

**MINUTES OF THE MEETING OF  
 CASTLE BROMWICH PARISH COUNCIL  
 HELD IN ARDEN HALL, CASTLE BROMWICH  
 ON WEDNESDAY 31ST MARCH 2010  
 AT 7.30 PM**

**Those present:**

**Chairman:** Cllr J Riordan

<b>Councillors:</b>	Cllr R Amos	Cllr I Hiley	Cllr A Terry
	Cllr Mrs. P Allen	[except part of Item 9]	[Items 1-10, 12 only]
	Cllr M Hayes	Cllr J Horne-MacDonald	Cllr Miss J Ward
	[Items 1-4 only]	Cllr E Knibb	[Items 5-end only]
	Cllr Mrs. A Haywood	[except Item 10]	
		Cllr Mrs. J Smith	Cllr Mrs. B. Wilkins

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

**Public:** 7 members of the public [mostly for Items 1-9 only].

**1. Apologies.**

The apologies from Cllr Mrs. T Knibb and Cllr M Rashid were noted for the reasons given. Cllr Miss Ward had been delayed.

**2. Declarations of pecuniary or other interests.**

Cllr E Knibb declared a personal and prejudicial interest in Item 10 (Correspondence) and Cllr I Hiley declared a personal and prejudicial interest in one payment listed under Item 9 (Financial Matters) as it related to work undertaken by his company. Both members left the meeting during these items.

**3. Minutes of the previous Meetings.**

**ON THE PROPOSITION OF** Cllr Mrs. Haywood, **SECONDED** by Cllr Mrs. Wilkins, with 10 votes in favour, 0 against and 1 abstention, **IT WAS RESOLVED** that the Minutes of the Meetings held on Wednesday 24<sup>th</sup> February and 9<sup>th</sup> March, 2010, be accepted as a true and correct record of the Meetings.

**4. Questions from Councillors.**

The following questions were all taken as read.

a) Cllr Hayes asked “Given the recent Hearing of the Borough Council’s Standards Committee, can I now ask all councillors to make a personal individual statement on what positive actions and changes they intend to make to enable this council to meet its obligations to everyone under the equality and diversity issues raised?” The Chairman replied that the Council had not yet received formal notification of this matter from Solihull MBC and the Council would be in a position to consider this as an agenda item when details were received.

b) Cllr Hayes asks “Can I ask the council to seek help as a matter of urgency via ACAS in resolving the current issues with members?” The Chairman suggested this be discussed under Item 10 as it related to this confidential matter.

c) Cllr E Knibb asks “As a result of the recent Hearing of the Borough Council’s Standards Committee will the chairman confirm his compliance with the sanction that he will attend Chairmanship training and can he also confirm that he supports the recommendation to the parish council that councillors attend appropriate Equality and

ACTION

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Diversity training?” The Chairman replied that compliance was a personal matter between the member and the Monitoring Officer of Solihull MBC.

d) Cllr E Knibb asks “Can this council membership now expect to hear an apology to Cllr Mrs. Knibb for the disrespect shown to her by the chairman and the misguided support of that disrespect by certain other members of this council?” and e) Cllr E Knibb asks “Can the chairman and the clerk assure council that the necessary adjustments to enable Cllr Mrs. Knibb to attend & participate in council meetings will now be put into effect as required by the duty of care placed on this council under the equality legislation laid down by an act of Parliament?” The Chairman said that legal proceedings had been initiated and he could not comment further.

f) Cllr E Knibb asks “Do fellow members still believe that it is acceptable or even appropriate that Cllr Riordan remains as chairman of this council in light of being found to have breached the code of conduct at the Hearing of the Borough Council’s Standards Committee at Arden Hall on Wednesday 17th March 2010?” According to Standing Order 24, it required questions to be answered by the Chairman or the Clerk. As this question was addressed to fellow members it could not be answered by the Chairman or clerk.

## **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. Mr. Gibbins, Kingsleigh Drive, referred to his previous question of a staff matter and the Chairman asked the Clerk to respond. The Clerk referred to Item 5 of the Staff Panel minutes of 3<sup>rd</sup> December, 2009 when it was recorded as being satisfactorily concluded and feedback reported at council under Item 5 on 23<sup>rd</sup> December, 2009. As members were aware, the Parish Council, as an employer, observed the relevant legislation in relation to disclosure of individual staff matters. Mr. Gibbins then stated that similar organisations have draft minutes available within 5-7 working days of meetings and asked how councillors with a full life find time to read them just before meetings? The Chairman replied that councillors had not raised this as a problem and it was council practice to send draft minutes out to accompany the agenda for full council, giving three clear days notice to members, which was also when they were sent to the website. Mr. Siviter, Blandford Avenue, said in 5 years he had not seen a reporter attend any parish council meetings so he was extremely surprised by the recent report in the press and asked how the Evening Mail came to be at the meeting and who invited them to attend? The Chairman replied that he had no idea and was personally unable to answer the question. Mr. Siviter was sad that people were unable to agree matters. Mr. Young, Faircroft Road, said he had submitted a request to the Clerk to know the job descriptions and the number of employees at Arden Hall and he had received a communication saying the information was being prepared by the Assistant Clerk who had contacted Mr. Young in reply to his written question. Mr. Young asked why it took staff at Arden Hall three weeks to publish minutes? The Chairman explained the procedure in place. Mr. Young asked the Chairman to disclose who would get donations from the Chairman’s Charity Fund? The Chairman replied that matter was not yet decided but the awards would be made at the Annual Parish Meeting in May. Mr. Young asked if Castle Bromwich Hall Gardens would receive a donation. The Chairman repeated that the matter was not yet decided. Mr. Young asked if the Chairman

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had decided who would not get a donation? The Chairman replied that the matter was not yet decided. Mr. Young asked if the council was fragmented as a member had left the meeting? The Chairman replied that was for the public to judge. Mr. Young replied that there were two blogs operating in Castle Bromwich and asked when truthful answers were going to be given about the Chairman being required to attend a training course. The Chairman clarified that the Parish Council did not operate any blog site but explained the sanction imposed by the Standards Committee was subject to a 28 day appeal process. Mr. Young replied that he was angry that this matter fell upon Castle Bromwich Parish Council and disappointed that murky waters were being stirred. Mr. Gibbins asked why the Chairman had given two different answers about the provision of minutes. The Chairman clarified again that that draft minutes were sent with the monthly council agenda giving three clear days for members to read them. He added that draft minutes used to be sent earlier but the council decided to change the system to the one currently operating. The Clerk gave feedback regarding matters raised previously: a member of the public asked for clarification on personal liability for former parish councillors and the clerk referred to Item 7 at the Finance and General Purposes Committee minutes of 10<sup>th</sup> March when it was noted again the clear advice received from the Warwickshire and West Midlands Association of Local Councils that the power for the auditor to surcharge Members was repealed when the Code of Conduct was introduced in April 2002; a member of the public has asked a question relating to insurance cover for cancellations and the clerk referred to Item 4 (b) of the Leisure Services Committee minutes on 3<sup>rd</sup> March, 2010 when the Hall Manager again confirmed the investigations reported on 3<sup>rd</sup> June, 2009 and members noted that no extra insurance cover was available for, or required by, the Council. It was the hirer's responsibility to consider having their own event insurance which was encouraged in the terms and conditions of hire and members felt this important information should be made clear to hirers.

#### **6. Communications.**

Members noted the information listed. A late notification had been received about reviewing the Ward Action Plan by the Borough Council.

#### **7. Future of Arden Hall.**

Members noted the positive consultation results which were endorsed by the Leisure Services Committee. Cllr Hiley noted the positive structural survey conducted in May 2009 and the refurbishment work being progressed since that time. He felt Arden Hall should remain as it was. Cllr Mrs. Allen endorsed this view as there were no serious structural problems detected, the building was estimated as sound for 40 years. Following consideration, **ON THE PROPOSITION OF** Cllr Hiley, **SECONDED** by Cllr Mrs. Allen, with 8 votes in favour, 1 against and 1 abstention, **IT WAS RESOLVED** that the existing Arden Hall be retained, redecorated and refurbished by the Parish Council.

#### **8. Appointment of Representative.**

Members noted the request, via Cllr Hayes, for a community governor for Castle Bromwich Infant School. Cllr Miss Ward and Cllr Horne-MacDonald volunteered for the role. After a vote, scrutinized by a member of the public, **IT WAS RESOLVED** that Cllr Horne-MacDonald be appointed as the representative of the Parish Council as a governor.

#### **9. Payments and Financial matters.**

Members noted the information and, in the absence of Cllr Hiley for this item, **ON THE PROPOSITION OF** the Chairman, **SECONDED** by Cllr Amos, **IT WAS**

Asst Clerk  
9/4

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**UNANIMOUSLY RESOLVED** that the payments as listed be approved. **ON THE PROPOSITION OF** the Chairman, **SECONDED** by Cllr Mrs. Haywood, **IT WAS UNANIMOUSLY RESOLVED** that the unspent balances (provisional) for all capital projects, repairs and maintenance, trees and youth council be agreed as earmarked reserves, in line with previous practice.

Bookkeeper  
April '10

#### 10. Correspondence received from Member.

As the correspondence referred to personal circumstances of a councillor, **ON THE PROPOSITION OF** the Chairman, **SECONDED** by Cllr Knibb, **IT WAS UNANIMOUSLY RESOLVED** that for this matter and for part Item 11 referring to council legal proceedings and Item 12 referring to a commercial contract, under Section 100A of the Local Government Act 1972, in view of the confidential nature of the business about to be transacted, it is advisable in the public interest, as if members of the public were present during the consideration of such business, there would be disclosure to them of exempt information under paras 1 and 11 of Part 1 of Schedule 12A of the said Act, that the public be temporarily excluded and they be instructed to withdraw. Cllr Knibb and members of the public withdrew. The Clerk tabled information and after consideration, **ON THE PROPOSITION OF** Cllr Mrs. Haywood, **SECONDED** by Cllr Amos, **IT WAS UNANIMOUSLY RESOLVED** that the solicitor's communications of 24<sup>th</sup> March be noted. The Council would seek the guidance of the solicitor with regard to ACAS and the conciliation process.

Clerk  
9/4

#### 12. Business Tenancy.

Cllr Knibb returned to the meeting. Under confidential terms, members considered the response of Parkfield Construction to the proposed terms and conditions for an office tenancy agreement. **ON THE PROPOSITION OF** Cllr Mrs. Wilkins, **SECONDED** by Cllr Hiley, **IT WAS UNANIMOUSLY RESOLVED** that the solicitor be instructed to draw up a tenancy agreement for a 2 year period, 3<sup>rd</sup> year optional incorporating all matters currently agreed **IT WAS FURTHER RESOLVED** that Parkfield Construction be allowed a rent free period subject to them completing all necessary works to bring the former Manager's accommodation to office standard and meet building and H&S regulations.

Asst Clerk  
16/4

#### 11. Land Matters.

Under confidential terms, members noted the professional advice received and **IT WAS UNANIMOUSLY RESOLVED** that the offers be accepted and the solicitor instructed to proceed and retrospective confirmation of no objection was given on one land matter. The public were invited to return to the meeting. The Deeds of Transfer for sale of one the former entrances to Hob Farm were noted and duly signed by the Chairman and Clerk and the use of the seal recorded in the register.

Asst. Clerk  
9/4

Asst Clerk  
9/4

#### 13. NALC Business Plan.

**IT WAS UNANIMOUSLY RESOLVED** that this item be deferred to the April meeting. Consultation deadline for response - 30<sup>th</sup> April.

Clerk  
21/4

#### 14. NALC Legal Briefings – L01-10 and L11-07.

Members noted the circulated briefings and the tabled document with advice from Standards for England website with interest.

#### 15. Working Parties.

There were no recent meetings with recommendations. After consideration, **ON THE PROPOSITION OF** Cllr Mrs. Haywood, **SECONDED** by Cllr Hiley, **IT WAS**

**UNANIMOUSLY RESOLVED** that instead of forming a new Memorial Working party, the existing Village Green Working Party would take on the research for this matter. In response to a question, the Clerk confirmed that a sponsorship policy did exist, although she did not recall any income being generated by it. Members **FURTHER RESOLVED** that working parties were more effective when meeting prior to existing committee/council meetings and therefore the Village Green Working Party would meet at 7.00 p.m. on 14<sup>th</sup> April in Committee Room 1 (if available). Other working party meetings would need further consideration at the next Council meeting.

Village Green  
WP

Clerk 21/4

**16. Report of the Leisure Services Committee Meeting.**

**ON THE PROPOSITION OF** Cllr Mrs. Wilkins, **SECONDED** by Cllr Hiley, with 8 votes in favour, 0 against and 2 abstentions, **IT WAS RESOLVED** that the Minutes of the meeting held on Wednesday, 3<sup>rd</sup> March 2010, having been circulated, be received, approved and the recommendations contained therein be adopted.

**17. Report of the Finance and General Purposes Committee Meeting.**

In the absence of the Chair and Vice-Chair, **ON THE PROPOSITION** of Cllr Knibb, **SECONDED** by Cllr Mrs. Allen, with 8 votes in favour, 0 against and 2 abstentions, **IT WAS RESOLVED** that the Minutes of the Meetings held on Wednesdays 24<sup>th</sup> February and 10<sup>th</sup> March 2010, having been circulated, be received, approved and the recommendations contained therein be adopted.

**18. Representatives to Outside Bodies.**

There were no outside body reports.

**19. Report of the Officer of the Council.**

Members noted the acknowledgement received from Birmingham Airport of the application submitted for grant funding from their Community Trust Fund for the Youth Council's Village Green Project. Five members were reminded of the request to provide training papers from the WALC Briefing Day held on 6<sup>th</sup> March. Members were asked to note the following dates: Sundays 11<sup>th</sup> April and 7<sup>th</sup> November when Table Top Sales were being arranged by the parish Council and Saturday 25<sup>th</sup> September for the next Macmillan Coffee Morning. The request of Alison Lush to receive views of the Parish Council for the review of the Ward Action Plan by 31<sup>st</sup> March was noted but due to the short notice the clerk was asked to arrange a joint meeting if possible, hosted at Arden Hall, as before. The communication regarding traffic calming for Lanchester Way was addressed as Smiths Wood and members agreed this was a boundary issue for individuals to consider.

**20. Report of the Chairman**

On Friday, 26<sup>th</sup> March, the Chairman had hosted the Charity Quiz night held at Arden Hall. The Quiz was to raise money for the Chairman's Charity Fund and he thanked Malcolm White, the quiz master and his team for a really entertaining evening. He also thanked everyone who helped put on this well organized event when £357 was raised.