

**Minutes of the Town Council meeting held in The Old School Community Centre at 7.00 p.m.  
on Thursday 15th June 2017**

Present: Cllrs. Paul Bishop, Phil Gryce, Margaret Godwin, Stephen Kimminau, Gayle Mallows, Chris Marchant, Loveday Perceval-Maxwell, Robin Stone, Bob Verguson, Claire Ebeling (Town Clerk),  
Borough Councillor Cllr. Alaric Pugh, 19 members of the public

	Cllr. Bishop proposed that a minute's silence be observed in remembrance of those who lost their lives and for all those affected by the Grenfell Tower fire in London. Agreed unanimously.	
1.	<b>Apologies for absence</b> – RFO Maureen Smith, County Councillor Mary Evans	
2.	<b>To receive declarations of members' interests and consider requests for dispensation</b> None.	
	Cllr. Bishop stated that there are some potentially contentious matters on the agenda and asked councillors to treat each other with respect.	
20.	<p><b>To consider a request from the Trustees of Clare Castle Country Park to give approval for a variation to the Trust's lease in order to obtain funding. Also to consider a request to agree in principle the proposals set out in the Grant application submitted to the HLF.</b></p> <p>Cllr. Bishop proposed that agenda item 20 be taken at the beginning of the meeting.</p> <p>Cllr. Bishop stated that all councillors had raised concerns that there is insufficient information available to make a decision with regard to the Country Park lease and therefore proposed that no decision be made at this meeting, but to defer pending further information and legal advice.</p> <p>Cllr. Mallows stated that this is a very important decision and full background information and legal advice is necessary, therefore she welcomed the proposal to defer the decision. Cllr. Perceval-Maxwell seconded the proposal. A vote was taken and all councillors voted in favour.</p> <p>Cllr. Bishop reported that the legal advisers who provided the Town Council with advice during the transfer of the Country Park from the ownership of Suffolk County Council have been contacted to provide advice on this matter.</p> <p>Cllr. Bishop apologised to members of the public who had attended the meeting to hear discussions about this item: he understood a yellow leaflet headed 'stop the park giveaway' had been distributed around Clare on Tuesday and Wednesday this week despite all councillors being made aware (by email and on the Clare website) on Tuesday this week that the Chairman's intention was to defer a decision on this item and therefore that it would not be discussed. Despite this, Cllr. Kimminau continued to distribute the leaflet. Cllr. Bishop again apologised to the public if they felt they had been misled as a result of the leaflet.</p> <p>Cllr. Verguson queried deferring the decision as Mr Bray, chair of the Trustees of the Country Park Trust, was present and could answer any questions this evening. Cllr. Bishop clarified that further documentation and legal advice is required and suggested that all councillors meet with the trustees once the first round of legal advice is obtained so that all councillors have a more thorough understanding of the proposal before a decision is proposed in a formal meeting – which may be in July, or it may be later.</p> <p>Cllr. Stone asked if the people of Clare would be involved in this decision. Cllr. Bishop clarified that it is a decision for the council, not a referendum but that he understood from the Country Park Trustees that information would be made available to the public in the coming weeks via exhibitions – at the Party in the Park on 1<sup>st</sup> July, and the Craft Fair at the Priory on 8<sup>th</sup> and 9<sup>th</sup> July. Each councillor has a duty to research and ensure they understand the request and then vote accordingly.</p> <p>Cllr. Kimminau raised a query about his understanding of the council requirements for agenda items. Cllr. Bishop reminded Cllr. Kimminau that all councillors had received an email from the Clerk explaining the law and council procedures.</p>	

	<p>Cllr. Kimminau raised a concern that there was insufficient time to consider the item and asked if there would be an opportunity to discuss it in the public section of the meeting. Cllr. Bishop clarified that if members of the public wish to comment in the public session they could, but that the council had agreed that they would not be discussing this item tonight as further information and legal advice is required.</p> <p>Cllr. Godwin referred to the leaflet and to the information that had been provided to councillors from Mr Bray about this agenda item. She asked Cllr. Kimminau why he had edited the yellow leaflet in such a way as to only provide selected information and omit the information detailing the purposes of the request to change the lease. She added that the document was sent to councillors so it must have been a councillor who produced the leaflet.</p> <p>Cllr. Verguson stated that Cllr. Godwin couldn't be sure that Cllr. Kimminau wrote it and if he did, he believed Cllr. Kimminau produced the leaflet in his private capacity.</p> <p>Cllr. Stone added that the council is not a private club.</p> <p>Cllr. Gryce stated that statement was unacceptable – the council is open and transparent.</p> <p>Cllr. Bishop stated that the document from the Country Park Trustees which was sent to councillors was not a confidential document as it forms part of a council meeting agenda item.</p> <p>Cllr. Bishop reported that the leaflet is already the subject of a complaint from two members of the public to the monitoring officer and therefore the council is not in a position to make a decision about it.</p> <p>Cllr. Bishop reminded councillors of his request to treat each other with respect.</p>	
<b>Section of the meeting open to the public:</b>		
3.	<p><b>Public Participation</b></p> <p>Geoffrey Bray, Chair of Clare Castle Country Park Trustees presented the following points about the Trust's request to the Town Council to change the lease between the Town Council and the Trust:</p> <ol style="list-style-type: none"> <li>1. <i>It arises solely from a request of the Heritage Lottery Fund who require the changes if they are to fund the £1.5 million the trust will be seeking from them later this year.</i></li> <li>2. <i>The ownership of the Park will remain with the Town Council at all times. There is no question of the freehold passing to the Trust or anyone else.</i></li> <li>3. <i>The statement in the recently circulated note that the trustees now need control of the freehold is totally untrue. (There was no indication of the author or authors although I believe it was delivered by at least two Town Councillors).</i></li> <li>4. <i>Our legal adviser has had a number of contacts with the Heritage Lottery Fund and the proposed changes submitted to the Town Council are the minimum the Heritage Lottery Fund are prepared to accept. They are not the Trust's requirements – they are the HLF requirements.</i></li> <li>5. <i>Having clarified what the HLF required we have written to the Town Council summarising the position and asking for their approval to what the HLF require. This is the first step in the process and we would not expect the Town Council to agree to any changes without taking their own legal advice.</i></li> <li>6. <i>We are not seeking to change the basic nature of the Trust's lease with the Town Council. All we are saying is that in order for the HLF to be able to provide a £1.5m grant they require changes to the lease that give them the security they need. The variations being sought would only apply if we got the grant. In other words apart from this HLF project the lease would remain as it is.</i></li> </ol> <p><i>The sort of malicious disinformation mentioned above breaches the right of the Trust to quiet enjoyment as set out under Section 22 of the lease. The courts treat this as a serious matter.</i></p> <p>A member of the public stated that he was satisfied that the council had made the right</p>	

	<p>decision in seeking legal advice before making a decision about the Country Park lease. He hoped the advice would be independent. He added that he was surprised this request did not come sooner given the amount of time and money spent working on the HLF bid by the Country Park Trust.</p> <p>Cllr. Bishop confirmed that it is hoped that the lawyers to be used will be the firm that the Town Council used when dealing with the transfer of the Country Park from the ownership of Suffolk County Council to that of Clare Town Council.</p> <p>A member of the public stated that he was very disappointed that the leaflet that was circulated to parishioners was produced by members of the council and that it was not acceptable that the name of the person who produced it was not printed on the leaflet as he believed any publication should contain this information.</p> <p>A member of the public stated that she felt surprised that this was brought to the council at this time as she had found a statement on the HLF website that states that <i>'if you are successful with your with your Heritage Grants application, we expect you to own any property (land, buildings, heritage items or intellectual property) on which you spend the grant. If we award you a grant, we may require a charge on the land, buildings or heritage items'</i>. She added that elsewhere on the HLF site they say this is why trusts and owners usually work together – she believes that is what should have been happening and finds it very strange that that has not been happening.</p> <p>A member of the public asked why the council didn't apply for the grant in their own capacity because it seems odd that an authority would give a grant to a tenant. Cllr. Bishop stated that when the Town Council took ownership of the park the trust was set up immediately to manage the park. The intention was always that the trust would make an application for an HLF grant. Cllr. Gryce added that many bids are made by trusts and it is very common and normal.</p> <p>Cllr. Kimminau raised a concern about the wording of the agenda item. Cllr. Bishop invited the Clerk to speak. The Clerk stated that Cllr. Kimminau's statement was incorrect and reminded him that she had sent an email explaining why he was incorrect and that the advisers at Suffolk Association of Local Councils had confirmed that the Clerk was correct in her advice. An agenda item can be amended at a meeting before it is taken. A decision has been taken to defer the item.</p> <p>Cllr. Kimminau said he understands that in a situation of a grant application such as this it is the landowner who is the freehold owner who works in partnership with the trust.</p> <p>Cllr. Marchant stated that the most important issue is that there has to be an insolvency clause, which there is. He added that the park is a nice asset which is worth a lot of money.</p> <p>Cllr. Verguson asked who will pay for the legal advice. Cllr. Bishop stated that he had discussed a figure with the trustees.</p> <p>Cllr. Verguson expressed concern that the original paperwork from the transfer of the park from Suffolk County Council be checked for a claw-back clause. Cllr. Marchant informed Cllr. Verguson that the documents did not contain a claw-back clause.</p> <p>The Clerk reported on behalf of the Clare First Responders team reported that they have received 16 call-outs in the last month.</p>	
4.	<b>County Councillor's Report</b> – Cllr. Evans sent her apologies and the attached report.	
5.	<b>Borough Councillor's Report</b> – See attached report.	
	<b><i>End of public section of meeting</i></b>	
6.	<b>To approve minutes of the previous meeting held on 18 May 2017</b> The minutes were approved unanimously.	
7.	<b>To receive an update on the actions from the previous meeting</b> The Clerk reported that the outstanding item of council membership of organisations was to be circulated to councillors.	

8.	<p><b>To review the inventory of land and assets</b> The document was approved pending clarification of the wording of the items under the heading of the Country Park (to include the land and car park) and the Pavilion (to include the playing field).</p>	RFO
9.	<p><b>To receive the Clerk's report for decision and information</b> See attachment to the minutes.</p>	
10.	<p><b>Finance</b></p> <p>i) <b>To receive the monthly report from the Responsible Finance Officer and approve the monthly accounts and cash flow.</b> In the absence of the RFO the Clerk stated that there was nothing to report but that the RFO had asked for approval of the monthly accounts and cashflow. Approved unanimously.</p> <p>ii) <b>To approve Section 2 of the Annual Return for the year ended 31<sup>st</sup> March 2017 (Accounting statements).</b> The Clerk reported that the RFO had asked for approval of Section 2 of the Annual Return for the year ended 31<sup>st</sup> March 2017. Approved unanimously.</p> <p>iii) <b>To consider applications for Section 137 grant funding</b> The Clerk reported that no requests had been received.</p>	
11.	<p><b>To consider items of correspondence for decision/response</b> See attached report. Cllr. Bishop suggested that the Planning Working Group carry out initial consideration of the Cavendish Road development plans ahead of the application being considered by the full Town Council. Cllr. Mallows confirmed that the group would be happy to prepare for an initial meeting and asked that the Clerk make the arrangements.  Cllr. Gryce referred to the quarterly financial report from Clare Castle Country Park Trust congratulated the Trust on keeping the books in order.</p>	Clerk
12.	<p><b>Planning</b> <b>To agree the Town Council response to the planning authority on:</b></p> <p>i) <b>DC/17/1075/TCA &amp; 1024/TPO – The Old Police Station, Erbury Place – Fell 1No. Field Maple</b> Cllr. Gryce reported that he had reviewed the application and would recommend that the trees were crowned rather than felled. Cllr. Godwin confirmed that she was in agreement that the response should be to crown rather than fell. Agreed unanimously.</p>	Clerk
13.	<p><b>To provide an opportunity for Cllr. Verguson to follow the Monitoring Officer's recommendation that he makes a public apology to Cllr. Mallows and the Clare Playing Field Association following a complain about his conduct.</b> Cllr. Verguson stated that there was no change and that the matter was with the Monitoring Officer. Cllr. Bishop asked the Clerk to read out an email from the Monitoring Officer which contradicted Cllr. Verguson's statement. The Clerk read the following from the Monitoring Officer at St Edmundsbury Borough Council sent on 14<sup>th</sup> June: <i>Cllr Verguson has now sent me an e-mail to say that he will not apologise to the CPFA, and has not to date apologised to Cllr Mallows. I will be reporting this situation to the Standards Committee on 26 June who may decide to take further action.</i> Cllr. Bishop asked if this was still the case. Cllr. Verguson confirmed that he would not be making an apology. Cllr. Stone asked for clarification of what Cllr. Verguson is expected to apologise for. Cllr. Mallows explained that the Monitoring Officer's decision was that Councillor Verguson's email to her went beyond constructive criticism of the Clare Playing Field Association; that he failed to show respect and used inappropriate language when sending correspondence and therefore breached paragraph (1) of the Code of Conduct. As a result, the Monitoring Officer recommended that Councillor Verguson issues a</p>	

	<p>formal, public apology at the next Town Council meeting he is able to attend, and also considers the way in which he writes e-mails in future to avoid incendiary language that could cause offence.</p>	
14.	<p><b>To provide an opportunity for Cllr. Kimminau to provide an explanation for his email to the HLF consultant following a complaint from the Country Park Trustees.</b></p> <p>Cllr. Bishop reminded councillors that at last month's meeting a draft letter had been considered which apologised for Cllr. Kimminau's letter to the HLF Consultant because it did not reflect the views of the council and was completely inappropriate. At the last meeting it was decided to defer sending the letter until Cllr. Kimminau had provided an explanation. Cllr. Bishop asked Cllr. Kimminau if he would provide an explanation.</p> <p>Cllr. Kimminau responded that he had made replies and there was also a complaint to the Monitoring Officer who had recommended conflict resolution for the Town Council.</p> <p>Cllr. Gryce stated that Cllr. Kimminau's letter was incorrect in its allegation that unlawful meetings took place when the negotiations took place with Suffolk County Council. Some meetings took place confidentially because they were regarding tenders, which have to be confidential because they are commercially sensitive (bidders cannot learn one another's business). Also that Suffolk County Council had requested that some discussions were held confidentially because of the commercial sensitivity at a time when Suffolk County Council were also in negotiations with Brandon County Park. Cllr. Gryce added that he regarded Cllr. Kimminau's statement as an insult to his integrity as a councillor and those councillors who were present at the meetings referred to. He asked Cllr. Kimminau to withdraw his comment that those meetings were unlawful.</p> <p>Cllr. Kimminau suggested that Cllr. Gryce makes this the subject of complaint to the Monitoring Officer.</p> <p>Cllr. Perceval-Maxwell raised a concern that since Cllr. Kimminau had joined the council there has been a lot of time wasted dealing with unnecessary issues raised by him. She stated that she hoped that all councillors want to get on with doing things and making decisions as a council that are right for the people of Clare.</p> <p>Cllr. Mallows stated that it was important to note that although Cllr. Kimminau has made it clear in his letter that he was a councillor, his letter was sent as a private individual and did not express the view of Clare Town Council. Cllr. Kimminau had later complained to the Chairman that he did not receive the protection of the council at the Annual Town Meeting when the matter of the letter to the HLF Consultant was raised. Cllr. Mallows wished to make it clear that Cllr. Kimminau did <i>not</i> act with the authority of the council; cannot claim that he was part of the body corporate in that situation and therefore cannot claim the protection of the council.</p> <p>Cllr. Kimminau stated that although he was not present at last month's meeting he had seen the draft letter to Mr Blake and agreed with it.</p> <p>Cllr. Mallows stated that it was reassuring that Cllr. Kimminau now understands that if he wanted to write letters as a councillor he must consult the council first.</p> <p>Cllr. Bishop proposed that the draft letter to Mr Blake be sent. Agreed unanimously.</p>	Clerk
15.	<p><b>To receive a proposal to support the Tourism Group in becoming a Charitable Incorporated Organisation (CIO) to promote tourism in Clare and its hinterland. Subject to the approval of this proposal, to nominate two councillor representatives to be part of the CIO.</b></p> <p>Cllr. Gryce referred to the document which had been circulated to all councillors in advance of the meeting (see attachment to the minutes). He explained that a form of Trust called a CIO is proposed because at present the Tourism Group is a Town Council Working Party and a Town Council cannot apply for certain types of grant funding that a CIO can.</p> <p>As part of this Cllr. Gryce reported that a joint launch event of 'Visit Clare' and of the conference facilities at Clare Golf Club would take place on 23<sup>rd</sup> June.</p> <p>Cllr. Kimminau stated that the project was a very good idea and he fully supports it.</p> <p>Cllr. Gryce reported that Clare also belongs to the Wool Towns Association.</p> <p>Cllr. Verguson asked if Long Melford or Lavenham has anything like 'Visit Clare'. Cllr. Gryce said that they do not but that part of Suffolk has a tourism development officer working on their behalf. It is expected that St Edmundsbury Borough Council will also be</p>	

	<p>creating a similar role for Bury &amp; Beyond’.</p> <p>Cllr. Bishop proposed the approval of the creation of the CIO. Approved unanimously.</p> <p>Cllr. Bishop asked for nominations for two councillor representatives to be Visit Clare trustees.</p> <p>Cllr. Godwin nominated Cllr. Bishop, Cllr. Gryce seconded the nomination and added that this makes sense given that he is the press officer.</p> <p>Cllr. Gryce nominated Cllr. Godwin, Cllr. Mallows seconded the nomination.</p> <p>Cllr. Verguson nominated Cllr. Kimminau, Cllr. Stone seconded the nomination.</p> <p>The Chairman asked that councillors vote. Cllr. Bishop received 5 votes. Cllr. Godwin received 5 votes. Cllr. Kimminau received 4 votes. Cllrs. Bishop and Godwin were elected as representatives.</p>	
16.	<p><b>To receive a proposal to amend item 8B of the Development Plan to the following wording: <i>To monitor public areas in Clare and encourage the reporting of issues to the appropriate authority for repair/action.</i></b></p> <p>Cllr. Bishop asked councillors to consider the proposal. The Clerk referred councillors to the minutes of the Environment Committee meeting which explains the reason for the slight change in wording. Approved unanimously.</p>	
17.	<p><b>To receive a report of data gathered by the Vehicle Activated Signs in the last month</b></p> <p>Cllr. Kimminau presented a report on data for Cavendish Road and confirmed that data will be sent each time the VAS equipment is moved to a different location.</p> <p>Cllr. Bishop thanked Cllr. Kimminau and suggested that the Traffic Working Party include as one of their tasks and in the reports on their meetings.</p> <p>Cllr. Perceval-Maxwell asked the Traffic Working Party to look into obtaining authorisation from Suffolk County Council for other locations in Clare to be added (e.g. Nethergate Street).</p>	
18.	<p><b>To receive reports from Councillors on activity since the last meeting.</b></p> <p>See attachments to the minutes.</p> <p>Cllr. Marchant asked for an update regarding the defibrillator. The Clerk responded that it had been reported at a previous meeting that the Clerk discussed the requirement of a defibrillator with the Chairperson of CLASP and the First Responders and had agreed that it was advisable to wait for the expected installation of a new defibrillator at Clare fire station and then obtain advice from the First Responders. The Clerk will seek an update.</p> <p>It was suggested that a notice be placed in Pashlers Alley detailing the location of the defibrillator.</p> <p>Cllr. Bishop reported that 24 hanging baskets were in place and a further 26 were due shortly. He reported that he had met with the Contractor assigned to the hanging baskets and confirmed that they will be watered regularly.</p> <p>Cllr. Bishop reported that the flags and banners are in place. A flag will be provided for the church during the summer.</p>	<p>Clerk</p> <p>Clerk</p>
19.	<p><b>To approve working group terms of reference, confirm members and receive items for decisions proposed by Town Council Committees or Working Groups.</b></p> <p>Cllr. Perceval-Maxwell referred to the Environment Committee minutes and reported that she had been nominated as the Chairperson. She proposed the ratification of the Terms of Reference. Approved unanimously.</p> <p>Cllr. Godwin referred to the Community Support Working Group notes and reported that she had been nominated as the Chairperson. She proposed the Terms of Reference and the decisions for the council (see document 1-5) for ratification. Approved unanimously.</p> <p>Cllr. Stone referred to the Traffic Working Group minutes and reported that a lay member, Alan Parsley, has joined the group. Cllr. Stone requested that the Town Council consider funding the cost of parking in the Country Park. The Working Group</p>	

	<p>had noted an increase in the number of cars parking in Nethergate Street and the owners are believed to be dog walkers who used to park in the Country Park car park before the charges applied before 11am. The suggestion is that users be allowed to park for 'free' between the hours of 8am and 11am either Monday to Friday or Monday to Saturday in order to alleviate parking problems in the town.</p> <p>Cllr. Godwin reminded councillors that that the Town Council had agreed it would not be funding the Country Park so any arrangement would need to be worded carefully.</p> <p>It was proposed that a request be made to the Country Park Trust for information in order to consider this request.</p> <p>Cllr. Mallows referred to the Planning Working Group notes and proposed the Terms of Reference and activity plan for ratification (see attachment to the minutes). Approved unanimously.</p>	
21.	<p><b>To receive agenda items for next meeting.</b></p> <p>To receive an update on developments regarding improving tourism in Clare.</p> <p>To receive reports from Councillors on activity since the last meeting.</p>	
22.	<p><b>To confirm the date of the next meeting as Thursday 20<sup>th</sup> July 2017.</b></p> <p>Agreed.</p>	
	<p>Cllr. Bishop added that looking ahead, there is a need for some change and to discuss how to resolve the conflict within the council. He stated that he will email all councillors when he has investigated this.</p>	

The meeting closed at 8.47pm

## Attachment to Minutes, Item 4, County Councillor's Report

### Highways

I gather CTC's Traffic Working Party has been charged with looking at parking issues. I will meet with the members on my return to do a walk through the town re yellow lines to record where they need repainting and where more would be desirable.

### Vehicle Activated Sign/Speedwatch

To clarify re the data collection for VAS. There is no protocol set by the speed enforcement team as to how we present them with the data. They left it to the parish VAS operators to come up with a format they find convenient. What the police require from us is a brief report listing:

- Location of VAS
- Period of operation
- Total volume of traffic
- % of traffic travelling at 35mph and above
- An indication if there are regular recordings of excessive speeding eg 55mph+

This information is to be sent by the VAS operator to Insp Danny Cooper so that where possible local police can run speed checks and I should be copied into that that email so I can forward the report to the speed enforcement team.

It might well be that in time CTC finds that it is best for speedwatch and the VAS to operate in conjunction but the advice the town clerk and I had from the speed enforcement team was that it would still be useful for the VAS data to be shared directly with the police so that we can continue to trigger speed enforcement patrols.

### Bus Stop - Stoke Road

As you may recall I included a photograph in my last report to you – as requested - of the type of bus shelter to be installed on Stoke Road. As I have had no adverse comments I take it that you are happy with the proposal.

### Anti-social behaviour /Crime in Clare

Cllr Pugh and I recently had a meeting with Sgt Matt Gilbert, PCSO Leslie Scott and Geoffrey Bray to discuss anti-social behaviour in the country park. The meeting was arranged by Cllr Pugh's localities officer Gemma O'Shea. The advice is to report anti-social behaviour.

As I suggested in my last report to you I approached the Suffolk Police and Crime Commissioner Tim Passmore to ask if he could re-arrange the itinerary of his annual tour of the county to include Clare.

I am sorry to report that this will not be possible this year. The dates when both he and the Chief Constable are going to be running seven daytime street meetings with residents and 18 more formal evening meetings in the main towns have been agreed.

However, Mr Passmore has suggested that he could hold the September Accountability and Performance meeting, where he holds the Chief Constable to account, in Clare. It is a daytime, public meeting and much as a CTC meeting, members of the public are allowed to raise issues of concern at the start of the meeting. I believe the public participation slot is limited to 15 minutes. Please let me know whether you support that proposal. Mr Passmore further assured me he will look at including Clare in the programme for next year; To remind you, residents of the Clare area are very welcome to attend the visits and meetings and raise their concerns.

Mr Passmore will be meeting residents with the Chief Constable, Gareth Wilson, between 11am-2pm at The Arc shopping centre, Bury St Edmunds on Wednesday 9 August.

Formal meetings are being held at 7pm (doors open 6.40pm) on Thursday 7 September at Samuel Ward Academy, Haverhill and on Tuesday 12 September at Southgate Community Centre, Bury St Edmunds.

Finally, Suffolk police issued a new rural policing strategy. I attach a copy.

### **Primary School admissions**

94 per cent of parents in Suffolk have been offered their first choice of primary school for their children this year.

Suffolk's primary school admission figures show 7,161 children have been offered a reception place for September 2017 at their parents' preferred school, with 98.5% offered one of their three preferences. There has been a more than 3% increase in the number of children offered their first preference this year compared with last year.

### **Suffolk Record Office**

Suffolk Record Office has been nominated for Record-Keeping Service of the year at this year's Archives and Records Association (ARA) Excellence Awards. It has been nominated for the development of its digital preservation system along with our new website and online payment service. Digitisation of records is now being done in-house on wills, marriage licences, gaol books, photographs, coroners' records and more. This follows the Record Office's success in being a finalist in the Digital Preservation Coalition Awards last year.

In addition to this, Suffolk Record Office has recently secured Heritage Lottery Funding of £538,100 for a new heritage centre in Ipswich, in partnership with the University of Suffolk. 'The Hold' will not only completely transform its ability to care for and showcase the county's records and collections, but will also promote them and give access to a broader audience.

The project to develop 'The Hold' includes a programme of activities and events highlighting the national and global relevance of record office collections. Part of this is 'Mapping Suffolk's Stories' which will use historic maps as a starting point for uncovering stories about people, places and events. Record Office staff, aided by the University of Suffolk, heritage organisations and teachers, will work with community groups and schools to explore local heritage.

Mary Evans, Clare Division

### **Attachment to Minutes, Item 5, Borough Councillor's Report**

This is a monthly report on activities conducted by Alaric Pugh, Borough Councillor for Clare, on behalf of the whole community, following the election on 7th May 2015. I am delighted to have been elected to represent Clare again and will work hard to uphold the interests of the town at St Edmundsbury Borough Council. I am Portfolio Holder for Planning, Regulation and Growth and Transport issues. The committees I sit on are: Cabinet and Development Control. I Chair the Bury Town Centre Masterplan Working Party and am Chair of the Growth Steering Group and at The One Haverhill Partnership I lead on the Haverhill Town Centre Masterplan. I attend Dedham and Stour Valley Area of Outstanding Natural Beauty Project Board Meetings. **My chief role is to ensure Clare and its residents have a voice at the Borough Council table.**

I expect to be in attendance at Town Council meetings and will be happy to answer any questions from councillors or residents after my report. I have run a surgery between 9.30 and 10.00 am on the first Saturday of the month for residents whose questions cannot be addressed at the Town Council Meeting - this is suspended but I can be contacted at other times: my mobile phone number is: 07930460899 and email [alaric.pugh@stedsbc.gov.uk](mailto:alaric.pugh@stedsbc.gov.uk)

1. Training on Mental Health considerations for Planning and Development
2. Civic/business events - Mayormaking
3. Recent meetings attended (excluding Majority Group meetings)
  - Development Control
  - Growth Briefings

- Planning briefings and many other ad hoc development planning meetings
  - Cabinet
    - Joint Cabinet Planning
  - Full Council
    - Bury St Edmunds Town Centre Masterplan meeting
  - DMO Board briefing
    - Licensing review
  - Portfolio briefings
    - Joint Growth Group
  - Newmarket Home of Horseracing development meeting - inc arts devpt for the region
  - Clare tourism Group
    - NALEP Economic Plan Workshop
  - Tour of Haverhill for new Assistant Directors Growth and Planning
  - Several meetings with West Suffolk College and the private sector re skills delivery
  - Bury Station meeting
    - Meeting with Cambridge Ahead
4. Forthcoming meetings before next TC meeting
- Cabinet
    - Haverhill Town Centre Masterplan Implementation
  - Bury Town Centre Masterplan
    - Markets strategy discussion
  - A1307 Strategy Group
    - One Public Estate
  - AONB meeting
5. Voting record - recent items with direct significance to Clare community:
- I have supported the moves towards a business case for the creation of a single west Suffolk Council
6. Current Clare issues involvement/resident requests to take forward:
- a large number of planning items
  - Locality budget item discussions
  - Monitoring the completion position on the Land east of the granary
  - Meeting held with the Police re anti-social behaviour (see County Councillor's report)

**8. NEWS:**

Ongoing:

- Clare Tourism Group various actions.
- I have been doing what I can where I can to support the Country Park's HLF bid process constructively.
- I will be monitoring future Section 106 negotiations on the now current Cavendish Road application.
- I am actively supporting the A1307 Strategy Group.
- I am continuing to have discussions about Clare and South Suffolk businesses with the New Anglia LEP. Now that I have a new Assistant Director Growth I have been able to raise the priority of rural development and the sustainability of Key Service areas. This is now a core growth priority and will receive special attention at the Joint Growth Group for west Suffolk councils.
- A considerable amount of my time has been involved with progress on moves to a single council for the area. Just this week Full Council agreed to take forward the draft business case to stakeholder consultation and public engagement but not referendum as per the process now required by the legislative mechanism for joining two district councils.

**Attachment to Minutes, Item 9, Clerk's Report**

Dealing with councillor enquiries.

I have met with Gary Brown from Clare Community Association to assist with the arrangements for the Remembrance Day event and have made the road closure application.

I have contacted Havebury on behalf of a parishioner regarding an overgrown footpath at Westfield.

**St Edmundsbury Borough Council Planning decisions**

DC/17/0722/FUL & 0723/LB – 28 Callis Street – (i) Single storey front extension to outbuilding, (ii) Installation of covered walkway from main dwelling to outbuilding and (iii) Change of use of part of existing outbuilding from residential to D1 (Dentist) – Withdrawn/Abandoned

DC/17/0749/HH – 26 Bridewell Street (i) continuation of fence and (ii) insertion of gates- Approved

**Attachment to Minutes, Item 11, Correspondence Report**

**Items for action**

Land Charter Homes	A copy of the proposed site layout and typical street scene was provided and an offer made of a meeting.
--------------------	--

**Items for noting**

2 parishioners	Complaint about Councillor Kimminau. This has been forwarded to the Monitoring Officer.
Clare Castle Country Park	Financial Report
Suffolk County Council	Notification of temporary traffic order – Stoke Road, Nethergate Street, Ashen Road during Clare Priory Craft Fair on 8 <sup>th</sup> and 9 <sup>th</sup> July.
St Edmundsbury Borough Council	Notification of changes in the civic office for 2017-18

**Attachment to Minutes, Item 15, To support the Tourism Group in becoming a Charitable Incorporated Organisation (CIO) to promote tourism in Clare and its hinterland: Constitution of 'Visit Clare'**

**Constitution of  
Visit Clare**

a Charitable Incorporated Organisation (Foundation Structure)  
whose only voting members are its trustees

***Date of Adoption (last amended): Day/month/year TBC***

**Name**

1. The name of the Charitable Incorporated Organisation ("the CIO") is:

**Visit Clare**

**National Location of Principal Office**

2. The principal office of the CIO is Clare Town Council, The Old School, Callis Street, Clare, Sudbury CO10 8PX.

**Objects**

3. The objects of the CIO are:

to create greater awareness of Clare and its hinterland as a tourist destination; to support and sustain both business development and economic dynamism in the area.

**Powers**

4. The CIO has power to do anything which is calculated to further its objects or is conducive or incidental to doing so. In particular, the CIO has power to:

- (a) borrow money and to charge the whole or any part of its property as security for the repayment of the money borrowed. The CIO must comply as appropriate with sections 124 and 125 of the Charities Act 2011, if it wishes to mortgage land;
- (b) buy, take on lease or in exchange, hire or otherwise acquire any property and to maintain and equip it for use;
- (c) sell, lease or otherwise dispose of all or any part of the property belonging to the CIO. In exercising this power, the CIO must comply as appropriate with sections 117 and 119-123 of the Charities Act 2011;
- (d) employ and remunerate such staff as are necessary for carrying out the work of the CIO. The CIO may employ or remunerate a Trustee only to the extent that it is permitted to do so by clauses 6 to 11 and provided it complies with the conditions of those clauses;
- (e) deposit or invest funds, employ a professional fund-manager, and arrange for the investments or other property of the CIO to be held in the name of a nominee, in the same manner and subject to the same conditions as the Trustees of a trust are permitted to do by the Trustee Act 2000.

**Application of Income and Property**

5. The income and property of the CIO must be applied solely towards the promotion of the Objects, and none of it may be paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to any member of the CIO, provided that:

- (a) a Trustee is entitled to be reimbursed from the property of the CIO or may pay out of such property reasonable expenses properly incurred by him or her when acting on behalf of the CIO;
- (b) a Trustee may benefit from trustee indemnity insurance cover purchased at the CIO's expense in accordance with, and subject to the conditions in, section 189 of the Charities Act 2011;

- (c) nothing in this clause shall prevent a Trustee or connected person receiving any benefit or payment which is authorised by clauses 6 to 11.

## **Benefits and Payments to Trustees and Connected Persons**

### ***General Provisions***

6. No Trustee or connected person may:
- (a) buy or receive any goods or services from the CIO on terms preferential to those applicable to members of the public;
  - (b) sell goods, services, or any interest in land to the CIO;
  - (c) be employed by, or receive any remuneration from, the CIO;
  - (d) receive any other financial benefit from the CIO;
- unless the payment or benefit is permitted by this constitution or is authorised by the court or the Charity Commission ("the Commission"). In this clause, a "financial benefit" means a benefit, direct or indirect, which is either money or has a monetary value.

### ***Scope and Powers Permitting Benefits to Trustees or Connected Persons***

7. A Trustee or connected person may receive interest on money lent to the CIO at a reasonable and proper rate which must be no more than the Bank of England base rate.
8. A Trustee or connected person may receive rent for premises let by the Trustee or connected person to the CIO. The amount of the rent and the other terms of the lease must be reasonable and proper. The Trustee concerned shall withdraw from any meeting at which such a proposal or the rent or other terms of the lease are under discussion.
9. A Trustee or connected person may take part in the normal trading and fundraising activities of the CIO on the same terms as members of the public.
10. A Trustee or connected person may receive a benefit from the CIO in the capacity of a beneficiary of the CIO but strictly on the same terms as other beneficiaries.
11. Providing they are acting outside their role as a Trustee, a Trustee (or connected person) may enter into a contract for the supply of services, or of goods that are supplied in connection with the provision of services, to the CIO where it is permitted in accordance with, and subject to the conditions in, sections 185 to 188 of the Charities Act 2011.

## **Conflicts of Interest and Conflicts of Loyalty**

12. A Trustee must:
- (a) declare the nature and extent of any interest, direct or indirect, which he or she has in a proposed transaction or arrangement with the CIO or in any transaction or arrangement entered into by the CIO which has not previously been declared; and
  - (b) absent himself or herself from any discussions of the Trustees in which it is possible that a conflict of interest will arise between his or her duty to act solely in the interests of the CIO and any personal interest (including but not limited to any financial interest).
13. Any Trustee absenting himself or herself from any discussions in accordance with this clause must not vote or be counted as part of the quorum in any decision of the Trustees on the matter.

## **Liability of Members to Contribute to Assets of CIO if it is Wound Up**

14. If the CIO is wound up, the members of the CIO have no liability to contribute to its assets and no personal responsibility for settling its debts and liabilities.

## **Membership**

15. The only members of the CIO shall be those persons who are appointed as Trustees of the CIO, and all persons appointed as Trustees shall be admitted as members.
16. Membership cannot be transferred to anyone else.
17. A member shall cease to be a member immediately that he or she ceases to be a Trustee of the CIO for any reason.

### **Board of Trustees**

18. There must be at least three charity trustees. If the number falls below this minimum, the remaining trustee or trustees may act only to call a meeting of the charity trustees, or appoint a new charity trustee.
19. The maximum number of charity trustees is 12. The charity trustees may not appoint any charity trustee if as a result the number of charity trustees would exceed the maximum.
20. (a) New Trustees may be recruited to the Board at any time by the Trustees.
- (b) The Trustees may, by and from their number and from time to time, elect such officers (chair, secretary, treasurer) as they see fit.
- (c) Apart from the first charity trustees, every trustee must be appointed for a term of three years by a resolution passed at a properly convened meeting of the charity trustees.
- (d) In selecting individuals for appointment as appointed charity trustees, the charity trustees must have regard to the skills, knowledge and experience needed for the effective administration of the CIO.

### **First Trustees**

21. The first Trustees are as follows:

A nominated representative of Clare Town Council, appointed for 3 years

A nominated representative of Clare Castle Country Park Trust, appointed for 3 years

A nominated representative of Clare Business Association, appointed for 3 years

### **Nominated Trustees**

22. The following bodies may appoint charity trustees to the maximum specified:

- Clare Town Council (2)
- Clare Castle Country Park Trust (1)
- Clare Ancient House Museum (1)
- Clare Business Association (1)
- Clare Churches (1)

- (a) Any appointment must be made at a meeting held according to the ordinary practice of the appointing body.
- (b) Each appointment must be for a term of three years.
- (c) The appointment will be effective from the later of:
- i. the date of the vacancy; and
  - ii. the date on which the charity trustees or their secretary or clerk are informed of the appointment.
- (e) The person appointed need not be a member of the appointing body.
- (f) A trustee appointed by the appointing body has the same duty under clause 9(1) as the other charity trustees to act in the way he or she decides in good faith would be most likely to further the purposes of the CIO.

### **Ex officio Trustees**

23.

- (a) The County Councillor for Clare and the Borough Councillor for Clare for the time being (“the office holders”) shall automatically (“ex-officio”) be charity trustees, for as long as they hold those offices.
- (b) If unwilling to act as a charity trustee, the office holder may:
- (i) before accepting appointment as a charity trustee, give notice in writing to the trustees of his or her unwillingness to act in that capacity; or
  - (ii) after accepting appointment as a charity trustee, resign under the provisions contained in clause [12] (Retirement and removal of charity trustees).

The office of ex officio charity trustee will then remain vacant until the office holder ceases to hold office.

### **Excluded Persons**

24. Under no circumstances shall any of the following serve as Trustees:

- (a) a person aged less than 16 years;
- (b) a person who is an undischarged bankrupt or has made any composition or arrangement with creditors;
- (c) a person who has an unspent conviction involving dishonesty or deception or who is otherwise disqualified by law from serving as a Trustee.

### **Powers and Duties of Trustees**

25. The Trustees shall manage the affairs of the CIO and may exercise all the powers of the CIO.
26. Any meeting of the Trustees at which a quorum is present at the time the relevant decision is made may exercise all the powers exercisable by the Trustees.
27. It is the duty of each Trustee:
- (a) to exercise his or her powers as a Trustee in the way he or she considers to be in the best interests of the CIO's Objects and beneficiaries; and
  - (b) to exercise such care and skill as is reasonable in the circumstances having regard in particular to any special knowledge or experience that he or she has or claims to have.
28. The Trustees may act regardless of any vacancy in their body but, if and so long as their number is less than 3, the remaining Trustees may act for the purposes of increasing the number of Trustees or winding up the CIO, but for no other purpose.

### **Information for New Trustees**

29. Each new Trustee must receive, on or before his or her first appointment:
- (a) a copy of the current version of this constitution; and
  - (b) a copy of the CIO's latest Trustees' annual report and statement of accounts.

### **Retirement and Removal of Trustees**

30. The office of a Trustee shall be immediately vacated if he or she:
- (a) resigns his or her office in writing to the CIO (but only if at least 3 Trustees shall remain in office);
  - (b) is absent without good reason from three consecutive Trustees' meetings, and the remaining Trustees decide that he or she shall vacate office by reason of such absence;
  - (c) is removed from office for conduct prejudicial to the CIO by a majority vote of the Trustees, provided that any Trustee whose removal is proposed shall have the right to make representation to the meeting where the decision is to be taken;
  - (d) becomes bankrupt or makes any arrangement with his or her creditors generally; or
  - (e) is otherwise disqualified by law from serving as a Trustee.

### **Proceedings of the Board of Trustees**

31. The Trustees may regulate their proceedings as they think fit, subject to any provisions within this constitution.
32. A meeting shall be summoned on the request of a Trustee by giving reasonable notice to all the Trustees. It shall not be necessary to give notice of a meeting to any Trustee for the time being absent from the United Kingdom.
33. A Trustee may not appoint an alternate or anyone to act on his or her behalf at meetings of the Trustees.
34. A meeting may be held by suitable electronic means agreed by the Trustees in which each participant may communicate with all the other participants.

### **Chairing of Meetings**

35. Subject to clause 19(b) the Trustees shall appoint one of their number to chair their meetings and may at any time revoke such appointment.
36. If no-one has been appointed to chair meetings of the Trustees, or if the person so appointed is unwilling to preside or is not present ten minutes after the time appointed for the meeting, the Trustees present shall appoint one of their number to chair that meeting.

### **Quorum**

37. No decision may be made by a meeting of the Trustees unless a quorum is present at the time the decision is made. "Present" includes being present by suitable electronic means agreed by the Trustees in which a participant or participants may communicate with all the other participants.

38. A quorum shall be 3 Trustees.
39. A Trustee shall not be counted in the quorum present when any decision is made about a matter upon which that Trustee is not entitled to vote.

#### **Decision-Making by Trustees**

40. Questions arising at any meetings shall be decided by a majority of votes, each Trustee having one vote on any matter to be decided. In the case of an equality of votes, the chair of the meeting shall have a second or casting vote.
41. A resolution in writing or in electronic form agreed by all the Trustees who are entitled to receive notice of and vote at a meeting of Trustees shall be as valid and effectual as if it had been passed at a meeting of the Trustees.

#### **Saving Provisions**

42. Subject to clause 40, all decisions of the Trustees, or of a sub-committee of the Trustees, shall be valid even if it involved the participation of a Trustee who:
- (a) was disqualified from holding office;
  - (b) had previously retired or was obliged to leave office;
  - (c) was not entitled to vote on the matter, whether by reason of a conflict of interests or otherwise;
- if, without the vote of that Trustee and that Trustee being counted in the quorum, the decision would have been made anyway by a majority of the Trustees at a quorate meeting.
43. Clause 39 does not permit a Trustee to keep any benefit that may be conferred on him or her by a decision of the Trustees (or a sub-committee) if the resolution would otherwise have been void.

#### **Sub-Committees**

44. The Trustees may delegate any of their powers or functions to one or more sub-committees or advisory panels consisting of such members of their body or the general public as they think fit and the terms of any delegation must be recorded in the minute book. The Trustees may subsequently revoke or alter a delegation. The Trustees may impose conditions when delegating, and will always include the conditions that:
- (a) at least one member of each sub-committee or advisory panel must be a Trustee;
  - (b) the relevant powers are to be exercised exclusively by the sub-committee or advisory panel to whom they delegate;
  - (c) no expenditure may be incurred on behalf of the CIO except in accordance with a budget previously agreed with the Trustees;
  - (d) the sub-committee or advisory panel shall report regularly to the Trustees.

#### **Decisions Which Must be Made by the Members of the CIO**

45. Any decision to:
- (a) amend the constitution of the CIO;
  - (b) amalgamate the CIO with, or transfer its undertaking to, one or more other CIOs; or
  - (c) wind up or dissolve the CIO (including transferring its business to any other charity),
- must be made by a resolution of the members of the CIO (rather than a resolution of the Trustees);
46. Such members' decisions may be made either:
- (a) by resolution at a general meeting; or
  - (b) by resolution in writing.
47. A resolution made at a general meeting requires a majority of at least 75% of the votes that are cast.
48. A resolution in writing requires the agreement of all the members on the date the resolution is circulated. The following conditions shall apply:
- (a) a copy of the proposed resolution must be sent to all the members eligible to vote;
  - (b) the document indicating a member's approval of a written resolution may be sent to the CIO as hard copy or in electronic form. A member's agreement to a written resolution, once signified, may not be revoked;
  - (c) a written resolution lapses if the necessary number of approvals has not been received 28 days after the first day on which copies of the resolution were circulated to members.

## **General Meetings of Members**

### ***Calling of General Meetings of Members***

49. The Trustees may designate any of their meetings as a general meeting of the members of the CIO. The purpose of such a meeting is to discharge any business which must by law be discharged by a resolution of the members of the CIO as specified in clause 42.

### ***Notice of General Meetings of Members***

50. The minimum period of notice required to hold a general meeting of the members of the CIO is 14 days.
51. Except where a specified period of notice is strictly required by another clause in this constitution, by the Charities Act 2011 or by the General Regulations, a general meeting may be called by shorter notice if it is so agreed by at least 75% of the members of the CIO.
52. Proof that an envelope containing a notice was properly addressed, prepaid and posted; or that an electronic form of notice was properly addressed and sent, shall be conclusive evidence that the notice was given. Notice shall be deemed to be given 48 hours after it was posted or sent.

## **Procedure at General Meetings of Members**

53. The provisions in clauses 29 to 37 governing the chairing of meetings, procedure at meetings and participation in meetings by electronic means apply to any general meeting of the members, with all references to Trustees to be taken as references to members.

## **Execution of Documents**

54. A document is validly executed on behalf of the CIO if it is signed by at least 2 of the Trustees.

## **Use of Electronic Communications**

55. The CIO will comply with the requirements of the Communications Provisions in the General Regulations and in particular:
- (a) the requirement to provide a member with a hard copy of any document or information if they request it, to be sent within 21 days of the request;
  - (b) any requirements to provide information to the Commission in a particular form or manner.

## **Registers**

56. The CIO must maintain a register of Trustees/members as required by the General Regulations, which must be made available to anyone on request.
57. Except where the request to inspect the register is made by a Trustee of the CIO, a fee may be charged in respect of the costs of complying with the request.

## **Minutes**

58. The Trustees must keep minutes of all:
- (a) appointments of officers made by the Trustees;
  - (b) proceedings at general meetings of the CIO;
  - (c) meetings of the Trustees and committees of Trustees including:
    - (i) names of the Trustees present at the meeting;
    - (ii) the decisions made at the meetings; and
    - (iii) where appropriate the reasons for the decisions;
  - (d) decisions made by the Trustees otherwise than in meetings.

## **Accounting Records, Accounts, Annual Reports and Returns, Register Maintenance**

59. The Trustees must comply with the requirements of the Charities Act 2011 with regard to the keeping of accounting records, to the preparation and scrutiny of statements of account, and to the preparation of annual reports and returns. The statements of account, reports and returns must be sent to the Commission, regardless of the income of the CIO, within 10 months of the financial year end.
60. The Trustees must comply with their obligation to inform the Commission within 28 days of any change in the particulars of the CIO entered on the Central Register of Charities.

## **Rules or Bylaws**

61. The Trustees may from time to time make such reasonable and proper rules or bylaws as they may deem necessary or expedient for the proper conduct and management of the CIO, but such rules or bylaws must not be inconsistent with any provision of this constitution. Copies of any such rules or bylaws currently in force must be made available to any member of the CIO on request.

## Disputes

62. If a dispute arises between members of the CIO about the validity or propriety of anything done by the members under this constitution, and the dispute cannot be resolved by agreement, the parties to the dispute must first try in good faith to settle the dispute by mediation before resorting to litigation.

## Amendment of Constitution

63. As provided by sections 224 to 227 of the Charities Act 2011, this constitution can only be amended:
- by resolution agreed in writing by all members of the CIO; or
  - by a resolution passed by a 75% majority of those voting at a general meeting of the members of the CIO .
64. Any alteration:
- to the CIO's Objects (clause 3);
  - to clauses 64 to 67 (Voluntary Winding Up or Dissolution);
  - this clause; or
  - that would have the effect of enhancing the benefits available to Trustees of the CIO or persons connected with them,
- shall require the prior written consent of the Commission.
65. No amendment that is inconsistent with the provisions of the Charities Act 2011 or the General Regulations shall be valid.
66. A copy of every resolution amending the constitution, together with a copy of the CIO's constitution as amended must be sent to the Commission by the end of the period of 15 days beginning with the date of passing of the resolution, and the amendment does not take effect until it has been recorded in the Register of Charities.

## Voluntary Winding Up or Dissolution

67. As provided by the Dissolution Regulations, the CIO may be dissolved by resolution of its members. Any decision by the members to wind up or dissolve the CIO can only be made:
- at a general meeting of the members of the CIO called in accordance with this constitution, of which not less than 14 days' notice has been given to those eligible to attend and vote, by a resolution passed by a 75% majority of those voting; or
  - by a resolution agreed in writing by all members of the CIO.
68. Subject to the payment of all the CIO's debts:
- Any resolution for the winding up of the CIO, or for the dissolution of the CIO without winding up, may contain a provision directing how any remaining assets of the CIO shall be applied.
  - If the resolution does not contain such a provision, the Trustees must decide how any remaining assets of the CIO shall be applied.
  - In either case the remaining assets must be applied for charitable purposes the same as or similar to those of the CIO.
69. The CIO must observe the requirements of the Dissolution Regulations in applying to the Commission for the CIO to be removed from the Register of Charities, and in particular:
- the Trustees must send with their application to the Commission:
    - a copy of the resolution passed by the members of the CIO;
    - a declaration by the Trustees that any debts and other liabilities of the CIO have been settled or otherwise provided for in full; and
    - a statement by the Trustees setting out the way in which any property of the CIO has been or is to be applied prior to its dissolution in accordance with this constitution.
  - the Trustees must ensure that a copy of the application is sent within 7 days to every member and employee of the CIO, and to any Trustee of the CIO who was not privy to the application.
70. If the CIO is to be wound up or dissolved in any other circumstances, the provisions of the Dissolution Regulations must be followed.

## Interpretation

71. In this constitution:
- "connected person"** means:
- a child, parent, grandchild, grandparent, brother or sister of the Trustee;
  - the spouse or civil partner of the Trustee or of any person falling within sub-clause (a) above;

- (c) a person carrying on business in partnership with the Trustee or with any person falling within sub-clause (a) or (b) above;
- (d) an institution which is controlled:
  - (i) by the Trustee or any connected person falling within sub-clause (a), (b), or (c) above; or
  - (ii) by two or more persons falling within sub-clause (d)(i), when taken together;
- (e) a body corporate in which:
  - (i) the Trustee or any connected person falling within sub-clauses (a) to (c) has a substantial interest; or
  - (ii) two or more persons falling within sub-clause (e)(i) who, when taken together, have a substantial interest.

Section 118 of the Charities Act 2011 applies for the purposes of interpreting the terms used in this constitution.

“**General Regulations**” means the Charitable Incorporated Organisations (General) Regulations 2012.

“**Dissolution Regulations**” means the Charitable Incorporated Organisations (Insolvency and Dissolution) Regulations 2012.

The “**Communications Provisions**” means the Communications Provisions in [Part 10, Chapter 4] of the General Regulations.

Subject to section 177 of the Charities Act 2011, “**Trustee**” means a charity trustee of the CIO.

“**in writing**” shall be taken to include references to writing, printing, photocopying and other methods of representing or reproducing words in a visible form, including electronic transmission where appropriate.

## **Attachment to Minutes, Item 18 - Reports from Councillors**

### **Paul Bishop**

See item 18 of these minutes.

### **Margaret Godwin**

- Made a site visit and prepared response to Planning Application based on national and local planning policies
- Attended Planning Working Group meeting to agree ToR, Task Plan and decisions required at next CTC meeting.
- Attended Community Support Working Group Meeting to agree ToR, Task Plan and decisions required at next CTC meeting.

### **Phil Gryce**

No report provided.

### **Stephen Kimminau**

No report provided.

### **Gayle Mallows**

- Attended the Environment Committee meeting.
- Attended Planning Working Group meeting to agree ToR, Task Plan and decisions required at next CTC meeting.
- Attended Community Support Working Group Meeting to agree ToR, Task Plan and decisions required at next CTC meeting.
- Studied Planning Applications and prepared responses based on Local and National Planning Policies.

### **Chris Marchant**

- Working with CLASP regarding Abbeyfields

### **Loveday Perceval-Maxwell**

No report provided.

### **Bob Verguson**

No report provided.

## **Attachment to Minutes, Item 19 – Working Group documents**

### **PLANNING WORKING GROUP TERMS OF REFERENCE**

**The CTC PLANNING Working Group has been set up to provide research support for the Town Council as it works to deliver the Action Points of the Clare Town Council Development Plan 2017 – 2021, specifically Actions 1A, 1B, 1C, 2A/4A, 2C and 4B. It will at all times adhere to the Clare Town Council Action Plan 2017 – 2021 Terms of Reference agreed on 18<sup>th</sup> May 2017 and the Good Councillor Guide.**

#### **General Terms of Reference**

- To carry out research on background information and produce briefing papers for the full council.
- To produce action plans and proposals to be agreed by council on work to be undertaken, evidence to be collected, meetings to be held etc.
- To represent the council at agreed meetings with groups, organisations and officers. Agendas to be circulated ahead of meetings and feedback notes to be circulated to all Councillors.
- To produce draft letters for the Clerk to review and circulate for full Town Council approval.
- To provide briefing papers on progress for all Town Council meetings.
- To write draft submissions for national, county and borough consultations for ratification by full council.

#### **Specific Terms of Reference**

- 1A Town Planning: To carry out research into the three planning options, Neighbourhood Plan, Neighbourhood Development, Town Master Plan, to identify which would be the best option for Clare. To formulate and implement a development plan as appropriate. This to be based on improving the sustainability of the town and growth that is inclusive and supportive of all sectors.
- 1B Housing Associations : To lobby for the addition of more Housing Association homes in Clare.
- 1C New Developments : To meet regularly with SEBC Planners to influence their new Rural Vision Plans and keep parishioners aware of what is happening so that they can add their voice.
- 2A/4A To include sustainable economic development as part of the new town/neighbourhood plan.
- 2C To work in partnership with Clare Business Association and the New Anglia Growth Hub to facilitate conferences or workshops that would help developing businesses.
- 4B To continue to monitor the impact of National Government initiatives on Clare's essential services. To lobby local and National Government and national organisations in support of maintaining the services within our Key Service Centre.

#### **In addition, the CTC Planning WG will also:**

- Liaise with other Town Council committees and Working Groups as appropriate.
- Develop links and relationships with other parish and town councils in order to share common interests relating to aspects of the Town Council Action Plan.
- Keep abreast of major changes in planning law and economic development strategies at national and regional level.

June 2017

### **Clare Town Council Planning Working Group (PWG)**

#### **Requests to Council:**

1. To ratify Terms Of Reference
2. To ratify Planning Working Group Action Plan July – December 2017

3. For Town Clerk/PWG to contact Alaric Pugh to facilitate a meeting with Rachel Almond or Marie Smith, for them to visit the town, meet with councillors and discuss merits of Neighbourhood Planning, Neighbourhood Development and Town Centre Master Plans.
4. For Town Clerk/PWG to contact Jonathan Miles to set up a meeting with the PWG, the CBA and Alaric Pugh to discuss Clare's involvement in New Anglia Growth Hub

**Clare Town Council Community Support Working Group  
Terms of Reference June 2017**

- To carry out research on background information and produce briefing papers for the full council.
- To produce action plans and proposals to be agreed by council on work to be undertaken, evidence to be collected, meetings to be held etc.
- To represent the council at agreed meetings with groups, organisations and officers. Agendas to be circulated ahead of meetings and feedback notes to be circulated to all Councillors.
- To produce draft letters for the Clerk to review and circulate for full Town Council approval.
- To provide briefing papers on progress for all Town Council meetings.
- To write draft submissions for national, county and borough consultations for ratification by full council.
- To review and monitor the Emergency Plan. To liaise with CHOC as the management trust of the buildings designated in the plan.

**Clare Town Council Planning Working Group (PWG)**

**Requests to Council:**

1. To approve CSWG Terms of Reference
2. To approve submitted CSWG Task Plan
3. Agree the Clerk or CSWG to contact the named representatives and organisations to arrange meetings to share findings of the Parish Survey and discuss future opportunities for workshops and classes for adults.
4. Agree the Clerk or CSWG to arrange meetings with representatives from CCCP, CPFA and SVCS to share findings of the Parish Survey and explore future opportunities for leisure and sport activities.
5. Agree the Clerk or CSWG to contact reps from CCCP, CPFA and SVCS to share findings of the Parish Survey and explore whether requested activities might be incorporated in their future plans.