

**MINUTES OF A MEETING OF KINVER PARISH COUNCIL HELD ON WEDNESDAY 2ND
NOVEMBER 2016 AT THE COUNCIL OFFICES AT 95 HIGH STREET, KINVER**

PRESENT: Councillor H Williams (Chairman), Mrs L Hingley (Vice-Chairman),
Councillors: Mrs C Allen, IG Sadler, DH Hadlington, D Light, Mrs D Geoghegan, , J
Irving-Bell, N Other, J Cutler, Miss V Webb, *BR Edwards, and P Wooddisse

*arrived at the start of item 185.

OPENING PRAYERS - Cllr Mrs L Hingley led the Council in prayer.

Before the meeting started the Chairman asked members of the public if they were happy to be filmed during Public participation which they agreed.

180. APOLOGIES FOR ABSENCE

Councillors JK Hall and G Mander sent their apologies due to having another meeting.

181. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

There were no declarations made.

182. MINUTES OF THE PREVIOUS MEETINGS

The Minutes of the meeting held on 5th October 2016, having been circulated in advance of the current meeting, were approved and signed as a true record of the proceedings at that meeting.

183. MATTERS ARISING FROM PREVIOUS MINUTES

Civic Society sign

A proof was circulated to members of the sign which is aluminium, and approximately 3mm thick, on brown with cream writing.

Members agreed this was acceptable and thanked the Civic Society for installing the sign.

184. TO DISCUSS THE ISSUE RAISED RE WEED SPRAYING IN KINVER

The Clerk included in the Councillors monthly agenda papers information found on Glyphosate weed killers using Google search. This information was sent round early to all members to give them a maximum time to read through and do their own research.

Pack 1 included: the product details Gallup 360 which has an active ingredient of Glyphosate; technical data sheet; Guardian news article from Oct 2016 headline "Glyphosate expected to be banned in 2017"; Weedkillers for home gardeners paper prepared by the Royal Horticultural Society; organic weed management articles, from www.gardinerorganic.org.uk; organic Weed Management "A practical guide 2000"

Pack 2 includes: Glyphosate restrictions around the world article from the Pesticide Action Network UK. In this article it has headings of all the areas in the UK that are addressing this issue. The Clerk has clicked on the links and printed all of the information relating to that link in this pack. The areas Brighton Brighthelm Centre; Bristol – Ashley District free trial going ahead; Glastonbury; Erewash Borough Council; Aberdeen – using hot water to reduce the use of pesticides; Edinburgh.

The Clerk has spoken to the Officer in charge at the District Council, he says that the District do not use Gallup 360, but they do use a similar Glyphosate based weed killer. They have no intention of stopping using this chemical unless it is banned by the HSE and an alternative product that is as effective can be sourced.

The chemical they use is on the approved register of chemicals, and the Clerk has checked that Gallup 360 is on the HSE web page as a licensed product for the UK.

The Clerk has spoken to our health and safety consultant, and he does not deal with this type of issue and pointed me in the direction of googling the product and reading reviews. This information found was sent to all members.

The Clerk also contacted the District Councils solicitor asking:-

“I need to look into this glyphosate issue and report to Council. Have SSDC any information on it before I start?”

and her advice was:-

“Nothing that I am aware of – it seems from the article that there is conflicting evidence so it may be best to say that you will keep a watching brief and report back to members should the legal position change.”

Councillor J Cutler proposed and Councillor D Hadlington seconded that the Parish Council continue to use this product. On a vote this was carried with 11 votes for and 1 abstention.

Cllr BR Edwards arrived at this point in the meeting.

185. PUBLIC PARTICIPATION

Standing orders were raised to enable members of the public to speak.

Mrs ED Ray along with Jane and Brian Perrins and Alicia Polowski having recently been over to Park Ridge (our Sister City), have returned with a framed advertisement for Park Ridge from the 1920's. The Chairman accepted the picture and thanked them on behalf of the Council. Mrs Ray suggested perhaps the picture could be put up in a more public place such as the Constitutional Club, where more people would be able to see it. Members agreed.

Mrs M Rogers thanked the members on behalf of the Civic Society for agreeing to the new sign, and she will go ahead and get it ordered and fitted.

Mr David Giddings, thanked members of the Council for continuing to weed spray the village, as in his opinion this is what has helped Kinver win the title of Best Kept Village over the past few years. In his opinion there is no alternative to spraying as he has manually tried to pull up weeds by hand and it is back breaking to do so.

Standing orders were re-instated.

186. KINVER LIBRARY UPDATE

The Library will be handed over at the beginning of January to the Kinver Community Library Group. They are still outstanding a grant from an organisation, but they are on track.

187. UPDATE ON SMALL BUSINESS SATURDAY 3RD DECEMBER 2016

The Small Business Saturday arrangements are all in place, there will be hourly entertainment taking place during the day. This is a South Staffordshire District Council initiative, not a Parish Council one as per the press releases that have gone out.

Kinver Rotary Club are organising the late night shopping event.

188. UPDATE ON DISCUSSIONS WITH MATHEW ELLIS

The Clerk sent the letter to Mathew Ellis (copy circulated to all members), no response was received by mid October. The Clerk emailed again and his PA responded as below on the 28th October:-

“Further to your email below, please accept my apologies for the delay in my response.

Would you be available for a telephone consultation with Mr Ellis to discuss your concerns? If you could provide me with your availability for the mid to end of November, and I will look to get something in the diary for you.

I am on annual leave for 2 days, but if you would like to contact me, I will be back in on Monday. Kind Regards and Many Thanks “

A further email was sent from the Clerk asking for this to be in writing for this meeting, but no response received.

The following response has been sent by Councillor D Hadlington:-

With reference to your letter 16th June, quote; and if there is anything specific the Parish Council would like the commissioner to talk about .. and your offer to get Matt Ellis to talk to us again to further discussions, I speak for the council when I say “yes, please stop fobbing us off with JARGON and give us plain honest English action.” Please read the information sent to you regarding cycle safety, then forward us you views and intended action so we can then get together and discus it further. There needs to be two sides to this discussion, yours and ours, yours is yet to be tabled making discussions impossible.

West Midland are running a great campaign, are you aware of it? West Mercia with the co-operation of their PCC are also formulating an action plan. Wiltshire have an action plan,

many of our neighbouring forces have or are actively formulating an action plan. Why is SS Police so far behind.? Why don't you step up and lead an industry leading action plan? We know you can by looking at your " constable cameras" and" NHW mobile App." Apply yourself to this issue in the same way.

We welcome you to our Parish at any time, meetings night or other times by arrangement, for you to answer our specific questions, as you offered, and mutually support each other in this very important life or death safety campaign. It is NOT about funds, it is life or death.

Members agreed that the Clerk and Cllr D Hadlington continue to discuss this matter with the Commissioner.

189. TO DISCUSS PROCEDURES FOR COMMITTEES

The Finance Committee have discussed the following and this is an extract from their minutes of the 12th October:-

"The current procedures adopted by this Parish Council for funding both Internal and External are detailed below:-

- All matters relating to external finance are reported under the Clerks report to the Full Parish Council, these are then referred to the next Finance Committee meeting.
- All items for internal projects are recommended from the relevant Committee to the Parish Council, then they are referred to the next Finance Committee who discuss the funding to see if the Council can afford it, and that the expenditure is best value of public funds.
- The Finance Committee discuss the funding proposals and then make a recommendation back to the Parish Council.
- This recommendation is either accepted or not, if it is not accepted the matter is referred back to the Finance Committee for further discussion. No discussion apart from points of clarity is allowed (under our current procedures).
- The Finance Committee then discuss the matter again and it comes back to the next Parish Council meeting.

In light of issues raised by members following the Grant application for the KSCA, I have contacted the District Council to run through this procedure with them. An amendment to our procedures is proposed below:-

- All matters relating to external finance are reported under the Clerks report to the Full Parish Council, these are then referred to the next Finance Committee meeting.
- All items for internal projects are recommended from the relevant Committee to the Parish Council, then they are referred to the next Finance Committee who discuss the funding to see if the Council can afford it, and that the expenditure is best value of public funds.
- The Finance Committee discuss the funding proposals and then make a recommendation back to the Parish Council.
- This recommendation is then open for discussion and debate and amendments can be made to the proposal presented. If the proposal incurs further expenditure this has to be

agreed that the finances are in place to incur additional costs. This may need to be referred back to the Finance Committee, however if it is to reduce the cost then this can be agreed there and then.

The meetings at present are scheduled for every 2 months apart from the meeting in October, if this meeting was moved on the schedule for next year to September then the Finance Committee meets every 2 months in Feb, April, June, July, Sept and Nov.

It was Resolved to **Recommend** to the Parish Council the procedure above.

The advice given by the Solicitor relating to this matter is below:-

“any decision taken by the Parish Council is potentially open to challenge by way of Judicial Review and one of the current ‘favourite’ grounds of review is that the Members made the decision whilst not in possession of all the relevant information. Therefore, having full Council determine a matter based solely on the Minutes from the Finance Committee (and with no further information or debate) could give grounds for challenge. Your proposed amendment would address this as full Council would consider all information and make a determination on merit with the Finance Committee ensuring appropriate financial control was maintained.”

The above advice applies to all Committees, all can comply with the above apart from the Planning Committee as they make their recommendations directly to the County or District, and by the time these minutes are received at the Council no discussion can take place as it is too late.

Therefore, all Committees minutes and recommendations need to be able to be discussed at the Parish Council meeting they are being taken too.

The current procedure for committees is below:-:-

- All committees make their recommendations directly to the Parish Council (Except the Planning Committee that make recommendations directly to the County or District).
- The recommendations are presented to the next available Council meeting and if they involve Finance matters they are referred to the Finance Committee, or the recommendations are agreed. The Planning recommendations have already been sent to the District so are just noted.
- The agenda item is worded as below:-

“To receive the Minutes of the following Committee meetings and to consider adoption of any recommendations / issues therein

Note: Matters relating to any alleged inaccuracy of Committee Minutes are for consideration at the next meetings of the Committee(s) concerned excepting where they might affect the validity of any recommendations made to the Parish Council.”

- The Parish Council's policy has always been not to allow further debate or discussion on the minutes or the recommendations, as it was understood that all the facts would have been given at the Committee meeting (for those elected to the Committee), and the Parish Council have always allowed and encouraged any member interested in an agenda item to attend any committee meeting and be involved in the discussions of the item.

Clarification has always been allowed at the Parish Council meeting when receiving the Recommendations if there is a query.

However, following advice received from the Solicitors above we must ensure that any decision made cannot be challenged under Judicial review, therefore I have drafted the following procedures to apply for the remaining Committees (Planning, Burial Ground and Leisure and Amenities):-

- All committees must make their recommendations directly to the Parish Council
- The recommendations are presented to the next available Council meeting where members may ask for clarification, further information and be able to discuss the recommendation, so they fully understand what they are voting upon at that meeting.
- Any Recommendations requiring Financial support are referred directly to the next Finance meeting (and their slightly amended policy is above).

The major change for this is the frequency of the meetings for the Planning Committee, they need now only meet once per month.

A revised schedule for the remainder of this year till May 2017 is below changes proposed are highlighted in bold:-

2016/2017	PARISH COUNCIL	LEISURE AND AMENITIES	FINANCE & GENERAL PURPOSES	PERSONNEL	BURIAL GROUND	PLANNING AND DEVELOP.
NOV 2016	2	9	23			16
DEC 2016	7					14
JAN 2017	4	18			11	25
FEB 2017	1		8			22
MARCH 2017	1 ##	22			15	29
APRIL 2017	5		19			26
MAY 2017	3#	24			10	31

The Planning Committee have discussed this at their meeting held on the 26th October and they agreed with the change in procedure.

The above procedures were agreed.

190. OUTSTANDING MATTERS FROM THE DISTRICT / COUNTY AND COUNTY / DISTRICT COUNCILLORS TO ADDRESS THE COUNCIL ON ANY MATTERS RELEVANT TO THE PARISH

Councillor BR Edwards reported that:-

- He has had a meeting with Mark Keeling who has been looking at the major pot holes in Kinver. He has given all of his members fund money to the County to repair the pot holes (that they can) in Kinver.
- The Remembrance Day service will be held on the 11th November at Codsall. The District Council are looking at getting their own standard made for next year.
- The chief Executive is leaving the District Council and David Heywood will be taking over.

191. REPORT OF THE CHAIRMAN

The Chairman reported that, the last school meeting had been cancelled as there was not anything pressing to be discussed. This will now be left unless a meeting is required for a specific issue.

As members have not come back with any ideas, he has prepared a proposed Standard for Kinver, members agreed that he should take this forward and get a grant from a local organisation to pay for it.

The poppy appeal has been launched, and he was at the County launch on the 28th October 2016 at the JCB Academy.

Kinver Calendar have asked if we will allow people to come in and put their names down on a list to order Kinver's calendar, members agreed.

192. CLERK'S REPORT

The Clerk reported on the following matters –

192.1 British Telecom, have written to advise that they will be removing 39 pay phones around Staffordshire. The only one in Kinver is the one on Edgeview Walk, which if no objection are received will be removed. This was noted.

192.2 Conversation Staffordshire and Stoke on Trent

The event closest to Kinver is at Codsall on the 9th November 4 – 7.30pm. The details received on the event are below:-

There are lots of challenges to our health and social care system and a Sustainability and Transformation Plan (STP) is being developed to address these. If you live or work locally, Conversation Staffordshire and Stoke-on-Trent is your chance to take part in an open discussion about your health services and the way they are delivered.

Conversation Staffordshire and Stoke-on-Trent is about local people talking about real issues – through an open, two-way discussion.

Changing populations, the drive to improve quality and financial pressures mean things will have to change. But how? Which services do you value most? How can services be shaped and improved? Where do you need to access services? How can we make best use of public money?

This was noted.

192.3 Iverley Lane, temporary road closure

The road will be closed for 1 day from 9.30am to 3.30 on the 22nd November 2016. This was noted.

192.4 Update from Police re Play Area

Update from PC Bromley:-

“Hi, in relation to the investigation, as you know one youth has been interviewed and currently still awaiting any outcome for him, he admitted his part in the damage being caused, his friend lives in Dorset.

Dorset Police were contacted by myself 07/10/16 asking for an update, of which they still have not interviewed the second youth , an Officer is assigned to do this , however the family appear to be playing difficult. “

This was noted.

192.5 Publications to note

Churchill and Blakedown Parish Council agendas

193. COMMITTEE REPORTS

193.1 Planning & Development Committee Meeting of the 26th October 2016

The minutes of the above meetings, having been circulated, were **Received**, the recommendations were sent directly to SSDC / County and there was one recommendation to the Council as below:-

that the former garage site on Willow Road is named “The Saplings”.

This was agreed.

193.2 Leisure and Amenities Committee Meeting of the 19th October 2016

Meeting cancelled.

193.3 Finance and General Purposes Committee Meeting of the 12th October 2016

The minutes of the above meetings, having been circulated, were **Received**, the following Recommendations were made to the Parish Council that:-

- the accounts as set as Appendix 1 to these minutes be accepted.
- a grant is given to the Kinver Edge Local Committee for £800 and funded from budget line 54/48.
- the leaflets are purchased at a cost of £110 which includes artwork / setup costs and for the first 1000 printed leaflets.
- the Pensions Policy as attached as appendix 4 to these minutes is accepted.
- Finance Procedure (this was taken under item 188)
 - All matters relating to external finance are reported under the Clerks report to the Full Parish Council, these are then referred to the next Finance Committee meeting.
 - All items for internal projects are recommended from the relevant Committee to the Parish Council, then they are referred to the next Finance Committee who discuss the funding to see if the Council can afford it, and that the expenditure is best value of public funds.
 - The Finance Committee discuss the funding proposals and then make a recommendation back to the Parish Council.
 - This recommendation is then open for discussion and debate and amendments can be made to the proposal presented. If the proposal incurs further expenditure this has to be agreed that the finances are in place to incur additional costs. This may need to be referred back to the Finance Committee, however if it is to reduce the cost then this can be agreed there and then.

The above recommendations were agreed.

194. ACCOUNTS FOR PAYMENT

The accounts as set out as appendix 1 to these minutes were accepted.

195. REPORTS FROM MEMBERS ON OUTSIDE BODIES

Some members attended the launch of the Centenary celebrations for Kinver Edge on the 6th October 2016. Some members expressed their concerns over the impact of putting further pathways through Kinver Edge and encouraging more cyclists to use the Edge would have a massive impact on the wildlife. This was not mentioned at the Centenary event. Members agreed to ask a representative from the National Trust to attend the next meeting (if possible) and to send a letter with our concerns.

196. ITEMS FOR FUTURE MEETINGS

If there are any additional items for the next agenda these need to be with the Clerk by Tuesday 29th November 2016.

Committee Chairmanships and members December 2016

Speed watch

National Trust pathways invite ranger to a future meeting

197. DATES OF THE NEXT MEETINGS

Leisure and Amenities Committee	9 th November 2016
Planning and Development Committee	16 th November 2016
Burial Ground Committee	30 th November 2016
Finance and General Purposes Committee	23 rd November 2016
Parish Council	7 th December 2016

All meetings start at 7.00pm

198. EXCLUSION OF THE PRESS AND THE PUBLIC AS THE BUSINESS TO BE TRANSACTED CONCERNED PERSONNEL

The press and the public were excluded from the meeting as the matter to be discussed involved the Parish Council personnel.

199. PERSONNEL MATTERS

A breach of the CPN notice has taken place the Clerk has given a statement to the police.

Members agreed that the Clerk and Staff no longer should deal with matters raised by this person they should automatically be referred to the Chairman of the Council and copied to the Council's solicitor.

This was noted.

Appendix 1 to the minutes of the Parish Council meeting held on the 2nd November

Accounts for payment 2nd November 2016

<u>Chq No</u>	<u>Ratification</u>		
100816	BT	Phone / Fax and mobile	452.16
100817	R H Electrical	Replacing office lights and works to the garage	269.42
100818	Mowers Express	new machine for cutting	650.00
DD	Zurich	Additional Premium for garage	74.10
DD	Mowers Express	Tree shredder	650.00
DD	Nationwide Oak	Final garage payment	3883.20
		Total	5978.88

<u>Chq No</u>	<u>Accounts for payment</u>		
100819	JRK	Stationary	69.89
100820	Kinver Edge Farm Shop	Opening of toilets	80.00
100821	OCL	Supplies	49.80
100822	P & S Contracts	Grass Cutting	tbc
100823	SCC	Van Lease	338.11
100824	SCC	Pensions	1530.47
100825	SSW	Rates	111.82
100826	Swops	Fuel account October	tbc
100827	Viking Direct	Supplies	25.28
100828	Petty Cash	November	81.95
100829	ESPO	Supplies for toilets	116.14
100830	Kinver British Legion	Wreathes x 4	88.00
100831	SSDC	New universal lock	46.99
100832	Swinford Insurance	Van Insurance	990.28
			3528.73

List of Monthly Direct Debits

DD	SSDC	Comber Ridge Rates	35.00
DD	SSDC	Office rates	300.00
DD	Utility Warehouse	95 High Street Gas and electricity	82.08
DD	Utility Warehouse	Kinver Edge Toilets	7.45
DD	Utility Warehouse	High Street Toilets	16.72
DD	Utility Warehouse	Mobile phone	32.22
DD	Salaries	November	4565.31
DD	Inland Revenue	October	1129.07
DD	Screwfix	October	116.89
DD	ICO	Data Protection payment	36.00
DD	Postage		106.00
		Total	6426.74
		Total Expenditure	15934.35

Receipts

Burial Fees		0.00
Toilet Income		110.00
Zurich Municipal	Claim for Bench at Play Area	372.00