

MINUTES OF THE IKEN PARISH COUNCIL MEETING
Held at Hardy's Barn, Iken on Friday 19th August 2022
commencing at 5.30pm

1. Present

Cllrs Hinves, Hutson, Herring, Mann, Bell, Gillespie, Chamberlain. Clerk Lorraine Lloyd
4 members of the public

2. Apologies and approval of absence

There were none received

3. Declaration of Interests

There were none received

4. Minutes of the Parish Council Meeting held on 13th May 2022

Agreed a true record and duly signed by the chairman. It was requested that the clerk register actions allocated in the future.

5. Public forum – (Moved from that as shown on the Agenda and as previously agreed)

5.1 It was asked if the hump in Sandy Lane where tree roots from the garden of The Old Schoolhouse were pushing up would be receiving attention. **Action AC**

5.2 It was thought that too much time and intensity was being spent on policies rather than dealing with matters in the village such as signposts. The clerk had reported the village signposts using the online tool and had received an email to say that these were not a priority. Cllr Chamberlain reported the actions taken in reporting signposts and had been told they were going to get fixed. The lack of signposts and danger of oncoming traffic when coming out of forests was discussed. **Action AC**

5.3 There was a discussion around the speed of tractors on roads. Cllr Herring explained that other villages had problems with speeding tractors. Letters had been written to farmers and contractors and it appeared to have made it a bit better. It was decided that Cllr Mann would speak to contractors and farmers. **Action TM**

5.4 Sand on roads was discussed and it was decided that the PC would see if anything could be done about this. **Action AC**

5.5 Handling of planning applications and letter of support re stables was discussed. It was explained that East Suffolk Planning Department did not request IPC to comment on planning applications outside of Iken. A personal reference was sent directly to Lisa Kelly of Iken Bay Stables. It was pointed out that Councillors making personal comments on planning applications directly on the Planning Department online site should not imply that they are responding on behalf of Iken Parish Council.

5.6 An email of thanks had been sent to Audrey and Jonathan for watering the Jubilee tree planted in the village hall grounds. Lorraine had also been feeding and caring for the tree for which she was thanked.

6. Matters arising from the Minutes

6.1 Village Hall

Cllr Gillespie reported that he had not made substantial progress on the village hall since we

last met. He had several discussions with a partner at a major City law firm and after considering the matter, the firm declined to take on the work due to lack of capacity within the practice and lack of significant public benefit resulting from our work given the small size of our community and the lack of a clear need for the facility. However, the contact had considered the brief written in the Spring carefully and made the following comments:-

- He thought that the client should be IPC rather than a member of the PC in a personal capacity as if the advice resulted in decisions being taken, the duty of care should be to the PC rather than to a member thereof.
- Who was the registered owner of the land before it was registered in the PC's name a few years ago was important and should be capable of discovery.
- Who paid for the construction costs was worth investigating as if it was the PC, which seems likely in the absence of any other obvious source, it would demonstrate that the PC believed it owned the land at the time the village hall was built rather than that the land was owned by any other entity or person.
- That the Charity Commission has scant details of huge numbers of old dormant charities for which records are obscure and were highly unlikely to be able to provide us with much assistance.

The subjective observation he made was that the situation we face is very common and that the chances of reconstructing with any certainty the chain of events that led to the present situation was very low. He was very clear that we had to be certain that the PC had good title to the land and could not understand what could have occurred that required a councillor to register the land in the PC's name in recent years.

Cllr Gillespie therefore proposed that the PC agrees to retain a suitable law firm or barrister to address the following questions set out below which should be capable of being answered with a measure of certainty. He suggested further that the PC appoints a task and finish group comprising at least two Councillors and the Clerk to oversee the work and report back to the PC. The questions are:-

1. Who was the registered owner of the land between the transfer of the land in the 1950s and the registration made by the PC a few years ago?
2. Is there any evidence that any person or body corporate has a claim on the village hall? In particular, is there any evidence that the Village Hall Trust has any claim on the ownership of the freehold or has a leasehold interest over it?

Cllr Gillespie would make a donation to the PC sufficient to cover the fees incurred. He stated his views thus:-

- i. My understanding is that as custodians of a public asset, we have a duty to maximise value if we chose to sell. The sale of the site would only maximise value if planning permission for an alternative use had been achieved prior to marketing the property. Such a move by the PC is likely to be highly divisive within the community both on the level of should we sell the site and also on the level of what alternative use would be acceptable to villagers. It would also be expensive to pursue and the outcome could be problematic.
- ii. We have no need to sell the asset in order to redeploy the capital.
- iii. I have been unable to identify any need for the building that would justify the cost of demolishing the existing structure and building a new replacement hall.
- iv. The presence of asbestos on the site is a serious problem and unverified suggestions that asbestos dust from the roof is leaking onto adjacent premises means doing nothing may be difficult to justify.
- v. Demolishing the existing building, which asbestos aside appears to be structurally sound, but retaining the site resolves the asbestos issue but nothing else.
- vi. The most realistic option is therefore to address the asbestos issue and to bring the existing building back into a useable condition on the most economical terms achievable.
- vii. The evidence of a detailed review of the replies to the last two surveys of villagers on the future of the village hall is that asking general questions is pointless as it simply produces a very diverse range of non specific answers. It may well make sense to gauge the opinion

of villagers before proceeding but we will only receive valuable feedback in the context of providing information on a detailed proposal recommended by the PC.

- viii. All of the above is contingent upon funding any agreed plan. The only option that requires no funding is to continue to do nothing but sooner or later something will have to be done. Kicking the can down the road achieves nothing other than making it somebody else's problem. However, we will only be able to raise money against an agreed plan. The steps I see are therefore, (i) resolve the ownership issue, (ii) agree a refurbishment plan, (iii) gauge village opinion; and (iv) then raise money.
- ix. The money in the Iken Charity Trust is presently dead and we should investigate whether it can be used as part of the required funding.

There followed discussion and it was suggested that any investigation into ownership shouldn't hold up refurbishment.

It was agreed the PC should approach a solicitor and accept Cllr Gillespie's kind offer to make a donation to cover fees. It was thought that if we create a usable building it may create a usage.

The next step should be to develop a plan and share it with the village. As a separate exercise we should investigate the use of the money held in the Charity Trust. **Action RG**

A sample brought in from the garden of Lynette Morton which was thought contained asbestos flakes was discussed and it was agreed the area needs to be made safe. Cllrs Hutson and Hinves to meet builders at the village hall. A Health and Safety policy to be put in place.

Action JH/AH

Thanks were extended to Councillor Gillespie for his work and for funding legal fees.

6.2 *Emergency Plan*

Cllr Hutson stated that we now needed to engage with village and requested volunteers to assist. Lynette Morton and Eliot Sayer agreed to help. Clerk to email draft plan. **Action AH/LL/LM/ES**

6.3 *River Defences* – there was nothing further to add.

6.4 *Highways*

There was a discussion about quiet lanes. Cllr Herring spoke of villages who have quiet lanes and says there are no limitations. It was thought just highlighting lanes suitable for cycling, horse riding and walkers should bring it to the attention of drivers. There is a team who will come out if we were interested in officially appointing quiet lanes. Clerk to send email re quiet lanes. **Action CB/LL**

It was asked how do you get speed reviews. Cllr Chamberlain to request this information. **Action AC**

6.5 *Village Plan* – Cllr Bell considered that the village plan should be put together following the May election. It was suggested that the aims of the current council until then should be to concentrate on the following:

- Emergency plan - to ensure this is in place
- Highways issues - to continue to address these actively
- Village Hall - to continue to explore ways forward
- Communication and Engagement Plan - to consult and develop.

6.6 It was reported that Norman Johnson's name remains on the defibrillator register. This to be removed. **Action TM**

7 **Review and adoption of:**

- 7.2 Code of Practice for Handling Complaints – complaint procedure
- 7.3 FOI policy
- 7.4 Standing Orders

- 7.5 Internal Control Statement and Report
- 7.6 Data Protection and Information Management Policy
- 7.7 Privacy Notice
- 7.8 Risk Management policy/checklist
- 7.9 Consideration of additional policy documents

Two further policies had been created - Grievance and Disciplinary, Anti-harassment. These had been circulated to all councillors with above policies for review. All were agreed and can be signed and put up on the website. **Action Clerk**

7.9.1 It was agreed that a communication and engagement plan was required. **Action: TM**

7.9.2 The laptop to be put on the asset register. **Action clerk**

7.9.3 It was thought we should look at having a Health and Safety policy. **Action AH**

7.9.4 It was thought we should Minute that we had permitted a self-sufficient educational group to camp on the village green, ably assisted by Lynette Morton who had provided water as she had previously done when the group had been allowed to camp in the forest. It had been a last minute decision made by the Chair and Vice Chair when approached with little or no time to call upon the whole PC for their agreement.

8 Finance

Iken Parish Council - Receipts and 31st March - 31st July 2022

Expenditure

Date	Cheque No	To Whom Paid	Particulars	Current a/c
8.04.22	100382	HMRC	PAYE	83.00
12.04.22	online	SALC	Membership	70.02
03.05.22	online	Business Services	Insurance	247.89
13.05.22	100383	Iken Bay Lettings	Hall Hire	10.00
31.05.22	online	SALC	Annual Audit	130.80
30.06.22	100384	HMRC	PAYE	82.80
30.06.22	Online	L. Lloyd	Clerks Pay Apr-June	331.37
		Total Expenditure		955.88

Bank Reconciliation

29.3.22	Balance brought forward	2941.54	
29.04.22	Plus Total Income Precept	2500.00	
		5441.54	
30.7.22	Less Expenditure	955.88	
31.7.22	Balance at Bank	4485.66	(reconciled)*

Payments required for approval

30.09.22	Clerks Pay – July, Aug, Sept	331.37
30.09.22	PAYE	82.80
25.11.22	Iken Bay Lettings	10.00
20.10.22	Information Commissioners Office	35.00

** £1500 is grant money and can only be used for the village hall*

The accounts above had been previously circulated. The clerk explained that a vat claim had been received before the end of July after the report had been prepared. Payments for approval were agreed.

8.2 Barclays Business – The bank mandate had been updated to remove Imogen Sayer and include Alan Hutson. The two online signatories were the clerk and Cllr Hinves. It was agreed that the £1500 enabling grant monies should be put towards the village hall initial costs.

8.3 Barclays Town Trust – the mandate on this account was awaiting update of the Charity Commission account. There was no money kept in this account, it is utilised if monies are required to be used from the charity money currently held in the Monmouthshire Building Society.

8.4 Monmouthshire – the clerk explained that this account was currently under review by the Monmouthshire, the result of which was awaited.

9 Planning Applications

There were no new planning applications to discuss. There was a discussion regarding the need for a meeting in public for every planning application. It was pointed out that all planning applications received for consultant comment were put on the website and the villagers on the emailing list are immediately informed. If there is no response from anyone then a meeting in public is not necessary. The members of the public at the meeting were in agreement with this.

There was a suggestion that we should not respond to consultancy planning applications if a meeting in public is not held. Following discussion it was decided that the current process should continue.

10 Items for next meeting

No new items were put forward other than those that occur in matters arising.

With no further business to discuss the meeting closed at 7.30pm

Date of the next meetings

25th November 2022

17th February 2023

At the meeting of the Parish Council held on 25th November 2022 it was agreed these were a true record and the file copy duly signed and dated as such by the Chairman.