as this is one of their last meetings as Town Councillors. Agreed unanimously.

The meeting closed at 8.35pm

DRAFT

Attachment to minutes – Item 3 – Police Report

Please see the below crime report for Clare between 19/03/15 and 16/04/15:

- X1 common assault (no injury)
- X1 Domestic incident.
- X4 criminal damages to vehicles which occurred overnight between the 02/04/15 and 03/04/15 were wing mirrors were smashed and/or knocked off which occurred on Bridewell street and Challis street.
- Criminal damage to a parked vehicle which was scratched, this occurred between 1900 and 1916 on the 07/04/15 on Gilbert Road.
- Theft of a hanging basket from outside the front of a property which occurred between the 06/04/15 and 07/04/15.
- Criminal damage to a Hawthorn hedge which has been climbed over, this occurred between 09/04/15 and 10/04/15.

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Attachment to minutes – Item 6, Suffolk County Councillor's report

HGVs

The lorry survey took place on Monday and Tuesday this week and the roads through Clare were very quiet. No advance warning was given to residents so it is extremely unlikely that hauliers had any prior knowledge and deliberately avoided the town.

I spent about 5 hours in Clare on Monday monitoring the traffic at The Bell junction and of the HGVs coming through a significant proportion looked as if they had business in and around the town for example a large removal van, and an Adnams lorry heading towards The Cock.

I met National Grid officers last month with a team from SCC to discuss the plans for the replacement of the gas main and how best to manage the ensuing disruption.

The answers to the questions I took to the meeting are

- The whole of Cavendish road be closed – it will not be possible to keep a single carriageway in operation
- The work could not be done at night to allow two way traffic flow during the day because unlike the re-surfacing programme this summer this will involve digging which is much, much noisier. They will probably work at weekends on re-surfacing to speed up the project.
- They plan to do the Church Street works from the footway so it can be kept open.
- Highways is looking at making Church Street one way to create a gyratory system through the town Church Street – Market Hill – Well Lane- High Street to keep traffic flowing.
- The works will probably now start in mid-July to ensure they are completed by the start of the new school year in September to avoid major disruption to school transport.

I gather there is a compensation scheme for businesses.

It is clear that the works on Cavendish Road and Church Street will have an impact on parking in Clare. Parking will have to be banned along both roads.

We are meeting again next Thursday to look at how the scope and details of the programme of work are explained and shared with local residents and businesses.

Fire Station

Following the complaints made at your last meeting, I met Mark Sanderson the Deputy Chief Fire Officer at Clare fire station earlier this month.

The Fire Service had already identified that work does need to be done and the property team are dealing with it.

Both DCFO Sanderson and I were bemused by the complaint about the lack of chairs as the crew room is lined with chairs. He has asked our property team to find out what the issue is and deal with it.

There is work needed on some of the windows and the doors need painting. More importantly, the drying room needs upgrading.

It is likely that a desk, with space for a computer, will be allocated to the police team in the crew room and a new security door will be fitted so only fire service personnel will be able to access the fire appliance, kit and fire office.

I gather the team at Clare Fire Station would like to have the carpet removed and hard surface flooring installed which would be easier to manage and keep clean.

Next month's meeting

Please accept my apologies now for next month's meeting. I have three annual parish meetings – Brockley, Hargrave and Great Wrattling to attend. I will of course be at the Clare annual town meeting.

In the meantime, I would like to thank you all for your help and support over the past 12 months. With good wishes to those of you standing down and congratulations to those of you who have been returned unopposed.

Mary Evans, Clare Division, Suffolk County Council

Attachment to minutes – Item 9, Clerk’s Report – March 2015

Information:

Street Warden reported vandalism (removal of flowers from Clare in Bloom displays) along Church Street overnight 11th/12th April.

I have received a request from Mr Kimminau to view copies of correspondence items noted in the correspondence report of the meeting of 15th November 2012.

Planning decisions

DC/15/0090/FUL – Co-operative, 8 Market Hill – Provision of canopy to rear of store – Approved.

DC/15/0207/HH – 26 Bridewell Street – 2no. Dormer windows and associated alterations – Approved

DC/15/0351/TCA – Re-pollard 6no lime trees – Approved.

DC/15/0454/FUL – The White House – Land adjacent The White House – Referred to delegation panel to be considered on 22nd April

DRAFT

Dear Councillors

Re: Earmarked Funds for CPFA: £24,538.08

As Chairman of the Management Trustees for the Clare Playing Field Association, I write to seek clarification on the earmarked funds held by the Town Council for the CPFA.

In 2006/2007, Clare Town Council joined with the Football Foundation, Bury St Edmunds and the CPFA to raise funds to build a Pavilion on the playing field. Although the Town Council had taken out a Public Works Loan to cover its share, which it is still repaying, £24,538.08 was left at the end of the build and the Councillors in post at the time put this money into earmarked funds to use for CPFA purposes. A search of minutes from the time, both for the Council and the CPFA, has failed to provide insight into the original reasons behind this decision, although one assumes that those reasons were sound.

The CPFA are seeking clarification of the possible uses and availability of these funds at this time as there are still councillors in post who remember the original discussions. We have three main concerns relating to present and future funding:–

1. The costs of maintaining the playing field and pavilion significantly outweigh the income received from lettings and the lettings cannot be guaranteed. This year, we have been able to cover the costs of running and maintaining the building alone from lettings income, although essential health and safety issues have drained our reserves and we are concerned that further issues are developing e.g. land movement behind the building which is pushing down a retaining wall. In budgetary terms, it would be a great relief to us if essential health and safety work could be funded from the earmarked funds in the future.
2. The costs for the building are just 50% of our total outgoings and we have no way of covering the cost of insurance, grass cutting and field marking without the generous Precept donation from the Town Council. We are aware that the demands on Council finances are many and are increasing as the grants are cut for local government. It is possible that a future Town Council would wish to reduce its support for the CPFA. However without this support, the CPFA could not survive above 6 months and this valuable town asset would have to be taken back in house, with all the attendant work and cost, or lost to the community. Using the earmarked funds to off-set loss of Precept income over a short period might enable the Trust to continue working for longer, but would not be the most economical use of the funds. Alternatively, the Council might wish to consider taking back the earmarked funds and finding a different but permanent arrangement for funding the insurance, grass cutting and line marking which would not involve precept allocation and would not require funding from the CPFA.
3. Currently, the Trustees are concerned with finding enough funding for essential items but we are also planning for the future and are very keen to offer an increase in facilities for sport. Given greater financial stability at local and national level, it would be wonderful to use the earmarked funds for this work. We would love to reinstate cricket, although we are aware of the major financial costs of recreating the pitch, buying in the machinery, nets etc. We hope to offer after- school and summer activities in the next year, including tag rugby, quick cricket, rounders and athletics. We are in the early stages of planning football tournaments and we want to establish summer fun days for families – a mix of sporting activities and BBQs. Using some of the earmarked funds to establish the bigger projects would be fantastic but CPFA priorities are ‘survival’ at the moment.

Councillors may be aware that the Trustees of the CPFA carry personal financial liability for the playing field and pavilion. For this reason, it is our intention to move to CIO status this year and therefore an early decision on the earmarked funds would be most helpful. We would like to thank the Town Council for all of the support that it has given over the years and for working in partnership with us.

With best regards

Gayle Mallows

Chairman Clare Playing Field Association

DRAFT

**Attachment to minutes – Item 10iib), Management of funds from SCC:
To Clare Town Council via Finance Committee
4 April 2015**

Proposal for the management of the funds payable under the contract dated 26 March 2015 between SCC and CTC relating to the transfer of ownership of Clare Castle Country Park.

Under the contract dated 26 March 2015 the following amounts are payable by SCC to CTC:

Amount	Payable	Comment
£234,376.61	Paid on contract signing	Received by CTC. Includes £162,779.41 excl. VAT agreed sum for building works and the balance of fees due to AshtonKCJ and Concertus – see below
£50,000	1 April 2015	
£25,000	1 April 2016	
£12,500	1 April 2017	

It is proposed that CTC deals with each of the above amounts as follows:

£234,376.61 – From this amount sufficient funds are to be retained by CTC to meet obligations under the building works contract and with AshtonKCJ and Concertus – see below for details. These obligations, including any VAT payable, amount to a maximum £203,497.37 comprising:

Building works	£195,335.29
AshtonKCJ	£ 3,022.00
Concertus	£5,140.08
Total	£203,497.37

The balance of £30,879.24 is to be transferred immediately to Clare Castle Country Park Trust.

i) Building works - It has been agreed that the building works' contract will be between the contractor and CTC, so that we can control the works. It is anticipated that the works will take place between May and July. VAT paid by CTC on invoices from the contractor is to be re-claimed from SCC. If the whole contract amount is liable to VAT then the maximum funds required is:

Contract amount	£162,779.41
VAT	£32,555.88
Total	£195,335.29

ii) AshtonKCJ - the agreement with SCC is that we would meet any fees in excess of £15,000. AshtonKCJ has already submitted their final invoice in the amount of £3,022.00 including VAT of £460.00 which CTC can reclaim from HMRC

iii) Concertus – the remaining balance for their professional services on the agreed fee schedule is £3,284.00. To this amount we propose to add a contingency of £1,000 to cover any design variation work. The total payable is therefore £5,140.08 including VAT of £856.80 which CTC can reclaim from HMRC.

Once these invoices have been settled and VAT reclaimed CTC will receive the VAT reimbursements totalling £33,872.68 (£32,555.88 on the building contract, £460.00 re AshtonKCJ and £856.80 re Concertus) which will also be transferred to the Trust.

£50,000 due 1 April 2015

£25,000 due 1 April 2016
£12,500 due 1 April 2017

There will be no liabilities that CTC needs to meet from these funds and therefore they can be paid over to the Trust immediately upon receipt.



Keith Haisman

DRAFT

Attachment to minutes – Item 11, Correspondence:

Items for action

(all circulated to Town Councillors)

- James Golding Defibrillators for Clare
Action: Cllr. Perceval-Maxwell reported that the Community Working Party is currently investigating obtaining more defibrillators for Clare. An item on the First Responders will appear in the next Chevron.
- Stephen Kimminau Town Councillor's Interests – Stour Valley Community School
Draft response sent on email
Action: A draft letter had been circulated in advance of the meeting and was approved unanimously to be sent.
- Stephen Kimminau Country park building works
Action: Cllr. Bishop to liaise with Cllr. Haisman and send a response.
- Stephen Kimminau Clare Finance, RSG cut and DCLG guide
Action: Cllr. Bishop to send a response.

**Items for noting
(copies available from the Clerk on request)**

- Suffolk Preservation Society Representation from the Society to the White House planning application for information
- Police Connect New system for non-emergency calls
- Police & Crime Commissioner PCC invites your views on policing in Suffolk
- PCSO A Welford Station Road parking
- Charles Godfrey Planning application – The White House
- Clare Society Planning application – The White House
- St Edmundsbury Borough Council Annual Report
- Haverhill Masterplan Acknowledgement to letter sent in response consultation invitation.