

issues arise". The Committee accepted the advice of the Town Clerk not to delete the phrase "it would not be good practice as it could restrict the Town Council in acting when urgent issues arise".

4. To deal with any urgent matters arising from the Minutes not covered by this agenda

Cllr Fanning asked when further debate was to take place on her resolution which was deferred from the 27th January Full Council meeting. The Mayor advised that a meeting was to be called of Group Leaders to discuss the issue.

5. David Bird, Emergency Planning Officer, St Edmundsbury Borough Council

David Bird, Emergency Planning Officer for St Edmundsbury Borough Council, spoke on promoting community preparedness for incidents, which were more likely to involve weather-related events than major disasters. Mr Bird stressed the need for clear lines of communication to be established in advance of any event, and for a comprehensive schedule of support resources to be prepared and maintained. The Town Council was asked to help prepare this schedule. Cllr Maggie Lee proposed and Cllr Fanning seconded, all being in favour, that Mr Bird be invited to attend a Community First Committee where agreement could be reached on how best to give assistance to the process. Cllr Maggie Lee asked about the responsibility to distribute sandbags in the event of flooding. Mr Bird advised that sandbags were of little use against flash flooding, but that St Edmundsbury Borough Council did supply sandbags if required by the emergency services. Cllr Dane enquired about plans to deal with aeroplane crashes and Mr Bird advised that there was close liaison, particularly with the military in the north of the Borough. The Mayor thanked Mr Bird for his attendance.

6. Inspector Mark Jepson, Suffolk Police

Inspector Jepson apologised that operational issues had prevented him from attending the past two meetings, and went on to indicate that once again the Sector was the best-performing Sector in Suffolk, with vehicle crime, disorder and violent crimes significantly below the target levels. Locally the burglary detection rate is 46% against a national average of 20%. The Estate Audits which started last Summer had seen considerable success in reducing the fear of crime, which had been reflected by the grant of £3,000 by the Assistant Chief Constable to support the initiatives. County Councillors have also contributed significantly from their locality budgets. In the forthcoming operational plan, anti-social behaviour will feature more prominently as an area to concentrate resources. Cllr Dane congratulated Inspector Jepson on his successes. Cllr Goody commented that despite having the same crime levels in both Norfolk and Suffolk, detection rates in Suffolk were twice those in Norfolk.

(Full Council adjourned for Public Forum)

A member of the public asked whether it was appropriate for St Edmundsbury Borough Council Members who were Town Council Members to vote on the transfer of the Town Hall Charity Trusteeship from St Edmundsbury Borough Council to Haverhill Town Council. The Clerk advised that advice had been received from the Standards Board for England that they could.

A member of the public asked about whether the Draft Local Transport Plan addressed the traffic issues in Castle Reach. The Clerk advised the Planning Committee would review the Draft Plan on 6th April.

A member of the public asked the Town Council to formally acknowledge the success of their officers in achieving successful financial management of the Arts Centre during 2003/4, whilst increasing opening times and exceeding the national average for cinema seat occupancy. The Council showed their appreciation with a round of applause.

A member of the public asked the Town Council to ensure that any action arising out of the Market Town Healthcheck Action Plan was followed up regularly and reported to/by the Town Council.

A member of the public advised that there was a meeting of the leaders of the community groups who had contributed to the Action Plan being held on 31st March and the Action Plan was to be published during April.

A member of the public asked for a Town Council comment on the problems encountered by a First Response vehicle trying to attend to a casualty in the High Street during the Saturday market time. The Town Clerk advised that the road was closed to vehicles during that time and any issues arising must be referred to the Borough Council.

A member of the public indicated that in view of the popularity of the Town Council meetings perhaps the Town Council ought to consider using other rooms. The Town Clerk advised that the situation was being kept under review.

A member of the public asked why there were not 200 jobs being made available at Percy Dalton's and was advised to enquire of the company.

(Full Council resumed after Public Forum)

7. Adoption of Committee Reports

Planning Committee

Cllr Mrs Mary Martin proposed and Cllr Goody seconded the adoption of the minutes of the Planning Committee meetings held 10th February and 2nd March, all being in favour.

Cllr Cullum left the meeting.

Leisure & Arts Committee

Cllr Maggie Lee proposed and Cllr Thomas seconded the adoption of the minutes of the Leisure & Arts Committee meetings held 10th February and 9th March, all being in favour.

Finance Committee

The Mayor proposed and Cllr Maggie Lee seconded the adoption of the minutes of the Finance Committee meetings held 9th March and 16th March, all being in favour.

Cllr Cullum rejoined the meeting.

8. Review of Council's Risks

The Mayor advised that this matter had been withdrawn pending the conclusion of the Finance Committee's review.

9. Complaints Received

Cllr Dane left the meeting.

The Town Council noted the following complaint that had been received under the Town Council's complaints procedure:-

Date	Complainant	Nature of Complaint	Current Status
16 February 2004	Mabon Dane	Actions of Town Council in Relation to Defibrillator	Action deferred – the complaint was referred to the Health & Safety Executive by the complainant and therefore no review can be undertaken by the Town Council until the H&SE report is received.

The Clerk advised that the Health & Safety Executive had advised that they do not investigate the use of medical equipment. The Clerk added that the Town Council was seeking advice from the Suffolk Association of Local Councils and the National Association of Local Councils on the appropriateness of a Councillor using the Model Complaints procedure, before actioning the complaint.

Cllr Dane rejoined the meeting.

10. Market Town Healthcheck

The Mayor reported that the Action Plan was still being prepared and would come to a later meeting of the Council.

11. Standards Board Consultation

Cllr Thomas left the meeting.

Cllr Maggie Lee proposed and Cllr Whelan seconded that it be left to the Personnel Committee to comment on the Consultation Document regarding the Monitoring Officer in Respect of Local Investigations. The proposal was carried.

Cllr Thomas rejoined the meeting.

12. To Vary Standing Order No. 2

Cllr Maggie Lee proposed and Cllr Goody seconded that Standing Order No. 2 be amended to read "in a year which is not an election year shall be held on the last but one Tuesday in May". The proposal was carried.

13. To Nominate Members to Represent the Council at the Parish Conference, 10th May 2004

Cllr Mrs Mary Martin proposed and Cllr Maggie Lee seconded that the Town Council be represented by the Town Mayor and Town Clerk.

14. To authorise payments.

Cllr Goody proposed and Cllr Mrs Mary Martin seconded that the cheque lists detailed be authorised, all being in favour:-

Date	Items	Cheque No.s	Value
16.12.03	1-12	000586-000597	£8,101.10
06.01.04	1-12	000598-000609	£13,927.86
27.01.04	1-17	000610-000626	£5,084.90
10.02.04	1-6	000627-000632	£7,283.48
10.02.04	1-9	000633-000641	£11,470.78
16.03.04	1-25	000642-000666	£10,610.26

15. Precept 2004/2005

Cllr Whelan proposed and Cllr Maggie Lee seconded that that St Edmundsbury Borough Council be requested to pay over the precept for 2004/2005, which was carried by a majority. Cllr Fanning abstained.

16. To receive urgent correspondence

There were no items of urgent correspondence.

17. To Agree the Transfer of the Town Hall Charity (No. 288092) to the Town Council in accord with the following Resolutions:

Cllr Dane asked the Clerk to confirm the advice regarding the participation of St Edmundsbury Borough Council Members who were also Town Council Members had varied since it was last minuted in 29th January 2002. The Clerk confirmed that now it was fully understood that the Trust was held by the body corporate, and individual Councillors were not Trustees, the Standards Board had confirmed that Members could remain and participate. Cllr Maggie Lee proposed and Cllr Goody second that:-

1. the Town Council confirms that it has received a satisfactory structural report for the Town Hall Arts Centre, in accordance with its resolution of 22nd December 2002;
2. the Town Council confirms the level of grant funding for 2004/5 has been agreed and is compatible with the Business Plan;
3. the Town Council will accept transfer to it of the trusteeship of the Town Hall Arts Centre from St Edmunds bury Borough Council, by means of a deed of appointment and retirement, to be executed by 1st April 2004 or as soon thereafter as may be achieved;
4. that delegated authority to execute on behalf of the Town Council any documents needed to effect the transfer be given to the Town Clerk.

Cllrs Fanning, Kiernan, Thomas, Goody, Mrs Mary Martin, Maggie Lee, Whelan, Marks, Avallone, Warwick and Rudd voted for the motion. Cllrs Cullum, Dane, Graham and Samples voted against the motion. Cllr Robinson abstained.

The Clerk reported that three Councillors had written to the office expressing that they would not want to become Trustees of the Town Hall Charity, and asked how these three Councillors wished for their letters to be treated. Cllrs Dane, Graham and Cullum asked that their letters be withdrawn.

Cllr Goody proposed and Cllr Mrs Mary Martin seconded that, in accord with Section 100(A) (4) of the Local Government Act 1972 the public and press be excluded from the remainder of the meeting on the grounds that the matters to be discussed will involve the likely disclosure of exempt information as defined in paragraphs 1 and 7 of Part 1 of Schedule 12 (A) of the Act, which was carried.

The Town Mayor proposed and Cllr Kiernan seconded, which was carried, that the meeting be adjourned and reconvene at 9.10 p.m.

Meeting adjourned at 9.05 p.m.

Meeting reassembled at 9.10 p.m. with press and public excluded.

18. Bevan House

Cllr Maggie Lee left the meeting.

The Council considered the confidential report on the future of Bevan House. Cllr Mrs Mary Martin proposed and Cllr Thomas seconded that the Town Clerk be instructed to negotiate the short-term rental or lease of Bevan House, with the terms of such a rental or lease to be agreed by Full Council, all being in favour.

19. Staffing Issues

Cllr Maggie Lee rejoined the meeting.

Cllr Dane left the meeting.

Cllr Robinson left the meeting.

The Town Clerk left the meeting.

Report A: An updated report on legal aspects, for information only, had been prepared by the Town Clerk and was read out by Mrs Genochio, Acting Town Clerk. After discussion, it was requested that any additional legal costs likely to exceed the current agreed funding of £1000, be brought to the next Full Council meeting.

Cllr Graham left the meeting.

Cllr Cullum left the meeting.

Report B: A report prepared by the Town Clerk and read out by Mrs Genochio, confirmed that in accord with the Town Council's disciplinary procedures, when complaints against staff have been investigated, complaints cannot be re-opened. As a protection for the Town Council being involved in any Employment Tribunal situation, it is essential that Councillors,

or anyone acting on their behalf desist from repeatedly asking for complaints to be re-opened.

Councillor Warwick left the meeting.

It was agreed that the Chairman be authorised to send a letter to the Councillors involved, asking them to desist from continued requests to re-open closed complaints, and that a recorded vote be taken.

Cllr Fanning left the meeting.

Votes For: Councillor Kiernan, Councillor Thomas, Councillor Goody, Councillor Martin, Councillor Lee, Councillor Robinson, Councillor Whelan, the Mayor Councillor Rudd,
Votes Against: Councillor Robinson, Councillor Samples, Councillor Avallone
Abstention: Councillor Marks.

20. Legal Proceedings Against Members of the Council

Cllr Whelan left the meeting.

Cllr Rudd left the meeting.

Cllr Graham rejoined the meeting.

The Town Clerk rejoined the meeting.

Cllr Goody took the Chair in the absence of the Town Mayor.

The Town Clerk reported that the Town Council, as a body, and two individual Councillors, were the subject of legal action taken out against them by Cllr Dane. The Clerk advised that although the Town Council, and the Councillors concerned, were covered by the Town Council's Insurers there would be an effect on the future premiums.

21. Outcome of Town Council Referral of Councillor Dane to Standards Board

Cllr Whelan rejoined the meeting.

Cllr Fanning rejoined the meeting.

The Clerk reported that the Standards Board had decided "not to investigate" the complaint against Cllr Dane. As a result of signing the complaint on behalf of the Council the Town Mayor was now the subject of legal action.

22. Temporary Town Clerk

Cllr Rudd rejoined the meeting.

Cllr Graham rejoined the meeting.

The Town Mayor took the Chair again.

The Council recognised the additional workload that was being placed upon the Town Clerk in having to deal with issues involving a small number of Councillors. Cllr Maggie Lee proposed and Cllr Mrs Mary Martin seconded that approval be given to the employment of a temporary part-time Clerk be retained for a maximum of 8 hours per week, the use of these hours to be at the Town Clerk's discretion, and that this be reviewed at each Full Council meeting. Cllrs Samples, Whelan, Maggie Lee, Mrs Mary Martin, Thomas, Kiernan, Rudd and Avallone voted for the proposal. Cllrs Robinson, Fanning, Graham and Marks abstained. The Council noted that there was no budgetary provision for these additional hours.

Cllr Avallone left the meeting.

23. Closure

The meeting was closed at 22.55 p.m.