

# ***BINEGAR PARISH COUNCIL***

## **MINUTES**

**of the Parish Council meeting on May 7th 2013 in the Memorial Hall at 7.30 PM**

**Present:** Present: G Halfhide (GH) (Chairman), R Anderson (RA), P Blatchford (PB), R Higgins (RH), D Stone (DS), Cath Law (CL), Jude Robbins (JR), R Thompson (RT), clerk.

**In attendance:** Rachel Thompson (Clerk), WPC Nikki Housley (for item 5) and two members of the public (for item 6(3)).

|          |  | <b>Actio<br/>n</b> |
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| <b>1</b> | <p><b>(1) Apologies for absence:</b> None.</p> <p><b>(2) Declarations of interest:</b> None.</p> <p><b>(3) Annual Election of Chairman:</b> Gus was nominated. The Clerk asked whether Gus was standing with a condition to his election, referring to a recent email. Gus stated that no condition had been made, at the meeting, when he agreed to stand as Chairman. The matter resolved, Philip proposed, David seconded and Gus was elected unanimously. Gus signed the Declaration and took the Chair.</p> <p><b>(4) Annual Election of Vice Chairman:</b> Richard proposed and Roger seconded Philip who was elected unanimously.</p> <p><b>(5) Election of Committees:</b> Philip Blatchford was elected as Chairman of the Binegar Recreation Field Committee - proposed GH, seconded DS.</p> <p><b>(6) Resolutions relating to the conduct of the meeting:</b> Richard proposed that, because of the weight of the agenda, standing order 1t that limits meetings to two hours be suspended for the evening. This was agreed unanimously. The Clerk stated that she had to leave at 9 30 pm.</p> |                    |
| <b>2</b> | <p><b>Minutes of the meeting held on 2 April 2013:</b> Following discussion, the Council declined to approve the Minutes as an accurate record of the meeting. The Clerk was asked to investigate the procedure to be followed.</p>  | RT                 |
| <b>3</b> | <p><b>Matters arising from the Minutes</b></p> <p>(1) Weed spraying - In the absence of Harvey Siggs, this matter was not discussed.</p> <p>(2) Proposal for the management of a council event and agenda items diary: discussed under item 14.8.</p>  | HS<br>All          |
| <b>4</b> | <p><b>Local government reports:</b> In the absence of County and District councillors, there were no reports.</p>  | HS /<br>SP         |
| <b>5</b> | <p><b>Police report:</b> A report was received from WPC Nikki Housley including the following matters: 16/3 Report of suspicious vehicles at Emborough quarry – no actual problem when investigated; 22/3 Goat on Marchant’s Hill; 12/4 Sheep on Wells Road; 25/4 Road Traffic Accident at Gurney Slade.</p> <p>WPC Housley left the meeting.</p>  | NH                 |

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| <p><b>6</b></p> | <p><b>Planning issues</b></p> <p><b>(1) Francis Flower: control of dust</b> - This item was not discussed.</p> <p><b>(2) 2012/3033: Emborough Grove and Lechmere Water</b> - It was noted that Mendip District Council had refused consent.</p> <p><b>(3) 2013/0638: The Firs, Station Road</b> - The applicant was present. The Chair stated that this comprised extension and conversion of a garage to create annexe accommodation. David queried car park provision and the applicant explained how this would be organised. Philip asked that a condition be suggested to the District Council that the annexe should not be separately saleable. The applicant indicated he was content with such a condition. The Council voted and were all in favour of recommending approval of the application subject to the aforementioned condition.. The Clerk was asked to respond.</p> <p><b>(4) 2013/0775 Application for a lawful development certificate for the existing use of a building as a single dwelling in breach of condition 4 of planning permission 085033/007 Marchants Hill Barn, Portway Lane, Gurney Slade, Radstock, BA3 4TZ</b></p> <p>The Chair had circulated information to councillors by email. The Chair stated that the District Council had asked whether the Parish Council had information to confirm or deny that the building had been in permanent residential use since 01/01/2002. It was noted that the Council had no such information and the Clerk was asked to respond accordingly.</p> <p>The two members of the public present left.</p> | <p>PB<br/>RH<br/>RT<br/><br/>RT</p>   |
| <p><b>7</b></p> | <p><b>Ongoing Parish Council matters</b></p> <p><b>(1) Records policy:</b> This was deferred to the July meeting.</p> <p><b>(2) Notice boards:</b> Philip has met with builder Mr Milverton to assess the work to be done - council noted.</p> <p><b>(3) Events attended:</b> This item was not discussed.</p> <p><b>(4) Insurance:</b></p> <p>A report was received from Gus that recommended taking insurance with Aviva via Came &amp; Co.. Gus proposed and David seconded this proposal which was unanimously agreed.</p> <p>Gus further proposed that the Council enter a three year binding agreement to obtain a discount. Philip proposed and Roger seconded this proposal which was unanimously agreed.</p> <p>The Clerk stated that there was no provision on the agenda to pay the invoice. Gus proposed and Philip seconded a proposal to pay the invoice and confirm authorisation at the June meeting. All voted in favour and a cheque was raised.</p>  | <p>GH<br/>PB<br/><br/>All<br/>GH</p>  |
| <p><b>8</b></p> | <p><b>Binegar Playing Fields Group</b></p> <p><b>(1) Minutes of the last meeting:</b> Had been circulated by email but not discussed.</p> <p><b>(2) Inspection reports:</b> Not discussed.</p> <p><b>(3) Fund raising events:</b> Not discussed.</p> <p><b>(4) Electricity meter backing board:</b> David undertook to contact EDF and arrange for the board to be replaced. The Clerk undertook to provide David with the account and phone contact information.</p>   | <p>PB<br/>CL<br/>PB<br/>DS<br/>RT</p> |
| <p><b>9</b></p> | <p><b>Binegar Cemetery</b></p> <p><b>(1) Risk assessment of trees in Binegar Cemetery and Recreation Field:</b></p> <p>David reported that he had received an estimate of £350 to undertake a risk assessment of all the trees in the Cemetery and one in the Recreation Field. Philip stated that the length of time for which an assessment was valid was important when comparing prices. David noted this and undertook to seek other quotations.</p>   | <p>DS</p>                             |

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|    | <b>Binegar cemetery (continued)</b>   | DS  |
|    | <b>(2) Works plan:</b> Not discussed.   |   |
| 10 | <b>Parish land</b> - This item was not discussed.<br>(1) Binegar Bottom – Local Wildlife site   | RH  |
| 11 | <b>Highways and rights of way</b><br>(1) Public rights of way PPLO report: no update.   | PB  |
| 12 | <b>Binegar Memorial Hall</b> - This item was not discussed.<br>Proposed extension to car park: no update.   |   |
| 13 | <p><b>Financial matters</b></p> <p><b>(1) Asset list:</b> The Clerk stated that the external auditor required information on the original cost of each asset. The Clerk stated that she had added such a column but did not have the price of the burial ground. David undertook to find out the price and the Clerk was asked to update the Asset List as required.</p> <p><b>(2) George Inn wayleave £100:</b> It was noted that the <i>George Inn</i> had closed. In light of this, Philip proposed and Roger seconded that the debt be written off. It was agreed to revisit the matter should the pub reopen.</p> <p><b>(3) Adoption of Annual accounts and audit:</b><br/>The Clerk reported that the audit had been suspended owing to the absence of authorisation of her claim for additional pay. The clerk was asked to request from the Monitoring Officer as to what happens next.</p> <p><b>(4) Payments:</b><br/>It was resolved unanimously to authorise the following payments;<br/> £216 to Carter Jonas for Selway land rent review (proposed: David; seconded: Philip).<br/> £36 to Mendip Windows for work to notice boards (proposed: Roger; seconded: David).<br/> £27 31 to Richard Higgins for grit spreader (proposed: Gus; seconded: Philip)</p> <p>Cheques were raised.</p> <p><b>(5) Standing Order authority to pay Primrose Landscaping due to incorrect signature:</b><br/>PB had taken the re-signed authority to the bank and it should now be activated.</p> <p><b>(6) Memorial Hall: hire of room for Council meetings</b> – not invoiced (raised in audit).<br/>Richard undertook to obtain one.</p> <p><b>(7) Monies owed to parish clerk 2012 / 13 £89.18 (raised in audit):</b> The Clerk stated that the amount she considered she was owed for 2012-13 was £89.18. She stated that she was in touch with the District Council's Monitoring Officer about this matter. To support her position the clerk made the following statement (show in italics).</p> <p><i>Clerks have not had a national pay award since 2009 / 10</i></p> <p><i>Clerks have a reasonable expectation of rising up the SCP pay scale.</i><br/><i>In 2004/5 the clerk was on SCP 20.</i></p> <p><i>In 2010 the clerk asked the council to consider that not only was there to be no national pay rise but there been no discussion / or action by the council for the rise up the SCP scale and no reviews. Following an informal discussion in December 2010 the council agreed to a rise of 3 points (to SCP 23) for 2010 / 2011 and one point each year thereafter. SCP 23 noted in the</i></p> | <p>GH</p> <p>DS</p> <p>RT</p> <p>RH/<br/>RT</p> |

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|    | <p><b>Financial matters (continued)</b></p> <p><i>minutes but not on the budget.</i></p> <p><i>In 2011/12 and 2012/13 budgets based on her understanding of what was agreed, the clerk included a rise to scp 24 for April 2012 and scp 25 for 2013 in the budget (and consequent) precept that the council discussed and voted for in December 2012 and 2013. (The budgets and minutes had been circulated prior to the meeting).</i></p> <p><i>It should be noted that the annual anniversary of the clerk's appointment is December. No annual review takes place. Contract 5.2 states. 'You have been appointed to a single salary point and the Council will review your salary annually on the anniversary of your appointment'.</i></p> <p><i>During the 2012 / 2013 accounts and audit preparation it was noted that the clerk had not been paid scp 24 and so needed amending for scp 25.</i></p> <p><i>Draft accounts sent to councillors April 10<sup>th</sup> – including outstanding items – no comments were received.</i></p> <p><i>The Chairman responded that none of the above was indicated by a resolution in the minutes at the time and that the clerk's contract contained details of what pay rises the clerk could expect.</i></p> <p><i>Of the councillors who were present in Dec 2011 and Dec 2012 only RA remembered the discussion and agreement regarding these budget items, taking place.</i></p> <p>The Council neither discussed nor made any decision regarding monies owed to the Parish Clerk.</p> <p><b>(9) Parish Clerk SO amendment:</b> This item was not discussed.</p> <p><b>(10) Payment for grit spreader (raised in audit) £27.31:</b> Refer to item 13.4 above.</p> |   |
| 14 | <p><b>Sundry items:</b></p> <p><b>(1) Community gardening project:</b> This item was not discussed.</p> <p><b>(2) Parish Council website proposal:</b><br/>The Council noted that David Jordan had produced a website for the parish. Richard referred to a report he circulated and asked for comments on the website which would remain available only to Councillors until July. The Council expressed its thanks to David Jordan for his work.</p> <p><b>(3) Local flooding:</b> This item was not discussed.</p> <p><b>(4) 1930 OS Parish Map:</b> - This item was not discussed.</p> <p><b>(5) Street lamp repairs:</b> The clerk reported that all repairs had been completed.</p> <p><b>(6) War memorial details request by MDC:</b><br/>David reported that he had photographed the memorial in Holy Trinity Church and would forward this to Mendip District Council.</p> <p><b>(7) Licensing of parish priest:</b> It was noted that it was tradition for the Council to present a new incumbent with a parish map. Philip undertook to obtain one from the District Council. It was agreed that David would represent the Parish Council at the ceremony.</p> <p><b>(8) Motion to hold a discussion of PC 'Minutes, Clerk's Responsibilities and Contracted Hours':</b><br/>With regard to item 14/8 The clerk had previously stated that there was no special resolution to</p>  | <p>GH<br/>RH</p> <p>GH<br/>GH<br/>RT<br/>DS</p> <p>DS</p> |

**Sundry items (continued)**

exclude the public on the agenda – yet there was an expectation of discussion of: PC 'Minutes, Clerk's Responsibilities and Contracted Hours' - discussion of matters appertaining to the clerk in public. It was her belief, supported by a discussion with the MDC monitoring office that this should not take place and in any case a BPC meeting is no place to discuss matters appertaining to the clerk.

The parish council did not discuss the above statement when it had been raised by the clerk. No members of the public were present at the meeting when item 14(8) was discussed.

The Council received and considered a report from Gus.

The Clerk stated that she had sought advice on Minutes from colleague parish clerks, some of long standing and had received the following advice:

- Minutes are a record of Council decisions, not a record of discussions
- Meetings are open to members of the public who can attend to know the detail of a meeting
- Clerks can only be asked to change minutes for reasons of accuracy and they may refuse
- Avoid phrases such as "he (or she) said. . ."
- Receive written reports from Members when the agenda is issued, if electronic, these may then be pasted into the minutes saving any later argument
- Ensure proposals and motions are drafted and voted upon properly, recording names where votes are not unanimous
- Councillors must sum up each agenda item before moving on
- Councillors should be aware of the legal status of Minutes

**At 9 30 pm, the Clerk left the meeting**, stating that there were proposals about to be considered with which she disagreed.

In the Clerk's absence, at the request of members, Richard agreed to keep a record of proceedings and the meeting returned to consideration of the report before it.

Following discussion, it was agreed that:

- The Chair and Vice Chair, in consultation with other Councillors and the Clerk, propose minimum requirements and style for the Minutes;
- The Clerk circulate a calendar showing planned items for future agenda;
- The structure of the agenda be reviewed by a Councillor in consultation with the Clerk;
- Councillors would circulate reports and updates no later than 3 days before meetings;
- A Working Group (to comprise Chair, Vice Chair and a Councillor) be established to review Standing Orders in respect of this agenda item and make recommendations.

Jude undertook to review the structure of the agenda with the Clerk.

It was agreed that reports on these items would be considered at future meetings.

The following proposals were agreed:

- To request that the Clerk keep a log of her work and time taken for each task;
- To set up a dedicated Parish Council email account for the Clerk.

It was agreed to defer consideration of employee accountability and include it in the review of Standing Orders already agreed.

GH

RT

All

GH

JR

RT

PB

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|           | <b>Sundry items (continued)</b>   |    |
|           | <b>(9) Motion: 'Should Binegar Parish have a community defibrillator':</b> No motion was put to the parish council as it is still at the information gathering stage. Cath reported that there was to be a demonstration of the equipment at her home at 7 30 pm on Monday 13 May. Four councillors agreed to attend. | CL |
|           | <b>(10) Proposal to have a village clean-up including Binegar Bottom:</b> This item was not discussed.  | DS |
|           | <b>(11) Motion: 'Should Binegar Parish have a Neighbourhood Plan':</b> This item was not discussed.   | RH |
| <b>15</b> | <b>Correspondence</b><br>There was no correspondence laid before the Council.   |    |
| <b>16</b> | <b>Matters of report and items for next meeting</b><br>At Roger's suggestion, it was agreed to consider access to playground activities for young people with a disability.   | PB |
| <b>17</b> | <b>Next meeting Tuesday June 4<sup>th</sup> at 7 30 PM in the Memorial Hall.</b>  | -  |

The Chair closed the meeting at 10 00 pm