

**MINUTES OF THE MEETING OF
 CASTLE BROMWICH PARISH COUNCIL
 HELD IN ARDEN HALL, CASTLE BROMWICH
 ON WEDNESDAY 23RD DECEMBER 2009
 AT 7.30 PM**

Those present:

Chairman: Cllr J Riordan

Councillors:	Cllr Mrs. P Allen	Cllr Mrs. T Knibb	Cllr A Terry
	Cllr M Hayes	[except part Items 7-11]	Cllr Miss J Ward
	Cllr I Hiley	Cllr Mrs. J Smith	[Items 1-16 only]
	Cllr E Knibb	[Items 4-end]	Cllr Mrs. B. Wilkins

[except part Items 7-10]

Officer: Mrs. C Tibbles, Clerk to the Council and RFO

Public: 3 members of the public.

1. Apologies.

The apologies from Cllr R Amos and Cllr Mrs. A Haywood were noted for the reasons given. Cllr M Rashid was absent.

2. Declarations of pecuniary or other interests.

None declared.

3. Minutes of the previous Meeting.

Members considered the request of Cllr Mrs. Knibb to correct and amend the minutes and the Clerk was instructed to add that Cllr Mrs. Knibb had not been present for part of Item 10, and that the Clerk re-write Item 9/12 and Item 11/15 to insert 3 omissions. **ON THE PROPOSITION OF** Cllr Hayes, **SECONDED** by Cllr Allen, with 7 votes in favour, 1 against and 1 abstention, **IT WAS RESOLVED** that the Minutes of the Meeting held on Wednesday 25th November, 2009, with the exception of the above sections be accepted as a true and correct record of the Meeting.

4. Questions from Councillors.

In the absence of Cllr Amos, and to avoid potential breach of procedures, members **RESOLVED** he be asked if he wished to reschedule this matter to the next meeting.

b) Cllr Mrs. Knibb’s question was taken as read: “How many requests for information has the Parish Council received under the Freedom of Information Act and on what dates? Does the Parish Council have a policy or pricing structure in place for charging for information requested under the Freedom of Information Act Section 1(1)? Does the Parish Council have a policy in place for determining whether the cost of complying with requests for information under the Act would exceed the appropriate limit? Does the Parish Council have a list of information that it considers exempt under the Freedom of Information Act and is it clear why those exemptions apply? Could the Parish Council publish on its website details of its publication scheme? When is this publication scheme next due for review?” Members agreed that the Clerk be asked to prepare a report for the next meeting.

c) Cllr Mrs. Knibb’s question was taken as read: “When was the Policy for Member-Employee relations agreed upon and by whom? What was the first date that this was formally provided to Members as an agreed policy which they should comply with? Is there any procedure in place to ensure that such documentation is actually received by

ACTION

Clerk
20/1

Members? Is this policy now incorporated into the documentation issued to new Members when they join the Parish Council along with Standing Orders, and if so, what was the first occasion on which this happened? Could all Councillors be issued with a set of all the policies which the Parish Council currently has in place with details of dates on which they were formally adopted? Does the Parish Council have in place a schedule to review these policies on a rolling basis, and if so, could Members be provided with the details?" Members agreed that the Clerk prepare a report for the next meeting.

Clerk
20/1

d) Cllr Mrs. Knibb's question was taken as read: "Despite the vacancy for a Parish Councillor to represent the Bradford Ward being advertised with an expiry date of 24th September, 2009, why is the Parish Council still unable to issue Co-option Application forms to people interested in filling the vacancy created by the resignation of Cllr Mrs. Baker in March of this year? Why has a potential applicant who requested a form prior to the advertisement being placed and was informed that he would be provided with one once the required formalities had been undertaken, still not received the promised information despite having sent several follow up emails expressing their continued desire to be considered as a Parish Councillor and providing the requested information to show that they meet the eligibility criteria?" The clerk confirmed that 6 forms had already been sent out and, following confirmation from the Elections Officer at the Borough Council, the 2 current vacancies could be filled by co-option at the January meeting if replies were received from candidates. Members confirmed they knew of candidates who had received forms but Cllr Mrs. Knibb asked that another form be posted to Mr. Lewis.

LSC
Asap

e) Cllr Mrs. Allen asked "that the Leisure Services Committee consider installing new thermostatic radiator valves to improve heating efficiency in Arden Hall and that additional outside security lighting/aids be installed to improve safety for staff and hirers in the car park?" Members agreed this item be referred to the next Leisure Services Committee meeting.

LSC
6/1

5. Questions from the Public.

Following an explanation of procedures by the Chairman, members of the public were invited to state their name and address and to clearly say if they objected to their identity appearing in the minutes, prior to asking their question. The meeting was temporarily suspended so that members of the public could ask questions.

Bor. Cllr. Richards, Marlborough Road, updated members on 3 matters: the new signage at the Coach and Horses Public House (The Green) was being checked by the Borough Council's Planning Department and Highways Department to see if it complied with regulations; a meeting was being arranged between relevant leaders of Birmingham City Council and the Borough Council to discuss the use of the Birmingham Waste Centre by Solihull residents, which was still not resolved; an enforcement notice had been served on the operators of the car wash at the rear of the Chester Arms which gave 3 options to the owners. The Clerk gave feedback from a previous meeting and reported that, as members were aware, the Hall Management Team would be reviewing all publications sent to hirers over the coming months. The staff matter previously referred to had been concluded.

6. Revocation of Standing Order 30b.

Following adjournment from the last meeting, members considered revoking Standing Order 30b – "Casual Wear is not acceptable at full Council Meetings and all councillors are expected to wear appropriate dress." Members expressed their views and, without objections raised, an invitation was extended to the public to contribute views. **ON THE PROPOSITION OF** Cllr Hayes, **SECONDED** by Cllr Mrs. Knibb, with 8 votes in favour, 1 against and 1 abstention, **IT WAS RESOLVED** that this Standing Order be revoked.

7. Style and format of Parish Council Minutes and

8. Recording of Council Meetings.

Following adjournment from the last meeting, Cllr Mrs. Knibb asked members to consider having resolutions only in the minutes but with audio recordings, subject to the further legal advice from NALC, which had been posted to members. Cllr Mrs. Allen had not received a copy. The Clerk confirmed to Cllr Knibb the question sent to NALC: "Could the Council please have further clarification on the position, before a decision is voted on by members, if an individual councillor declares that they do not give permission for their voice to be recorded and that they have the right to refuse under the Human Rights Act. What is the legal position of the Council if they record this person's voice without this permission being given?" Members discussed the legal advice, recording of employees at work, the status of a council meeting, the reason a member had asked for reasonable adjustments in July and the consequences of not having recordings. Cllr Mrs. Knibb then left the meeting, followed by Cllr Knibb. **ON THE PROPOSITION OF** Cllr Mrs. Wilkins, **SECONDED** by Cllr Miss Ward, with 7 votes in favour, none against and 1 abstention, **IT WAS RESOLVED** that the matter be deferred to the next Council meeting as members felt it would be unfair to discuss, vote or conclude the matter in the absence of Cllr Mrs. Knibb.

Council
27/1

9. Mediation of local issues.

IT WAS RESOLVED, with 7 votes in favour, none against and 1 abstention, that the matter be deferred to the next Council meeting as it would again be unfair to discuss, vote or conclude the matter in the absence of Cllr Mrs. Knibb.

Council
27/1

10. Community Consultation.

Cllr Hayes thanked Cllr Mrs. Allen and reported that they had studied the responses. Cllr Mrs. Allen confirmed that 4,700 forms had been distributed and 585 returned, which was 12%. Following suggestions, **ON THE PROPOSITION** of Cllr Hayes, **SECONDED** by Cllr Mrs. Allen, **IT WAS UNANIMOUSLY RESOLVED** that the Hall Manager invite regular existing hirers to an open forum (day/evening options) on a date to be agreed, potentially led by Cllr Hayes, to enable members of the Council to hear what hirers wanted from their community hall in the future.

T. Kite/LSC
Tba

11. Communications.

Members noted the information listed.

12. Working Parties.

Cllr Mrs. Allen updated members on action concluded, at minimal cost, from previous recommendations (drain covers, lights, pruning). The Clerk was asked to again re-circulate the list of meeting dates to members.

Clerk
30/12

13. Report of the Leisure Services Committee.

ON THE PROPOSITION of Cllr Mrs. Wilkins, **SECONDED** by Cllr Hiley, with 9 votes in favour, no votes against and 1 abstention, **IT WAS RESOLVED** that the Minutes of the Meeting of the Leisure Services Committee held on Wednesday, 2nd December 2009, having been circulated, be received, approved and the recommendations contained therein be adopted. Members had received the budget plans and hire charge leaflets amended in line with decisions at that meeting. Cllr Mrs. Allen would be provided with replacement hire charge leaflets.

Clerk
Asap

14. Report of the Finance and General Purposes Committee Meeting.

ON THE PROPOSITION of Cllr Hayes, **SECONDED** by Cllr Knibb, with 9 votes in favour, no votes against and 1 abstention, **IT WAS RESOLVED** that the Minutes of the

Castle Bromwich Parish Council

N.B. All Minutes are deemed as draft until formally approved and signed.

Meetings held on Wednesdays 25th November and 9th December 2009, having been circulated, be received, approved and the recommendations contained therein be adopted. The updated budget plan had been appended to the minutes.

15. Report of the Staff Panel.

ON THE PROPOSITION of Cllr Terry, **SECONDED** by the Chairman, with 7 votes in favour, 1 vote against and 2 abstentions, **IT WAS RESOLVED** that the Minutes of the Meeting held on Thursday 3rd December 2009, having been circulated, be noted.

16. Representatives to Outside Bodies.

Cllr Mrs. Allen reported that on Sunday 6th December, she had attended Castle Bromwich Hall Gardens Christmas Fair.

17. Report of the Officer of the Council.

Members noted that on 10th December one of the workstation computers had failed. As the previous repair had not been effective, a replacement machine had been urgently purchased at a cost of £300. There had been two serious security issues which would be reported in more detail at the next Leisure Services Committee but one matter had resulted in a notification from Sgt. O'Reilly being received that morning that the police would be withdrawing from the base at Arden Hall and release the room for use by the Parish Council. Arrangements were being made to remove equipment over the next couple of weeks.

18. Report of the Chairman

On 12th December and 18th December the Chairman had attended the Age Concern Christmas Party and Friday Club Christmas Party. He thanked Margaret and Albert Turner of Age Concern for their kind invitation. The lunches were delicious and the entertainment was engrossing. On 14th December he had attended the Park Hall Academy Celebration evening to celebrate the achievements of all GCSE and Post 16 students who had taken their exams in the academic year of 2008-09. The Castle Bromwich Parish Council Award for Service to the Community had been presented to Jonathan Adams. The Chairman's congratulations went to the student and he had been invited to the January council meeting to receive a further award.

19. Sale of former entrances to Hob Farm and other Land Matters.

The Chairman suggested that if members were circumspect with their views, the professional advice could be considered without requesting the public to leave. After discussion, members **RESOLVED** that the Clerk instruct the solicitor to proceed with the resolutions previously reached or the matter be dropped.

The Chairman wished all members and public a very Merry Christmas and expressed best wishes for the New Year.

Clerk
asap