

CROXLEY GREEN PARISH COUNCIL

MINUTES OF the 267th MONTHLY MEETING OF THE COUNCIL
HELD IN THE COUNCIL CHAMBER
ON THURSDAY 28 JULY 2011

Present: Cllr Bennett in the Chair
David Allison – Clerk to the Council
Amanda Taft – Minute Taker

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

Voting Members: 13 reducing to 11 during the discussion on Standing Orders.

Public: 2

The Chairman welcomed those present to the meeting and introduced the new Councillor, Cllr Mitchell who was also welcomed.

The Chairman then suggested that Standing Orders be moved to the last item on the agenda.

Resolved:

- That Standing Orders (CC949/11) be moved to the last item on the agenda.

CC942/11 Apologies for Absence

Apologies had been received from Cllrs Baldwin, Dann and Shafe.

CC943/11 Declarations of Interest by Members

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

CC944/11 Representations from the Public

None.

CC945/11 Minutes

The Clerk was asked about verbatim representations to which he replied that under Standing Order 17(a) no discussions could be made about the minutes except upon their accuracy.

CC929/11 (Extraordinary Meeting 26 May 2011) paragraph 3. Cllr Brand stated that the attack was not on him but on Cllr Ridley.

CC935/11 (Application for a S137 Grant from Croxley Guild of Sports and Social Club). It was pointed out that the sum of £6000 should read £3500. The Clerk advised that this had already been clarified with the Guild of Sport.

Resolved

- that the amended Minutes of the 266th monthly meeting of the Council held on Thursday 30 June 2011 be approved and signed by the Chairman.

CC946/11 Matters Arising

CC926/11 (Matters Arising; CC912.2/11 Matters Arising; EA750/11 British Waterways Adopter Scheme). The Clerk was asked for an update. He replied that the walk along the stretch of waterway concerned had been scheduled for Wednesday of this week but had not taken place.

CC926/11 (Matters Arising; CC912.2/11 Matters Arising; EA751/11 Posts on the Green). The Clerk was asked for an update and he advised that he was waiting for quotes.

CC926/11 (Matters Arising; CC914/11 Special Resolution regarding the Council's Habitual or Vexatious Policy). The Clerk was asked if the letter had been sent to the vexatious complainant and he confirmed that it had been sent as an email attachment and a paper copy was made available prior to this meeting.

CC924/11 (Representations from the Public). The Clerk was asked if the Parish Council intended to have a presence at Croxfest. The Clerk replied that this was not on the agenda and was something he wished to discuss with the Chairman.

CC938/11 (Former Yorke Road School Site – Part Demolition). This matter was raised and the Chairman advised that there had been a great deal of confusion over the discussion that took place. He clarified that the intention was to wait until after the resident had had her meeting with Leukaemia Research (regarding her commercial proposal) before our letter of complaint was sent. He added that the main thing was that the letter was sent. However, he agreed that some Cllrs would not have voted against the proposal had the discussion been more clear.

CC939/11 (Chairman's Charity). The Chairman was asked if he had chosen a charity yet. The Chairman thanked those who contributed suggestions and added that he would advise Members early next week.

CC940/11 (Council's Responsibilities Web Page). The Clerk was asked for an update and he replied that it was on his list to do.

CC947/11 Committee Reports

CC947.1/11 Environment and Amenity Committee held on Tuesday 7 June 2011

Resolved:

- that the Minutes of the Environment and Amenity Committee held on Tuesday 7 June 2011 be adopted as a report of the meeting.

CC947.2/11 Any matters arising

EA767/11 (Representations from the Public). The Clerk was asked if there had been any action following the representations made about Dickinson Square. The Clerk advised that we should not have received representations on this subject as it was not on the agenda. However, he had spoken with an officer at Three Rivers District Council (TRDC) who had advised that it was their responsibility to maintain the square.

CC947.3/11 Planning and Development Committee held on Wednesday 1 June and Wednesday 15 June 2011

Resolved:

- that the Minutes of the Planning and Development Committee held on Wednesday 1 June and Wednesday 15 June 2011 be adopted as a report of the meeting.

CC947.4/11 Any matters arising

PD1603/11 (Village Plan). An update was requested and Cllr Jordan advised that she was the Chairman of the Committee and that meetings had been held on 13 July and 27 July and the next was planned for 14 September. Cllr Jordan added that good progress was being made.

CC947.5/11 Finance and Administration Committee held Thursday 9 June 2011

FA728/11 (Application for a S137 Grant from Croxley Guild of Sports and Social Club). The Clerk was asked if the sum of £6000 could be changed to £3500 as it had in the June Council minutes (item CC945/11 above) but he advised that changes could not be made as these minutes had already been approved.

Resolved:

- that the Minutes of the Finance and Administration Committee held on Thursday 9 June 2011 be adopted as a report of the meeting.

CC947.6/11

Any matters arising

There were no matters arising.

CC948/11

Web Site Sub Committee

The Chairman introduced this item and advised Members that he had put this paper to Council as he felt it appropriate to have a sub Committee to report back to Council. He added that the terms of reference were as detailed on the supporting paper. He then asked for four volunteers but only three were forthcoming.

Resolved:

- That Cllrs Getkahn, Martin and Ridley form the Committee in consultation with the Clerk and report back to Council.

CC949/11

Review Standing Orders

This item was moved to the last item on the agenda.

CC950/11

Dog Waste

The Clerk advised that the Environment and Amenity Committee had (subject to favourable references) recommended to Council that we change our current dog waste collection company. He added that very favourable references had been received from Wycombe District Council, Aylesbury Vale District Council and Dacorum Borough Council and that there would be a saving on 66 pence per bin, per empty.

The matter was discussed for some time and Members asked more questions about matters such as: how much the current contract was for, how we terminate our agreement, if the new company would be happy for us not to tie into a contract, how much the service cost last year, if there is a risk that the new company might 'walk away'. The Clerk reminded Members that he had sought the information requested by the E&A Committee and by changing to the new company it would mean a financial saving.

It was asked if details of budgetary savings on dog waste collection (and the newly sourced and cheaper dog waste bags) could be circulated.

One Cllr stated that the service provided by our current contractor leaves a lot to be desired and we would be failing in our duty if we do not change to the company with good references at a cheaper cost.

Resolved:

- That the Parish Council's supplier for dog waste disposal be changed.

[Post meeting note: Our current company charge us £3.06 per bin. The new company will charge us £2.40 per bin which is a saving of £0.66 per bin per empty. The bins are emptied twice weekly between 1 June and 31 October (around 22 weeks) and once weekly between 1 November and 31 May (around 30 weeks). This means that the bins are emptied around 74 times per year. We have 42 bins x 74 empties = 3108 empties per year x a saving of £0.66 = £2051.28 per year.

Under the current company 3108 empties would cost £9510.48

With the new company 3108 empties will cost £7459.20]

[Regarding dog waste bags: a new supplier has been sourced and a sample of bags were requested. Several Cllrs and residents found the cheaper bags to be as good

as the bags we currently use. Our usual order of 20,000 bags would normally cost £330 however 20,000 of the cheaper bags will cost £197.80 which is a saving of £132.20 per order. Bags are ordered on an as and when required basis but 20,000 bags are ordered around every 2 months or so, ie around 6 times per year. This means a saving of around £793.20 per year.]

CC951/11 Annual Accounts 2010/11 – External Audit

The Chairman introduced this matter and the Clerk advised that as the information had not been received this item would be deferred until the next meeting.

CC952/11 Parish Council's Internal Audit Review

The Chairman introduced this item and the Clerk advised that as per last year, the audit and audit plan worked well and there was no need for changes.

Resolved:

- That the Audit Plan be accepted.

The Chairman suspended the meeting for five minutes because the Clerk had been called out of the meeting on a personal matter. The Clerk apologised to Council upon his return.

CC953/11 Parish Council Risk Assessment Review

The Chairman introduced this item and the Clerk advised that he had reviewed the Parish Council's Risk Assessment and that there were no significant changes. The Clerk referred Members to the previously circulated summary sheet and 40 page document.

A brief discussion took place regarding the meadow grass. The Clerk was asked if this hay was sold and he replied that it could not be sold as it was contaminated. It was pointed out that apart from dogs, it could be contaminated by foxes, badgers and other animals and it did seem to be a waste. The Clerk stated that he would discuss this with an officer at TRDC.

Resolved:

- That the Risk Assessment be accepted.

CC954/11 Photographs of Croxley Green

This matter was introduced by the Chairman and Members were reminded that the photographs could be taken either weekly or seasonally and it was suggested that a cut off date of 5 August would be set for suggestions of locations. So far, seven Cllrs had suggested locations. Members were advised that the photographs could be used for a charity exhibition and could be used on the website too. It was suggested that they could be made into a calendar and displayed at the Revels. There is to be a meeting with Mr Williams of the Camera Club and then this item would be brought back to the Environment and Amenity Committee.

CC955/11 Stones Orchard

The Clerk advised that he had been making enquiries into Geographic Information Systems (GIS) software and the GIS used by TRDC cannot be shared by us as it runs on servers. However, the Clerk informed those present that there is a package that can be run on the computers online and he would like to progress this in order to plot online. The Clerk also stated that the Arboricultural & Woodland Officer at TRDC was currently undertaking a tree survey within the district although we have a complete listing of 1,014 street trees which was carried out a couple of years ago.

CC956/11 Practice Tennis Wall for Projects Page

The Chairman introduced this matter and Cllr Ridley was asked to elaborate. He stated that it would be a good idea for the Parish Council to have a projects web page 'to inform residents of any financial liabilities that might arise and possible leisure activity benefits' in order that we invite residents' comments. Cllr Ridley added that this could be put in the Parish Pump and My Croxley too.

A discussion ensued with some Cllrs feeling that if they wanted to consult with those that elected them, they could knock on their doors and speak with them. It was also considered that consultation in this way would be over represented by those people interested in the project. It was also felt that this matter would be better pursued through the budget process which begins in November. The Chairman clarified that the aim of this proposal was to determine public interest in a practice tennis wall. Other Cllrs felt uncomfortable with this matter as it was not focused or structured and £10,000 was a huge amount of money to spend on a structure which would need to be maintained especially as Croxley has adequate tennis facilities and the wall could end up as a graffiti wall.

It was pointed out that the Residents' Association currently have an initiative to work with the youth of Croxley Green and it was further suggested that the Croxley Community Plan would give the Parish Council more focus.

Resolved:

- That the matter of a consultation page be referred to the Website Committee and then come back to Council.

CC957/11 Parish Pump Editorial Committee

The Clerk advised that the current Committee comprised of Cllrs Martin, Seeley and Shafe as well as both office staff. In addition to the existing members, Cllrs Brand and Wynne-Jones asked to be included on the Editorial Committee. Contributions for the magazine were requested.

CC949/11 Review Standing Orders

This item was introduced by the Chairman and the Clerk reminded Members that the deadline for comments on Standing Orders had been set for 22 July and a reminder sent on 13 July. Only one Cllr had commented and these comments had been circulated with the agenda. The Chairman advised Members that he intended to ask that amendments be accepted en bloc. The Clerk worked through the Chairman's comments (in black) and points that were raised and gave his responses (in red) as per the appendix on pages 6-9. The Clerk informed Cllrs that he wanted to keep as close as possible to the new model standing orders.

Resolved:

- That the amendments to Standing Orders (as per the appendix) are accepted.

CC958/11 Closure

There being no further business the Chairman closed the meeting at 10.19pm.

APPENDIX

CROXLEY GREEN PARISH COUNCIL

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Council Meeting – 28 July 2011

Agenda Item CC949/11

Standing Order Comments

DA opening Comment:

Firstly I would like to keep our Standing Orders as close as possible to the Model Standing Orders.

1. Should the document be non gender specific Chair, Vice Chair etc?

No. Legislation refers to the post of Chairman and not to the gender of the person who is holding the post.

2. Does 5.5 go against the corporate objective on page 3 “to encourage residents to express their views”? Add amendment “or at the discretion of the Chair of the Committee/Council providing it is a matter that the Committee or Council has authority over.

No. 5.5 refers to Meetings and expressing views in relation to Agenda items and not to the wider issue of how residents can be encouraged to express views which can be done in other forms as well, through email, letter or consultation.

3. Does 5.7 remove the right of the Chair to determine and declare how long a person can speak if more than 3 wish to speak on an agenda item or is this covered by 9.1.19? Also does it remove the right of the Chair to defer the hearing or adjust the agenda order or is this covered by 9.1.6?

5.6 permits the Chairman to determine the period for public participation. Suggest adding to 5.7 “or as determined by the Chairman”.

SO 9.1.19 refers more to the debate by Cllrs of Motions.

9.1.6 does allow the Chairman to alter the order of business.

4. Can you expand the meaning of 5.10 as the meaning is unclear?

There have been views taken elsewhere that meetings should be suspended when dealing with public participation and this being the case no minutes would be taken of the public's involvement. The purpose of 5.10 is that the public participation session is held within the meeting as to result in minutes being taken. As with all Minutes, the content of the public session will NOT be a verbatim report but a resume.

5. Should Committee be included as well as Council?

5.25 – Committee quorum dealt with under 19.8 and 19.9

6. Does 5.27 remove the right of Councillors to resolve to exceed 2.5 hours or can this just be suspended or is it sorted with 9.1.23?

It is covered under both 9.1.23 and SO 36.1 providing it is not mandatory in law (which this is not)

7. Does 6.3 fix the time of the AGM at 6pm? Old standing order said proceedings shall not begin before 6pm, meaning it can start later.

The 6pm is set out in law but as the sentence starts IF no other time. This is why I have included the second sentence specifying the start time.

8. In 6.10 should a review and authorisation of the Council Direct Debits and Standing Orders be included as well as the Vexatious Complaints Policy? There seems a vast amount of “reviewing” to be done in one meeting, how do we define review?

Debit Debit review to be included in next version. Standing Orders already covered in 6.10.7. Vexatious Compliants Policy should be dealt with on the anniversary of introduction of the policy, namely in November. Review in this context means “do we need to change anything at this time”!!!!

9. Should 7.2.1 have a comma between expedient and electronically?

Not in Model SO. Care has to be taken where commas are used in legal documents as they can potential change the meaning of text.

10. For 7.2.15 is “a book” actually a book or is it by electronic means?

In our case the book will be electronic.

11. Para 8.2 should the words “in consultation with the mover of the motion” be inserted at the beginning?

The Model SO does not say that.

12. Para 8.3 insert as in 11, and after “in meaning” add “or outside the remit of the Council or Committee”

The Model SO does not say that.

SO 8.8 covers the aspect of scope.

13. Para 8.6 & 8.7 is “a book” actually a book or is it by electronic means?

In our case the book will be electronic.

14. Para 10.3, does this preclude a Councillor from putting a motion onto a committee agenda where they are not a member of that committee?

Yes. Non Committee Councillors who attend a committee meeting are treated in exactly the same way as members of the public and are only allowed to participate in the meeting by means of the “Representations from the Public” agenda item.

Following discussion at meeting resolved that motions can be submitted by any Member and non Committee Members have the same rights as Committee Members with the exception of being able to vote.

15. Para 10.4, is reduced the right word?

Yes.

16. Para 15.1, signed by how many Councillors?

Four

17. Para 16.1, what is an “absolute majority”? and shouldn’t “any tie may” be amended to “must”

A majority without a casting vote. The wording in the Model SOs is ‘may’.

18. Para 19.1, add after “other committees” add “or working parties” as non councillors cannot sit on committees.

See 19.3. Non Councillors can be appointed to committees. However they are not allowed to vote unless it is dealing with the management of land owned or occupied by the Council; any function relating to the promotion of tourism (section 144); or any function relating to the management of a festival (section 145). (it would include functions as a harbour authority but I don’t think this applies to us!!!!) – S13 of the Government and Housing Act 1989 and the Parish and Community Councils (Committees) Regulations 1990.

19. Para 19.5 After “other Standing Committees” insert “excluding the Staffing Committee”

OK.

20. Para 19.6 The other members of the Staffing Committee should be made up from the Council so delete “Members from the Finance and Administration Committee” add “Councillors duly elected to that position”

DISCUSS. Intention to have a small ‘working group’ from F&A rather than widening membership to non F&A members.

21. Para 19.7 Add that “the Staffing Committee shall report directly to the Finance and Administration Committee”

OK. Modify to show Staffing Committee is sub-committee of F&A.

22. Para 21.2 only requires two councillors can call an extraordinary meeting whilst para 21.4 requires three, we must have consistency.

Change 21.4 to two given that the legal requirement in 21.2 is two.

23. Para 30.10 Add “or Vice Chair of the Council in the absence of the Chair”

OK.

24. Para 32.2 Needs clarification as councillors can provide their views as long as they indicate that these views are personal and do not represent the views of the Council unless they have been authorised by the Council to give the Council’s official policy.

This is as stated in the Model SOs. The key here is “in their official Capacity”. 32.1 states that media relations shall be processed in accordance with the Council’s Policy – our Media Relations Policy. Para 3.5:

Nothing in these guidelines is to be interpreted as preventing, or attempting to prevent, a Member from expressing a personal opinion through the media, for example by writing to a newspaper or posting an item on an internet site. Members must make it clear that any views expressed, where different from Council Policy, are their own personal views.

25. Para 35.1/2/4/5/6 Staffing Committee?

Yes – insert Staffing Committee.

26. Para 36.2 Number of councillors?

Four.

27. Financial Regs Para 6.1 Does “other order drawn” cover standing orders and direct debits?

Yes.

28. Para 13.1 The Rangers have primary responsibility, but, with overall responsibility remaining with the Clerk, this needs to be clarified.

OK.

29. Para 14.2 Do we need the Secretary of State’s authority to deal with property over the value of £500?

Wording changed to “other consents required by law”.

30. Appendix 1 Staffing Committee. I appreciate that this is a new committee but would like to remove any ambiguity of roles.

C. Insert at the start “To undertake the Clerks appraisal and review.”

F. Insert at start “Review the..”

H. Delete “ensure” insert “oversee” delete “carry out” insert “review”

I. Delete “To keep” insert “By input from the Clerk, to be kept”

L. Insert after “Review of” insert “updates to the”

OK.

Cllr N Bennett

David Allison (Clerk)