

FULL COUNCIL MEETING

Tuesday 13th July 2004 at 8.00 pm

In the Studio, Town Hall Arts Centre, High Street

Present: **Chair:** **Tim Marks**
Town Councillors: **R Avallone, M Dane (except items 7 and 12-14),**
M Graham (except items 14 and 15), G Kiernan,
Maggie Lee, Mrs Mary Martin (except items 14 and
15), J. Rudd, A Thomas, and R Warwick

Also present: **Borough Councillor Hanlon and eleven members of the public**

MINUTES

1. Apologies for Absence

Apologies for absence had been received from Cllrs Cullum, Fanning, Goody, Robinson, and Samples.

2. Declaration of Interests

Councillors Kiernan, Maggie Lee, Mrs Mary Martin and Thomas declared an interest as Members of St Edmundsbury Borough Council, and existing Trustees of the Town Hall Charity. Cllr Maggie Lee declared an interest as a Member of Suffolk County Council, and Suffolk Police Authority. Cllr Kiernan declared an interest as a Member of Suffolk County Council. Cllr Thomas declared an interest as Chair of HAVO. Cllrs Kiernan, Maggie Lee and Thomas declared an interest as Members of the Labour Party and Cllr Kiernan as a Member of the TGWU. Cllr Dane indicated an interest in items 7, 13 and 14 on the agenda.

3. To confirm Minutes of Meeting held 29th June 2004

Cllr Dane proposed that the word "alleged" in item 3, "Minutes of the Last Meeting", be changed to "stated". Cllr Graham seconded the proposal, which was defeated by a majority, only Cllrs Avallone, Dane and Graham voting for the change.

Cllr Warwick proposed and Cllr Rudd seconded that the minutes be agreed as a true record, which was agreed by a majority.

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

Cllr Lee circulated a petition against the proposed changes to Out-of-Hours Doctor provision.

The meeting was adjourned for the Public Forum

A member of the public criticised the Town Council as a shambles, with tonight's inability to elect Committee Chairs being further evidence that certain Members did not have the Town's interest at

heart. Another Member of the public asked Councillors to reconsider their refusal to stand as Committee Chairs, indicating that it was a terrible state of affairs.

The meeting was resumed after the Public Forum

5. Adoption of Committee Reports

Planning Committee

The minutes of the Planning Committee meeting held 6th July 2004 were not available for adoption.

6. To Receive The Internal Auditors Notes on the 2003/2004 Accounts (if available)

The Internal Auditor's report on the accounts for 2003/2004 had not been received.

7. To Review Members Concerns Regarding the Statement of Assurance on the External Audit Form for the 2003/2004 Accounts

Cllr Dane declared an interest and left the meeting.

The Clerk advised that at the previous meeting certain Councillors had been unable to indicate that they were satisfied that the Council had implemented all necessary checks and procedures in respect of its accounts and affairs, and therefore in law the Council must review its processes and satisfy all Councillors in this respect. In view of the fact that some Councillors were absent it was agreed to defer this item to a special Full Council meeting to be held on 27th July and to ask Councillors who felt they might not be able to attend that meeting to indicate, in writing, which statements of Part B of the External Audit Form they could not subscribe to.

Cllr Dane returned to the meeting.

8. Child Protection Policy

Cllr Dane proposed and Cllr Kiernan seconded that the Policy as prepared be agreed, all being in favour.

9. Newsletter Working Group

Cllr Kiernan proposed and Cllr Mrs Mary Martin seconded that the Newsletter Working Group be established, all being in favour.

10. Cambridge to Haverhill Railway Development Company

Cllr Maggie Lee advised that she had supported the Feasibility Study from her Locality Budget. Cllr Marks proposed that the Council indicate its in principle support for the project, but defer consideration of future financial support until Budget preparation time. Cllr Mrs Mary Martin seconded the proposal which was agreed.

11. To authorise payments.

Cllr Mrs Mary Martin proposed, and Cllr Maggie Lee seconded that the following payments be approved, which was agreed:-

Date	Items	Cheque No.s	Value
18.05.04	1-14	000732-000745	£15,326.36
08.06.04	1-28	000746-000773	£12,008.61
15.06.04	1-17	000774-000787	£22,917.38
29.06.04	1-16	000788-000801	£8,871.25

12. To receive urgent correspondence

The Clerk advised that a letter had been received from the Town Council's External Auditors indicating that a resident had raised concerns over the 2003/2004 Accounts.

Cllr Dane declared an interest as the resident concerned and left the meeting.

The Clerk advised that at present the resident had not raised a formal objection to the Accounts, but as a result of the letter, the Auditors had indicated that they would need to undertake further investigations. The Auditors hourly rates for this started at £86.00 per hour, and rose to over £240.00 per hour. Already, to acknowledge the letter to the resident has cost this Council £210.00. The Clerk indicated that it would be necessary to make urgent cuts in the agreed budgets for this financial year, and circulated a paper outlining the reasons for suggested cuts. Cllr Maggie Lee declared disbelief that a Member of the Council, who was in a privileged position to inspect the accounts, had found it necessary to write to the External Auditor, knowing the likely costs of their actions. Cllr Marks shared Cllr Maggie Lee's concerns. Cllr Mrs Mary Martin stated that this was any example of a concerted effort by Cllr Dane and his group to bring down the Town Council.

Cllr Maggie Lee proposed that, Council agree to making an immediate £5,000 cut in budgets for 2004/5, from the Community First Committee Christmas Lights and Grants to Organisations budget, and that in the event of "the resident" making an official objection to the Accounts, if Full Council cannot be convened, Committee Chairs be authorised to agree a further £5,000 cut in budgets for 2004/5, based on advice from the Town Clerk as to future commitments. Cllr Rudd seconded the proposal, all being in favour.

The Council then considered its inability to find a Member willing to be Chair of the Planning Committee. It was agreed the Clerk would write to every Member, whether on the Planning Committee or not, asking if they would wish to be Chair, and if a Member came forward, that Group Leaders would agree to change their Group Members on the Planning Committee to accommodate the willing Member. A special meeting of the Planning Committee would be held on 27th July.

Cllr Mrs Mary Martin proposed, and Cllr Maggie Lee seconded, all being in favour, 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.

13. Staffing Issues

The Town Clerk declared an interest and left the meeting.

The Council considered the report, and evidence gathered by the Town Council's Solicitor from Suffolk Police, following a complaint to the Police by a staff member, and agreed:-

- a) to note the Solicitor's advice
- b) to authorise the Town Clerk and staff to recommence immediate legal action (to an initial limit of (a further) £1,000 if the Councillor or member of the public named in the report recommence their earlier actions of defamation and/or harassment, and to commence action against any other person if they should defame or harass any Town Council employee
- c) to supply this information to the Standards Board Investigating Officer currently investigating allegations concerning Town Councillors
- d) to write to Freeserve, Tiscali and Easynet advising them of the course of action followed by these ISP Addresses and asking that their service be discontinued
- e) to write to the Haverhill Striders and Athletics Association complaining that one of their members has been misusing their email facility to pursue a campaign against

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- a Town Council employee, and asking that they investigate and expel this member from their organisation
- f) after legal advice to issue a press release on this item

The Town Clerk returned to the meeting.

Cllrs Graham and Mrs Mary Martin left the meeting owing to the lateness of the hour.

14. Legal Proceedings Against Members of the Council

The Council noted the response of its Insurers to Cllr Dane's threats of legal action against it and them as individual Councillors.

15. Closure

The meeting was closed at 10.21 p.m.