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## Minutes of the Extra Full Council Meeting held at 7pm on Wednesday 11<sup>th</sup> January 2023 at Martock Parish Hall

Present: Councillor John Hole (Chair)  
Councillor Joy Bailey (Vice Chair)  
Councillor Neil Bloomfield  
Councillor Ashley Chapman  
Councillor Louise Clarke  
Councillor Andrew Clegg  
Councillor Paul Helyer  
Councillor Suzanne Luxton  
Councillor Graham McDonald  
Councillor Alan Potter  
Councillor Alison Warne  
Councillor Ash Warne  
Councillor Tony Welsh  
Sally Scattergood (Parish Clerk) Minutes

### 343. Item 1 - Announcement that the meeting may be filmed or recorded

Announcement made that the meeting will be recorded for the purposes of preparing the minutes.

### 344. Item 2 - Apologies for absence

Apologies received from Cllr. Neil Williams, Cllr. Sylvia Williams and John Bailey (SSDC)

### 345. Item 3 - Declarations of interest

No declarations of interests had been received.

### 346. Item 4 - Public participation time

There were no members of the public present.

### 347. Item 5 - Confirmation of minutes of previous meeting

**Resolved** that the minutes of the Full Council meeting held on 23<sup>rd</sup> November 2022 be approved as a correct record. The minutes were signed by the Chairman.

**Resolved** that the minutes of the Full Council meeting held on 20<sup>th</sup> December 2022 be approved as a correct record. The minutes were signed by the Chairman.

**348. Item 6 - Personnel Committee Minutes**

The minutes of the Personnel Committee meetings of 23<sup>rd</sup> November 2022 and 3<sup>rd</sup> January 2023 were received.

**349. Item 7 - Motion to Suspend Standing Order 7b**

[Special Motion requested in writing by at least 5 councillors in accordance with Standing Orders 26b and 9b]

Motion, in accordance with Standing Order 26a, that Standing Order 7b [which does not incorporate any mandatory statutory or legal requirements] be temporarily suspended to permit Full Council to re-visit recent resolutions relating to the Staffing Structure, the appointment to the position of Clerk and Proper Officer, the appointment to the position of RFO and Clerk and the Job share of the role of Clerk.

**Resolved** that Standing Order 7b be suspended.

**350. Item 8 - Staffing Structure** [conditional on resolution at Item 7]

Motion that the Staffing Structure, as agreed at the Full Council Meeting of 26<sup>th</sup> October 2022, be reviewed, and modified to include the Role of General Manager and, where necessary, redefine the roles of the senior management team.

The meeting was advised that SALC had been consulted about the proposed staffing arrangements and advice [received at 5:17 pm on 11<sup>th</sup> January 23] was read to the meeting.

**Resolved** that the SALC advice would be copied to all council members.

The meeting was advised that the written agreement of applicable staff members to the staffing structure and their roles was being obtained.

**Resolved** that the draft Staffing Structure [provided as supporting document Item 8] be accepted.

**351. Item 9 - Appointments of Officers** [conditional on resolution at Item 7]

9a. Motion that the appointment of the Clerk and Proper Officer be reviewed in the light of advice received since the appointment at the Full Council Meeting of 26<sup>th</sup> October 22, any agreed changes to the Staffing Structure, revised recommendations from the Personnel Committee meeting of 3<sup>rd</sup> January 2023.

**Resolved** that Sally Scattergood be confirmed as General Manger and Deputy Clerk.

9b. Motion that the appointment of the RFO and Clerk be reviewed in the light of any agreed changes to the Staffing Structure, any recommendations from the Personnel Committee, and advice received since the appointment at the Full Council Meeting of 26<sup>th</sup> October 22.

**Resolved** that Tracy Lamb be confirmed as Clerk & RFO.

9c. Motion that the appointments of the positions of Clerk, RFO and Proper Officer are clearly stated and confirmed for the avoidance of any doubt.

It was **resolved** to amend the motion to:

“Motion that the appointments of the positions of Clerk and RFO are clearly stated and confirmed for the avoidance of any doubt.”

**Resolved** that Tracy Lamb is appointed as Clerk & RFO.

### **352. Item 10 - Other Personnel Committee Recommendations**

Motion to consider the recommendations from the Personnel Committee meeting of 3<sup>rd</sup> January 2023

10a Motion to reconvene the Scheme of Delegation Working Group to prepare changes to the draft Scheme of Delegation necessary to reflect the Staffing Structure.

**Resolved** that the Scheme of Delegation Working Group would be reconvened with Cllrs John Hole, Paul Helyer, Graham MacDonald, Ash Warne and Neil Bloomfield as members.

10b Motion to accept the proposed revisions to the Personnel Committee Terms of Reference.

**Resolved** that the revision to the Personnel Committee Terms of Reference version 2.0 draft [supporting document Item 10b] as recommended by the Personnel Committee would be adopted.

### **353. Item 11 - Motion to Resume Standing Order 7b**

**Resolved** that Standing Order 7b would be resumed.

### **354. Item 12 - General Power of Competence – Declaration**

Section 1 of the Localism Act 2011 (“LA”) provides that a local authority has the power to do anything that individuals may generally do. “Local Authority” is defined in section 8 of the LA2011 and includes an “eligible” parish/town council. The prescribed criteria which a local council is required to fulfil in order to become an eligible parish council are set out in the Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012. It confirms that a local council is eligible to use the general power of competence if:- it has a qualified clerk; a minimum of two-thirds of the total number of councillors have been elected; and it has resolved at a meeting of the council and each subsequent relevant annual



meeting (that is, an annual meeting that takes place in a year of ordinary elections of parish councillors) that it meets these conditions. "Qualified Clerk" means one who has attained one of: the Certificate in Local Council Administration; the Certificate of Higher Education in Local Policy; the Certificate of Higher Education in Local Council Administration; or the first level of the foundation degree in Community Engagement and Governance awarded by the University of Gloucestershire or its successor qualifications and the clerk completed training on the General Power of Competence, unless such training was part of obtaining a qualification mentioned above.

7.38 pm Cllr Neil Bloomfield left the meeting.

**Resolved** that Martock Parish Council meets the criteria as defined in the Localism Act 2011 and the Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012 in having a qualified clerk and a minimum of two-thirds of its councillors have been elected and as a matter of law has the right to exercise the general power of competence as defined.

### **355. Item 13 - Confidential Session**

**Resolved** that under Section 1(2) of the Public Bodies (Admissions to Meetings) Act 1960, the press and public be excluded from the meeting as publicity would be prejudicial to the public interest because of the nature of the business to be transacted.

7.42 pm Cllr Andrew Clegg left the meeting

### **356. Item 14 - Staffing Issue**

The Council Chairman advised that a former employee is in discussions with ACAS. The meeting was advised that MPC insurance would cover any tribunal costs but not any settlement.

The meeting was advised that MPC had received recommendations received from Worknest.

**Resolved** that

[REDACTED]

Meeting finished: 8.02 pm

Approved (date):

Signed by the Chair: \_\_\_\_\_