

CROXLEY GREEN PARISH COUNCIL

MINUTES OF the 276th MONTHLY MEETING OF THE COUNCIL
HELD IN THE COUNCIL CHAMBER
ON THURSDAY 28 JUNE 2012

Present: Cllr Bennett in the Chair David Allison – Clerk to the Council

Cllrs Baldwin, Brading, Brand, Edmunds, Getkahn, Isard-Brown, Martin, Mitchell, Seeley, Shafe, Vane and Wynne-Jones

Voting Members: 13 reducing to 12 after Agenda item CC1093/12.

Public: 1

CC1084/12 Apologies for Absence

Apologies had been received from Cllrs Dann, Jordan and Ridley.

CC1085/12 Declarations of Interest by Members

The Chairman recommended that any declarations of interest be made, if necessary, throughout the meeting.

CC1086/12 Representations from the Public

Representations were made by Ben Whitley, Treasurer of Croxley Green Community Club (CGCC). Mr Whitley spoke concerning item CC1091.5/12 Finance and Administration Minutes of Extraordinary meeting held on 29 May to make the Council aware of recent developments. The update was especially needed given that at the Finance and Administration meeting on 14 June the Clerk reported that he understood that the membership arrangement between the Association and the Club had been resolved and that the TRDC Licensing Officer was satisfied with the arrangements being put into place.

Mr Whitley recapped that the Club Committee and Association Committee met with David Shorto (Three Rivers Licensing Officer) in January this year and David Shorto had made it clear to both Committees that there must be a membership fee paid for the licence to be valid. Since 2009 this has been paid by the Association in a "block" fee and at that date the charging of individual membership fees stopped.

Mr Whitley continued that in the Minutes of the meeting between the Association and the Council on 21 May, Steve Ames confirmed that the agreement between the Association and the Parish Council "includes free membership of the Club for Croxley Green residents". This would require a lump sum payment to be made to the Club for membership fees as agreed by David Shorto.

Mr Whitley stated that Steve Ames has informed the Community Club that he has since been told by Community Matters, who the Association have engaged on a professional consultancy basis, that they are not allowed to use their Charitable Funds for that purpose. The Community Club believe that the payment is from the Parish Council, supported by the letter from the Parish Council dated 19 June and is for the membership element of the agreement, making it clear that the money the Association is passing on is not their Charitable Funds (they are acting as Agent) and so the payments are allowable. The Community Club have asked the Association for an explanation from Community Matters as to why the Association's payment supported by the letter from the Parish Council is not acceptable, but have not yet received a response.

Mr Whitley added that the Charities Commission Publication CC27 "Providing Alcohol on Charity Premises" para.29 notes that the occupational licence (the "rental" agreement between the Club and the Association for occupying the Bar area) cannot involve any subsidy and so the statement from Steve Ames on 21 May that "the

internal mechanism to transfer money is still there; it can be legitimately achieved by reducing the rent charged to the Club by CGCA” appears incorrect.

Mr Whitley added that whilst the Community Club have the support of David Shorto up until now, unfortunately the Community Club cannot wait any longer for payment of membership monies, due to it being a condition of our licence, and so they will be contacting their members to ask them to pay a membership fee for the year 2012-2013. If at any point in the future the monies paid between the Parish Council and Association are made available to the club in the form of a payment for the membership fee then we will refund our members and update them on this change to the situation.

Mr Whitley concluded that the Community Club realise that this outcome contradicts some of what the Council has been told by the Association Committee according to the minutes of the meetings of the meetings held on 21 May and 29 May, but feel it is in no way the fault of the Club Committee who were not made aware of those meetings and did not have comment or provide input. The issues now being raised by the Association around the legality of the payment being made by them were brought up with the Association by the Club Committee some time ago, which is why the proposal to separate the payments from the Parish Council was agreed to in March, and why the Agency arrangements were suggested following the meetings of 10, 21 and 29 May which altered the original “separated payments” proposal. Mr Whitley stated that his statement was purely to make Council aware of developments. He added that the Community Club respectfully suggest that, given the confusion and effort generated by this relatively minor issue, the agreement with the Association is reviewed, as permitted under the scope of the Agreement every 3 years, to make sure it is updated for the latest, and most accurate, information, intentions of all parties and any legal requirements.

CC1087/12

Minutes

Resolved:

- That the Minutes of the 275th monthly meeting of the Council held on Thursday 10 May 2012 be approved and signed by the Chairman.

CC1088/12

Matters Arising

CC1077/12 Funding Arrangements for 2012/13 regarding Village Hall. Cllr Brand, who wished his name to be quoted, said that he wished the Minutes of the Council withdrawn and the wording changed because it was the Committee that discovered alleged financial irregularities and the current wording did not seem to make this clear.

The Clerk asked Cllr Brand whether he wished to declare an interest in this matter given that at the time he was a Committee member of the Community Club. Cllr Brand did not declare an interest. The Clerk pointed out that the Minutes of the Meeting had now been agreed under the previous Agenda item and that they could not now be changed. The Clerk added that the wording of the Minute was sound as it did not say it was the Committee who had committed any alleged financial irregularities but that the alleged irregularities occurred under the governance of the former Committee. The Clerk’s view was endorsed by a number of other Members.

Cllr Brand said that he had written to the Clerk about his concern about the Minute. The Clerk acknowledged that but stated it was not his role to prompt Councillors as to what they wanted to say during the proceedings of a meeting.

Another Councillor asked whether the matter regarding the release of £2,500 to the Community Association had been resolved to which he was advised that it had and the monies paid accordingly.

- CC1089/12 Minutes of the Annual Parish Meeting (APM)
- Resolved:**
- That the Minutes of the Annual Parish Meeting held on 26 April 2012 be approved and signed by the Chairman.
- CC1090/12 Minutes of the Annual General Meeting (AGM)
- Resolved:**
- That the Minutes of the Annual General Meeting held on 10 May 2012 be approved and signed by the Chairman.
- CC1091/12 Committee Reports
- CC1091.1/12 Environment and Amenity Committee held on Tuesday 3 April 2012
- Resolved:**
- That the Minutes of the Environment and Amenity Committee held on Tuesday 3 April 2012 be adopted as a report of the meeting.
- CC1091.2/12 Any matters arising
- There were no matters arising.
- CC1091.3/12 Planning and Development Committee held on Wednesday 4 April and Wednesday 18 April 2012
- Resolved:**
- That the Minutes of the Planning and Development Committee held on Wednesday 4 April and Wednesday 18 April 2012 be adopted as reports of the meetings.
- CC1091.4/12 Any matters arising
- There were no matters arising.
- CC1091.5/12 Finance and Administration Committee held 12 April 2012, 10 May 2012 and the Extraordinary Meeting held 29 May 2012
- Resolved:**
- That the Minutes of the Finance and Administration Committee held on 12 April 2012, 10 May 2012 and the Extraordinary Meeting held 29 May 2012 be adopted as a report of the meeting.
- CC1091.6/12 Any matters arising
- FA821/12/S Funding Arrangements for 2012/13 regarding Village Hall. A Councillor commented that from the Public Representations earlier, it would appear the Council may not be getting what was expected from the Agreement with the Community Association. It was pointed out that the Agreement was with the Association and the Council expected them to deal with what appears to be a matter between the Association and the Club. It was stated that if the Association are potentially in breach of the Agreement or the intent of the Agreement then Council will need to determine what actions, if any, are taken.
- FA809.1/12 Staffing Committee. It was asked what the current situation was in regards to staff salaries. The Chairman advised that the matter will be addressed at the next Finance and Administration Committee and will then be discussed at the July Council meeting.

CC1092/12 Internal Audit Report for the year ending 31 March 2012

The Chairman introduced this matter and asked the Clerk to elaborate. The Clerk advised that he was pleased to report that the Council had received a 'clean' audit report although the internal auditor has commented on a couple of areas where he thought the Council's risk assessment could be strengthened. The Clerk added that he was aware of these matters and had discussed them with the Auditor during his visit. The Clerk added that he had accordingly drafted appropriate Responses as shown in the report circulated with the agenda.

After a point of clarification from a Councillor as to whether the Council carries petty cash to which the Clerk advised it does not, the Responses as drafted by the Clerk were agreed.

Resolved:

- That the Responses drafted by the Clerk be agreed and advised to the internal Auditor accordingly.

CC1093/12 Code of Conduct for Councillors

The Chairman introduced this matter and asked the Clerk to elaborate. The Clerk referred to his supporting paper circulated with the Agenda and summarised by saying that with the introduction of the Localism Act 2011 and the dissolving of the Standards Board, a new Code of Conduct for Councillors has to be introduced on 1 July 2012. The Clerk added that the Code of Conduct for Councillors currently before Members for consideration is that which Three Rivers District Council have adopted. The Clerk continued that this was considered to be the most suitable given that a number of Parish Councillors within the TRDC district are also District Councillors and it would therefore make sense to use the same Code for consistency.

The Clerk pointed out that subsequent to drafting his paper the detail relating to pecuniary interests had now been clarified and included in the Code of Conduct Members were reviewing.

It was pointed out that there has been a change in relation to declaring pecuniary interests as these now had to include those of spouses or partners. The Clerk added that the Declarations made in relation to pecuniary interests have to be posted on our web site and they will also be posted on TRDC's web site.

The Clerk concluded that subject to adoption of the new Code of Conduct, TRDC are proposing having training sessions on the evening of Monday 9 July and on Tuesday 10 morning but he would circulate details separately.

Resolved:

- That the Code of Conduct for Councillors be adopted.

Cllr Vane left the meeting at this point.

CC1094/12 Staffing Committee Appeals Process for Councillors

The Chairman introduced this matter and explained that the appeals process for Councillors was to provide for occasions where the Staffing Committee after investigation and due consideration consider it necessary to reproach a Councillor in respect of his/her actions, that there is a mechanism for recourse by the Councillor.

The Chairman continued that the principles in the Councillor appeals process replicates that of the staff's appeal process, but suitably modified. The Chairman stressed that the Appeal Panel is not a standing committee and therefore the Appeal Panel will be called only on an 'as and when' basis. The Chairman added that the three members of the Appeal Panel will also be determined at the time as they would have to be Councillors who had not been previously connected with the matter leading to the appeal.

It was pointed out that it seemed inappropriate for the Staffing Committee to be dealing with matters relating to Councillors, but it was clarified that the Terms of Reference for the Committee as agreed in Standing Orders provided for this situation. It was suggested that perhaps the Staffing Committee should therefore be called something different.

Resolved:

- That the Appeal Process for Councillors be agreed.

CC1095/12

Councillor Surgery Update

The Chairman introduced this item and invited those who had participated in the Councillor surgery sessions so far for their views as to how the sessions went. It was stated that the first two sessions did not attract any residents but there were a number of people who attended the third session.

It was pointed out that with the District Councillor surgeries which have been running for a number of years, it was not unusual only to have one or two people but the fact remains that it is a good vehicle for local Councillors to be seen and for residents to have access to their Councillors.

It was generally considered that there was merit in continuing with the surgeries and that these should continue to be advertised but it would be helpful if a log was made from each session.

Resolved:

- That that the surgeries continue until the end of the municipal year (April 2013) with the exception of August;
- That the Chairman drafts a pro-forma to be used as a log of each session.

CC1096/12

Parish Council Charities

The Chairman introduced this item and said that this year he wanted to change the name of the 'Chairman's Charities' to 'Parish Council Charities' as he considered that this name more accurately reflects the fact that other Councillors are becoming actively involved in organising fund raising activities for charity.

The Chairman reported that in the 2011/12 year £1,624.00 had been raised which meant that the two nominated Charities, The Stroke Association (Croxley Green) and Home-Start Watford and Three Rivers, would receive £812.00 each.

The Chairman added that a number of events were already being organised for the 2012/13 and that the Croxley Green Society had agreed that the Parish Council could undertake fundraising activity at Croxfest in September.

The Chairman called on members to suggest deserving causes to benefit from this years fund raising.

Resolved:

- That the Parish Council Charities for 2012/13 be the Peace Hospice, Watford and the Sunnyside Club, Croxley Green.

CC1097/12

Traffic Calming across The Green

The Chairman introduced this item and asked Cllr Martin to elaborate. Cllr Martin advised that she was now Chairman of the Croxley Green Road Safety Committee and that there was an ongoing problem with the speed of traffic across The Green given that it is meant to be a 30mph zone.

Cllr Martin continued there is a sign at the north end of The Green as you emerge from Sarratt Road but that is very close to a wall and easy to miss. There are no lamp posts along the very long, quite straight, open road and so there are a lot of problems

with people going faster than 30mph. The police have done a number of speed checks in the area.

Cllr Martin stated that it had been suggested at the road safety committee meetings that 30mph roundels should be painted on the road at either end of this stretch of road, as cars emerge from Sarratt Lane near to Loudwater Lane on the southbound carriageway and another on the northbound carriageway near to Copthorne Road at the end of the lamp posts on that part of The Green. Cllr Martin concluded by saying that this suggestion had been put to Hertfordshire Highways by the Road Safety Committee and a response was awaited.

A discussion ensued regarding the possibilities of road humps, 'field gate' type structures, cattle grids, chicane structures, rumble strips and repeater 30mph signs on the lamp posts.

The Chairman thanked Cllr Martin for her report and Members comments.

CC1098/12

Closure

There being no further business the Chairman closed the meeting at 9.59pm.