

Minutes of a meeting of Church Knowle Parish Council
held at Church Knowle Village Hall
on Tuesday 08th September, 2015

PRESENT

Council Members:

Cllr Mr Derek Burt
Cllr Mrs Kathryn Best
Cllr Mr Colin Page
Cllr Mrs Hazel Parker - Vice-chairman
Cllr Mr Anthony Higgens - Chairman
Cllr Mrs Elizabeth Edwards
Cllr Mr Leslie Bugler
Cllr Mrs Jayne Wilson
Cllr Mr Ian Hollard

Parish Clerk:

Dr A W Wallace

C. K Parishioners & Members of the public:

DCC Cllr Lovell attended from 8.10PM
PDC Cllr Malcolm Barnes from 8.55 PM
Mrs Mary Wrixon (Parishioner)

APOLOGIES

324.15 No apologies for absence had been received by the Clerk Dr Alastair Wallace.

PUBLIC DISCUSSION PERIOD

- 325.15 Mrs Wrixon approached the Council with a view to discussing the condition of some trees and shrubs which had been overgrowing several of the graves in the cemetery. Four plots had been completely overgrown by a tree and other monuments of older graves had been masked by holly and other large shrubs; in some cases the graves of some past parishioners having been "obliterated" by bushes, the worst being D62, D59 & D56. She felt that as the Council would be discussing amending the cemetery fees, it should consider the need to "tidy up" the shrubs and trees. Photographs of the worst incursions were presented and Cllr Parker, who is the Member with special interest in the cemetery management agreed that some work was required.
- 326.15 The Clerk advised the meeting that the trees and shrubs (and other monuments) belonged to the kin, or otherwise, of the deceased person in the grave concerned and the legal position was that the Council could only take action if diligent attempts by the Council to locate the kin had failed, the person or people responsible for the monument or tree/shrub concerned had not carried out work required by the Council, the kin had asked the Council (in writing) to carry out the work and agreed to pay the costs incurred or the monument or trees were in such a dangerous condition that work had to be carried out immediately for public safety reasons. The Council could not just "tidy-up" the trees, etc., as a matter of normal cemetery maintenance as it did not have ownership and could be liable to legal action against it.
- 326.15 The Chairman thanked Mrs Wrixon and suggested that the matter be put on September's agenda for discussion and action.
- 327.15 At this point Cllr Parker asked the Chairman and meeting if she should leave the meeting at this point since there may be discussion in the public discussion period about a complaint to Dorset Police having been made regarding an alleged incident about a Councillor's misconduct in a Council meeting during May 2015 and that she had been accused by the complainant of having been in breach of the Localism Act. The Chairman advised that the matter would be discussed under item 11 in the agenda and there was no need to leave the meeting during the Public Discussion since there would be no discussion about the matter in particular during this time. He advised that, as far as he understood, under the Localism Act she could apply to the Clerk for a Dispensation and it was upto the Clerk to make the decision as to whether a Dispensation could be granted.
- 328.15 Cllr Best suggested that the entire Council should resign en masse since it could be said that the Council had aided and abetted the alleged misconduct in that it had asked Cllr Parker to return as a witness to the meeting concerned to give answers to questions posed by Members. This led to further discussion and Cllr Parker again offered to leave the meeting at this time. Cllr Wilson read out

the standard dispensation procedure relating to dispensation to take part in a meeting where there was a possible of pecuniary interest.

- 329.15 The Chairman then closed the public discussion of this matter and advised Members that the matter of complaint against the Councillor and the report to Dorset Police by Mr David Fairbairn an officer of Purbeck District Council requesting their investigation would be discussed under item 11.
- 330.15 Cllr Bugler asked the Chairman about progress, or otherwise, regarding the destruction of hedgerows at Mgt Green animal sanctuary since machinery had been seen again carrying out work. He wondered about any future prosecution fines imposed. The Chairman advised that now that August was over it was possible to carry out hedge and tree work and that the C. Exec. of Mgt Green had probably now authorised the "tidying up" of the work that had been previously carried out. Cllr Bugler suggested that the Parish Council should have been informed beforehand. The Chairman agreed and told the meeting he would contact the C. Exec. And report to the September meeting.
- 331.15 The Public Discussion Period was then closed.

DECLARATIONS OF PECUNIARY INTERESTS OF COUNCILLORS FOR THE YEAR 2015-2016

- 332.15 No further declarations of pecuniary interest for the year 2015 were made. Cllr Hollard advised the meeting he had not completed his and would account to the Purbeck monitoring officer.

DECLARATIONS OF INTEREST FOR MEETING MATTERS

- 333.15 Cllr Parker declared her interest in matters to be discussed under item 11. There were no further declarations, the Chairman stating that since the Bucknowle Farm planning appeal had been heard, that final submissions had been made and the planning inspector's decision was now awaited the matter could be openly discussed as the Parish Council would be having no further input.

MINUTES OF THE 11th AUGUST 2015 COUNCIL MEETING

- 334.15 The Minutes having been circulated and read by Members were subject to minor amendments of typographical errors relating to spelling which did not materially affect the content. These were corrected. It was proposed by Cllr Burt that the amended minutes were now a true record of proceedings of the meeting. Cllr Burt's motion was then seconded by Cllr Page and carried unanimously without abstention.

MATTERS ARISING FROM THE 11th AUGUST 2015 MEETING

- 335.15 Cllr Page raised a point of information regarding minute No. 322.15. He advised the meeting that the paint required for the painting project would not now be available until Christmas. Councillors noted his information.
- 336.15 Cllr Parker advised that with regard to minute No. 304.15, no meeting had yet been arranged. Members noted her comments. Cllr Higgens advised the meeting that it was unlikely that CKPC and Corfe Castle representatives would be meeting for another month, and that he would report on progress at the next meeting of the Parish Council
- 339.15 The Chairman advised the meeting that, with regard to minute Nos 284.15 and 285.15, despite the fact that he had sent letters to Purbeck District Council expressing the Parish Council's concerns and disappointment with the PDC planning department's failures, he had received no replies from PDC. District Councillor Malcolm Barnes asked that copies of the letters be sent to him so that he could investigate.
- 340.15 The Chairman advised the meeting that, with regard to minute No. 295.15, he would write to DEFRA and Dorset Wildlife Trust about the unauthorised work having been carried out at the animal sanctuary and enquire about any progress in their investigations.

POSTPONEMENTS OF LESSER MATTERS TO SEPTEMBER COUNCIL MEETING

341.15 There were no postponements at this time in the meeting.

CEMETERY FEES

342.15 The Clerk reported that he had investigated the charges made for cemetery services provided by Swanage, Corfe Castle and Lytchett Minster councils and had compared them with those of Church Knowle Parish Council. The Chairman had averaged those relevant to those of CKPC and presented the averaged fees to Members with the comment that CKPC's fees are below average. He recommended that Church Knowle Parish Council adjust their fees such that they are the rounded-up average of the parish councils' fees under comparison. There was general discussion about fees which are charged by some but not others and it was pointed out by Cllr Higgens that, for example, CKPC charged for burials of new-born babies and those under 1 month of age but others did not. Corfe Castle permitted non-residents and those without connexion with Corfe to be buried but at a much higher burial charge. Following discussion, it was proposed by Cllr Page that Church Knowle charge the averaged out fees. At this point DCC Cllr Lovell asked if CKPC allowed those without connexion with the Parish to be interred. Cllr Higgens advised this was not the case. Cllr Hollard then suggested Cllr Page's proposal should be amended such that those fees of CK which are below average should be raised to average to the nearest whole pound and those above average should remain as is. It was then proposed by Cllr Bugler and seconded by Cllr Page that the new fees should be as follows and take effect from 01st October 2015:

SERVICE	FEE
Exclusive Right of Burial – Grave	£277
Exclusive Right of Burial – Cremation Plot	£201
Interment – Adult and Over 12 Years of Age	£249
Interment – Child under 13 Years of Age	£131
Interment - Ashes	£72
Memorial – Headstone 3'	£113
Memorial – Small Flat Stone 2' X 2'	£102
Memorial – Additional Inscription to Existing	£25

A vote was taken and the motion unanimously carried.

CKPC WEBSITE

343.15 Cllr Higgens advised the Council that had been some difficulty in the working party getting together. However, three website designers had provided quotes and he suggested that the working party look at the proposals from those tendering as soon as possible.

DORSET BEST KEPT VILLAGE COMPETITION

344.15 Cllr Higgens reported that Church Knowle and East Creech did not win any award this year. He further advised that the Council could not submit an entry for the new "Neighbourliness Award" this year but would do so next year.

ALLEGED MISCONDUCT

345.15 The Clerk reported that he had been contacted by Dorset Police regarding a complaint made by Mr David Fairbairn of Purbeck District Council regarding an alleged breach of the Localism Act at the 19th September meeting when one of the Councillors, who had previously declared a pecuniary interest had "spoken" during Public Discussion and had "spoken" during the Council's business meeting regarding the Bucknowle Farm planning appeal. He gave a report on his discussions about the legality of such behaviour with the Council's barrister, the Dept for Communities, the Dorset police, PDC's monitoring officer who had passed the complaint to the constabulary and other lawyers. He had written to Mr Fairbairn expressing his concerns and would be contacting the Chief Executive. He also reported on the standing orders and codes of conduct of other parish councils and expressed concern about the apparent total lack of conformity amongst legal opinions and procedures for dealing with councillors who had pecuniary interests. He also advised that there appeared to have been only one case taken to Court under the Localism Act but that this case had no similarity with that

of CKPC. The legislation appeared not yet to have been tested such that it became Law and that some cases reported for prosecution had not been taken to court by the CPS because of to do so would not have been in the “public interest”.

346.15 Following the report there was considerable discussion and the Chairman opined that the Parish Council's procedures during the meeting concerned had been so precise that the Council appeared to have been acting properly whilst noting that apparently the Public Discussion period formed part of the “business” of the Parish Council.

347.15 There was considerable discussion about the action by PDC's monitoring officer and Cllr Barnes, who advised Members that he was on the PDC monitoring board, suggested that he thought that the case had been discussed and that the 3 members of the board opined there was no case to answer. He had not heard anything from Brigit Downton. Cllr Higgins wondered why whenever CKPC had to have a special planning meeting where an un-named party is involved there was always a hue and cry. Cllr Page interjected that he thought the matter was a complete waste of Police time and money. Cllr Barnes opined that from past evidence conducted its meetings 100% correctly and “watertight” as far as procedure was concerned. The Chairman opined that all the CKPC had done was completely open and transparent. He thought there were 3 areas of concern, being:

1) The Parish Council should find out the results of the Standards Board meeting, if necessary by invoking the law regarding disclosure of information by public bodies. Cllr Barnes, at this time interjected that he would find out and report back to the Parish Council as its District Councillor,

2) That the whole Council might be complicit in the breach of the legislation whilst it had not been tested in Law, calling in the need for seeking advice from and instructing its barrister thus raising the probability of costs which might not be claimable against any person or authority. At this point Cllr Hollard interjected that the only person not complicit was the Councillor being complained about as she had continually admitted and declared her prejudicial/pecuniary interest at all stages and had left the meeting during discussion.

3) The Chairman felt that if the Councillor concerned were to be interviewed, at least two other Members should be interviewed as well.

348.15 There was continued discussion including changing the Council's standing orders and code of conduct; any changes being approved by DAPTC. Cllr Page thought this was a one-off incident and the Council should make no changes. Cllr Barnes suggested that some councils use recording equipment at all meetings, but Cllr Wilson disagreed and felt such a reaction was a bit “OTT”. The Chairman suggested that the use of recording equipment could be discussed at a later date.

349.15 Cllr Page proposed that the Parish Council retains its current Code of Conduct and Standing Orders. This was seconded by Cllr Hollard and the motion carried.

350.15 The Chairman then asked the meeting if there was need for further discussion at this time and suggested that further discussion could take place when more information was available. Members then went on to the next agenda item and Cllr Parker returned to the meeting.

PDC PARTIAL REVIEW

351.15 Cllr Higgins reported he had been unable to attend the “drop-in” meetings/workshops arranged by PDC. Members noted his comments.

PLANNING MATTERS

352.15 **6/2015/0463 & 0464 – 2 Cotness Cottages, East Creech** - Rebuild non - residential barn/outbuilding with alterations & erect extensions to existing dwelling & ancillary outbuilding. Members examined and discussed the proposals. There were concerns about lack of information about the type of materials to be used for the 2 outbuildings. Whilst there was no objection in principle the concerns were to be raised. It was proposed by Cllr Bugler and seconded by Cllr Parker that 'Whilst the CKPC had no objections in principle the development, the Council has the following concerns with regard to the house and woodstore outbuildings development:

- a) No information has been put forward as to the materials to be used and how the property is to be developed.
- b) The development must remain within the footprint of the existing building.
- c) The Council notes that the East Creech private water supply will be used.
- d) The property is within the East Creech Conservation Area.

Unlawful Developments

- 353.15 **Knowle Cottage, Church Knowle** – It was reported that a pile of rubble had appeared outside Knowle Cottage indicating further developments which may be contrary to planning permissions granted. The Clerk advised he would contact PDC and add this to CKPC's concerns about the property.
- 354.15 **Southfield, Bucknowle** – There was general discussion about the developments at Southfield. The Clerk advised he had contacted Ros Drane at PDC about the Parish Council's concerns and that he would contact Ms Drane again with a copy of e-mail to PDC Cllr Barnes.
- 355.15 **Knowle Cottage, Church Knowle** – The Chairman reported he had received no response to his letter to PDC.

Planning Applications Received After Publication of Agenda –

- 356.15 None had been received

PAST PLANNING

- 357.15 Progress of planning applications dealt with at previous meetings of the Parish Council, and appeals against PDC planning decisions were noted.

HIGHWAYS MATTERS

- 358.15 New overgrowths were reported at Longround Cottages. Members were advised that the Clerk would contact Jenny Penny of DCC and the new housing association to resolve the matter.
- 359.15 Corfe Castle BOAT – Cllr Parker reported there had not yet been a CKPC- CCPC liaison meeting.
- 360.15 The Clerk advised he had no further information on the current speed limit proposal for Church Knowle.
- 361.15 Road salting bins – The Chairman reported he would purchase the bin on behalf of the Council and claim accordingly from its funds for the cost. The Clerk advised he would advise DCC and start proceedings for siting permission from DCC Highways.

AFFORDABLE HOMES

- 362.15 Cllr. Page had nothing to report on any progress.

FINANCE & ADMINISTRATION

- 363.15 The monthly accounts were presented for examination. Cllr Parker proposed that the accounts were in good order and should be accepted. This was seconded by Cllr Hollard. The motion was passed and the accounts were agreed and accepted.
- 364.15 The Chairman presented the monthly invoices to be paid including ones which had been presented during the meeting. They were examined and Cllr Parker proposed that the invoices be paid. This was seconded by Cllr Hollard. The motion was passed and the invoices agreed for payment.
- 365.15 Cllr Bugler reported that the goal posts and nets he was awaiting had been delivered. He was concerned that the installers were not as careful as they could have been in that they dragged the posts across the ground and chipped paintwork which was put there to prevent corrosion. Cllr Buler reported he had taken remedial action. Members noted the information.

CORRESPONDENCE

366.15 The Chairman reported on correspondence received. These included a letter sent to Cllr Page from Viridor Credits which had "signed off" the playground etc.

DAPTC

367.15 The Clerk reported he had received no correspondence from DAPTC

OTHER MATTERS OF IMPORTANCE

368.15 Cllr Lovell advised Members to let him know of any community projects which they are thinking about for which they might require funding. The Clerk gave a point of information that the finger posts at East Creech had been previously suggested for repair and that DAONB would assist in funding and arranging their repair. The Chairman suggested that Members should think of such projects for discussion in October.

ITEMS FOR OCTOBER AGENDA

369.15 It was confirmed that the following items should be added to the September meeting agenda:

Community projects and funding

CLOSING MATTERS OF DISCUSSION

370.15 Cllr Burt raised the question of Finger PPosts at East Creech. The Clerk advised he would contact Portland YOI "Industries" Dept and get further information of costs, etc.

371.15 The Chairman then closed the meeting at 10.00 pm. and advised Members that the next ordinary meeting would be at Furzedbrook Village Hall on 13th October 2015. At 7.30pm.