

## **PARISH COUNCIL MEETING**

Held on Thursday 1<sup>st</sup> June 2023, commencing 7.30 pm. in the Village Hall.

*Full reports and supporting documents can be found on the Parish Council website under Meetings, June 2023 Meeting Pack. Paper copies are also available.*

### **Present:**

Cllrs Alison Bourne, Matt Chick, Frank Domoney, Lizzie Falconer, Iain Lamont, Janice Muckian, Irene Mitchell and Jane Ranzetta

Babergh District Cllrs Margaret Maybury, Paul Clover  
In Attendance: Ian Rafferty: Babergh Council Community Safety Officer  
Six members of the public.

### **1. Apologies and approval of absences**

Cllr Morrey.

**Proposed by Cllr Falconer seconded by Cllr Muckian, carried.**

### **2. Declarations of Interest**

None

### **3. Requests for Dispensation**

The Clerk reported that a dispensation request had been received from Cllr Mitchell, and that he had granted it so as to enable the Chair to discharge the responsibilities of the office when matters concerning Water Street or The Common are brought to the attention of the Council.

Cllr Mitchell has a Disclosable Pecuniary Interest in a property next to The Common. The dispensation requested is that Cllr Mitchell be permitted to remain in the Chair to conduct the meeting where general matters concerning Water Street and/or The Common are the subjects of discussion. This means that Cllr Mitchell will not participate in discussion or vote other than exercising a casting vote, should this need arise.

Where matters to be discussed relate specifically to her property Cllr Mitchell will hand over to the Vice Chair (or another councillor) and leave the room.

The dispensation expires on the date of the Council's Annual Meeting in 2024 or an earlier date if Cllr Mitchell ceases to be the Chair.

The Clerk repeated his request of Councillors, made at the previous meeting of the Parish Council, that each Councillor living in the Water St area, seriously consider requesting a dispensation to speak and vote on matters concerning Water St and the surrounding streets as otherwise the Council will likely be inquorate, unable to make any decisions, with respect to any issues as to this important street.

### **4. To approve as accurate minutes of the last meeting of the Council**

Cllr Falconer proposed, seconded by Cllr Bourne, carried.

### **5. Public participation session**

A Member of the Public asked why the Chair, as reported in Chairman's Announcements at the May 18 meeting, had written to Babergh Council with respect to an empty property on Sudbury Rd asking them to take action under the Empty Homes Initiative with there having been no discussion in Council of this prior to the letter being sent.

The Chair responded that she had received an informal complaint and had written as a Councillor as is her right.

A Member of the Public reported that Cadent whilst laying new gas pipes had taken over a layby in Meadow Close making it difficult to park, dumped soil on the Meadow Close Play area and removed a pathway post leaving a hole in the ground.

The Chair asked the Clerk whether any correspondence had been received from Cadent or the relevant authorities as to the work. The Clerk responded that that there had been none.

The Chair said that she would follow this matter up and respond to the resident.

A member of the Public thanked the Council for its help in persuading the Building Contractor to clean the construction and other debris from the Bury Rd.

## **6. Local Authority Councillors' Reports**

Cllr Maybury apologised for her non-attendance at the farewell for Clerk Bellward. She had been on holiday

Cllr Maybury explained that she had been asked to re-emphasise to all what should be placed in the blue recycling bins and the need for all items in them to be clean.

<https://www.babergh.gov.uk/waste-services/what-goes-in-my-bins/>

Cllr Maybury detailed the composition of the new Babergh Council Cabinet: 4 Greens, 3 Independents and 1 Liberal Democrat. Under the terms of the agreement, the Liberal Democrats are providing the leader for the first year of the council term: Cllr Busby. The Green Party, which won the most seats in the election, will provide the leader for the second and fourth years of the council term, and Independents for the third year.

The cabinet will not meet until July 18, the June meeting cancelled, to allow for full briefings to take place as 4 of the Cabinet are new members of Council.

Cllr Maybury concluded by reporting that she had written to Cllr Lindsay (Suffolk CC) following reports to her, as to the state of Lavenham's roads.

Cllr Clover endorsed Cllr Maybury's comments emphasising the care that needs to be taken as to what goes into recycling bins.

## **7. Chairman's Announcements**

The Chairman reported as to four matters:

- A) She had attended the Memorial Service at Lavenham Airfield where the names of the 233 US Servicemen who had died were read out.
- B) She reminded all present that the Hidden Gardens event was taking place Sunday June 4 and the vintage VW weekend Saturday/Sunday June 17/18.
- C) She welcomed Cllrs Ranzetta and Muckian to the Planning Group.

## **8. Council discussion with Ian Rafferty (Community Safety Officer Babergh DC)**

The Chair introduced Mr Rafferty and invited him to explain his role and that of his team and to refer specifically to parking on pavements which had given rise to concerns.

Mr Rafferty explained this his team had responsibilities for Anti-Social Behaviour, Domestic Abuse and Modern-Day Slavery, Pollution, Fly tipping and worked closely with the Tenancy Management team.

He explained the team is small and whilst trying to follow up all cases had to risk assess and prioritise.

With respect to parking and road traffic matters the Police have delegated most matters to Councils except endorseable offences, major disruptions and obstructions. Locally, shared with West Suffolk, there is an online reporting mechanism. His team will not visit Lavenham unless there are reports. Parking on private land is a matter for landowners and on Babergh DC land is a matter for Babergh DC.

The obstruction of pavements and driveways are matters for Civil Enforcement, the obstruction of Highways is a Police Matter.

Mr Rafferty agreed to report further in writing as to whether and how pavement parking is actioned. In response to a question from the Chair as to parking on the grass in Spring St by Tradesmen, Mr Rafferty agreed to consider parking notices on the Babergh land on Spring St.

## **9. Planning**

### To receive a report and recommendations from the Planning Group

DC/23/02208 Notification of Works to Trees in a Conservation Area The Tudor Cottage 92 Church Street Lavenham Sudbury Suffolk CO10 9QT Fell 1No. Ash (T1), Crown reduce 1No. Horse Chestnut (T2) by up to 3m Comments by 2nd June 2023

DC/23/02363 | Notification of Works to Trees in a Conservation Area The Grove 5 Lady Street Lavenham Sudbury Suffolk CO10 9RA Reduce 1No. Hornbeam by approximately 4m overall and install a brace Comments by 8th June 2023.

Motion to support both applications proposed by Cllr Ranzetta and seconded by Cllr Falconer: Carried.

DC/23/02259 | Notification of Works to Trees in a Conservation Area Parking Area Off Lower Road Directly Opposite Trinity Gild Lavenham Fell 2No. Conifers (T1 and T2) Comments by 5th June 23

DC/23/02259 has been considered and this Council considers that the Planning Authority must first determine whether this is a 'designated parking space' as the applicant details in the application. If the Planning Authority were to permit the felling of these two trees, then this Council recommends the imposition of a condition that the two trees are replaced with indigenous trees.

Motion proposed by Cllr Ranzetta and seconded by Cllr Bourne: Carried

DC/23/02258 | Application for Listed Building Consent 72 High Street Lavenham Sudbury Suffolk CO10 9PT Installation of secondary glazing to 3No first floor windows facing High Street. Comments by 9th June 2023.

DC/23/02258 has been considered and this Council considers that the application should be approved provided that the secondary glazing chosen is not highly visible from the street.

Motion proposed by Cllr Ranzetta and seconded by Cllr Falconer: Carried.

DC/23/02214 | Application for Works to Trees subject to Tree Preservation Order The Old Rectory Church Street Lavenham Sudbury Suffolk CO10 9SA WS41/A1 - Fell 3No. Yew (G1), Coppice 1No. Goat Willow (T1), Reduce 2 main limbs of 1No. Horse Chestnut (T2) by 3-4m and several smaller ones by up to 2m to balance the crown, Reduce height of 1No. Oak (T3) by 4-5m, Reduce over extended branches of 1No. Flowering Cherry (T4) by up to 1.5m, Reduce height of 1No. Holm Oak (T5) by approx. 30-35%. Fell 3No. Poplar Trees (G2) and tidy and shape other trees in G2, Fell group of dead trees (G3). Remove 1 over extended limb of 1No. Ash (T6), Fell 1No. Conifer Hedge (T7) Comments by 2nd June 23.

A number of Councillors spoke of their concerns about this application. Cllr Lamont confirmed that the whole site is covered by a Tree Protection Order. Cllr Ranzetta noted previous tree works on this site.

After some discussion Cllr Ranzetta proposed that 'the Council noted that this whole site is covered by a TPO and is significant to the Village. The Council considers that this application, as it stands, should be refused and that Babergh DC should commission a full arborterial inspection of each tree named in the report for consideration by this Council at a future date'.

The motion was seconded by Cllr Bourne and was carried.



### **Enforcement Notices lodged with Babergh DC**

EN/23/00265 4 Ropers Court, UPVC windows throughout and UPVC Patio Doors Front Balcony.

EN/23/00219 8 Ropers Court, UPVC Front Door.

EN/23/00212 25 Church St, Installation of Solar Panels.

All enforcement notices have been declined. At 8 Ropers Court the door has been in place for over 10 years and so no action is possible. At 4 Ropers Court, after further report, it is now clear that the items are wood. Discussions continue with Babergh Council as to the installation of solar panels in a Conservation Area,

### **10. Clerk/RFO Report**

The Clerk read out a most generous letter of appreciation from Clerk Bellward following her retirement and send-off. Cllr Mitchell thanked those who had put so much time and effort into organising the event.

The Clerk detailed the principal items for the July provisional agenda:

- a) Social Media Policy
- b) Small heritage fund raising draft proposal
- c) Criteria for using the events fund
- d) Criteria for using Neighbourhood CIL
- e) Reviewed Complaints procedure
- f) Councillor Complaints (Babergh Policy)

#### **10.a Motion: to approve a revised Code of Conduct.**

The Clerk explained that the Code of Conduct is an important document which sets out how Councillors must behave. The document that Council is asked to adopt is the latest version, issued May 2021, recommended by the Suffolk Association of Local Councils (SALC). As the SALC website explains this code is 'as adopted by all Principal Authorities in Suffolk and viewed as a 'national code'. There are no significant changes to the Code of Conduct as previously adopted by the Council. The Clerk has no concerns regarding the proposed Code.

Proposed by Cllr Lamont, seconded by Cllr Muckian, motion carried.

#### **10. b Motion: Council is asked to adopt the Standing Orders issued by NALC April 2022 as modified to reflect the way of working of this Parish Council.**

The Clerk explained that the Standing Orders are an important document 'the bible' which set out how the Council operates. Model Standing Orders were revised by the National Association of Local Councils (NALC) in April 2022. The document that Council is asked to adopt is the revised Model Standing Orders as modified to reflect the way that this Parish Council operates with respect to Working Groups and Committees. There are no significant changes to the Standing Orders as previously adopted by the Council. Detailed Financial Regulations are not contained within the Standing Orders and are a separate document.

Proposed by Cllr Lamont, seconded by Cllr Falconer, motion carried.

#### **10.c Motion: Council is asked to adopt revised Standing Financial Regulations.**

The Clerk explained that the Standing Financial Regulations set out how the budgeting, accounting, reporting, procurement and banking arrangements of the Council will operate.

The clerk talked through a document detailing the changes highlighting:

- a) The budgeting process has been enhanced by introducing a reforecast after Month 4 in addition to the forecast after Month 8.
- b) Basic accounting practices unchanged, these have been commented well upon by the Internal Auditor.
- c) The reporting processes remain unchanged except that, in the interest of better transparency, sections regarding the disclosure of Employee costs have been removed.

- d) The procurement practices are largely unchanged except: a) The financial thresholds as to obtaining quotes and tenders have been updated for inflation and changes in the law. b) The ability of the RFO to procure services when expenditure is required for the safety of the public or proper functioning of the Council has been revised. The RFO may now spend up to £1,500 per occurrence and not per annum. The authorisation process as to such expenditure has been strengthened.
- e) Banking arrangements retain the key principle that all payments must be initiated by one person and authorised by another, updated to reflect the use of internet banking rather than cheques. Petty Cash is no longer used.

Proposed by Cllr Lamont, seconded by Cllr Falconer, motion carried.

#### 10.d Motion: Council is asked to adopt the revised Scheme of Delegation

Scheme of Delegation The Scheme of Delegation delegates responsibilities to the Clerk and sets out how the Clerk is to exercise these. Two changes have been made: a) The Register of Correspondence is no longer required as all emails are retained. b) The previous Scheme of Delegation required the Clerk to respond to all Correspondence. This has been deleted as sometimes it is appropriate for a Councillor to respond. Motion: Council is asked to adopt the revised Scheme of Delegation.

Proposed by Cllr Chick, seconded by Cllr Lamont, motion carried.

#### 10.e Motion: Council is asked to approve the Annual Governance and Accountability Return including Internal Auditor reports.

The Council is required to:

- a) Submit an Annual Governance and Accountability Return (AGAR) together with various supporting schedules
- b) Publish the AGAR
- c) Commission a review of the AGAR and the Councils underlying financial and accounting processes by an Internal Auditor.

The Clerk spoke to each of the documents in turn highlighting the following issues:

- a) Restatement notes. Restatement is primarily due to, as the Council has crossed various size thresholds, Section 2 must now be submitted on an Income and Expenditure basis not a Receipts and Payments basis.
- b) As Council is aware an Internal Auditor was not appointed with respect to 2021/2022, this omission has not been repeated.
- c) The Internal Auditor has found no serious weaknesses in the Council's financial and accounting processes commenting: 'Proper Book-keeping... all were found to be in order'. 'Good budgetary procedures are in place'. 'I would like to record my appreciation to the Clerk to the Council for the quality of the documentation in the Audit File'
- d) The Internal Auditor has commented on various aspects of our housekeeping. The significant points are:
  - i Generally accepted best practice as to how regularly Standing Orders, Financial Regulations (which incorporate Internal Controls) and Risk Registers are reviewed has changed over time. The Internal Auditor has pointed out that these have not been reviewed in the year of audit. Previously Council reviewed these every two to three years. Council has changed its practices in these areas.
  - ii The Auditor has also pointed out that the Report of the External Auditors was not published in the required manner. This is true but the report was tabled to Council at its meeting of April 6th 2023.

Cllr Mitchell thanked the Clerk for his summary commenting that the regular reviews of these documents was now enshrined into the Council's annual schedule.

Proposed by Cllr Falconer, seconded by Cllr Muckian, motion carried.

#### 11. Date of next meeting

Thursday 6<sup>th</sup> July, 7.30 pm in the Village Hall. The meeting closed at 9.43 pm.



6<sup>th</sup> July 2023