

MINUTES of a MEETING of WHITWICK PARISH COUNCIL held on WEDNESDAY 28 JULY 2011 at the Whitwick Youth Club, Whitwick Park, off North Street, Whitwick.

Present: Cllrs A Barker, S Colledge (arrived 7.05pm), E Easom, D Everitt, T Gillard (arrived 7.28pm), D Howe, L Spence, J Straw and R Woodward

In Attendance: Mr P Ellis, Interim Clerk, Mrs L Ellis, Interim Assistant Clerk

Apologies: N Pearson and L Weaver

Declarations of Interest: Cllrs S Colledge and J Straw declared personal interests in Minute No 40(d) (Green Spaces Consultation)

38. PUBLIC QUESTION AND ANSWER SESSION

No members of the public were in attendance.

MINUTES

Resolved: That the minutes of the previous meeting held on 16 June 2011 be approved as a correct record.

39. COMMUNITY POLICING

PC James Bradley had submitted apologies that he was unable to attend due to a late change to his shift pattern. No policing issues were raised by members.

40. PLANNING

(a) Applications

The Clerk reported that NWLDC had invited the Council's views on the following planning applications:

11/00517/FUL – Erection of first floor level front extension, conversion of existing garage to annexed living space with associated work – 12 Howe Road, Whitwick

11/00452/FUL – Erection of 2 storey front extension with first floor level accommodation within roof space – 6 City of Three Waters, Whitwick

11/0616/FUL – Erection of rear conservatory – 8 Bryans Close, Whitwick

Resolved: That no objections be made to these applications

(b) Decisions

The Clerk reported receipt of notification from NWLDC that the following application had now been approved:

Chairman's initials/signature.....

11/00387/FUL – Erection of first floor rear/side extension – 42 Temple Hill, Whitwick

Resolved: That the report be received

(c) Telefonica 02 Ltd - Pre-application consultation - Proposed provision of a telecommunications base station, site on grass verge on west side of Market Place (at the junction with Hall Lane), Whitwick

Consideration was given to a letter from Higham & Co (copy previously and attached).

Resolved:

(i) That an objection be made to this proposal on the grounds that it is not an essential service; that the site is too prominent; it is near to a nursery and that more suitable locations are available within the parish.

(ii) That the Clerk investigate the possibility of a parish notice board being erected at this location.

(d) Green Spaces Consultation

The Clerk reported that following the recent Coalville Community Forum, attention had been drawn to the County Council's Green Spaces Consultation which had been the subject of a letter to parishes last November.

Although the consultation with parishes had closed on 10 January, a County Council officer had indicated that comments could still be forwarded from this Parish Council as it was newly constituted.

A green space is generally defined as “a managed or more natural space, which is either publicly accessible and/or provides visual amenity. The visual amenity might be to retain an important view within or beyond a settlement, or on a larger scale to provide an area of separation between settlements or parts of settlements”.

Resolved: That the Council endorse the submissions to this consultation previously made by the Whitwick Action Group and Whitwick Parish Steering Group

41. SPECIAL EXPENSES GRANTS

The Clerk reported that NWLDC had received the following applications:

Royal British Legion (Whitwick) – 90th Anniversary celebrations - £250

Whitwick Historical Group – Purchase of marquee, display table and banner - £250

Resolved: That the Council support both of these applications

42. SCHEDULE OF MEETINGS 2011

Resolved:

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(a) That ordinary meetings be held on 22 September; 27 October and 22 December at 7.00pm

(b) That the Visioning Exercise be held on 13 September at 7.00pm

Cllr Gillard entered the meeting at 7.28pm

43. RECRUITMENT SCHEDULE – PERMANENT CLERK

Consideration was given to the following suggested schedule:

Discuss requirements at Visioning Exercise – 13 September

Finalise Job Specification/advertisement arrangements – 27 October

Advertise vacancy – November

Interviews – 8 December

Handover meeting – 22 December

The Clerk pointed out that this would involve the Interim Clerkship arrangements carrying over into a seventh month but that it was important to allow sufficient time between the Visioning Exercise and the advertisement stage to ensure that the Council's requirements for the permanent Clerk were fully discussed and clarified.

Resolved: That the suggested schedule be adopted

44. WEBSITE

The Clerk reported receipt of a letter from the Leicestershire County Council pointing out that with effect from April 2012, they were to levy a charge for providing parish council websites with support from their ICT team. This would be on a sliding scale - for parishes with precepts between £10,000 and £75,000 it would be £325 per year plus VAT and for parishes with precepts above £75,000 it would be £375 per year plus VAT.

Members were reminded that the recent grant for purchase of IT equipment was subject to a service level agreement that the parish would have a website through the County Council.

Resolved: That the report be received and provision be included in the 2012/13 estimates.

45. DATA PROTECTION ACT 1998

The Clerk reported that as the Council began to deal with personal information, it would be required to register (the formal term was to 'notify') with the Information Commissioner (the ICO) as a data controller. Failure to do so was an offence and liable to a fine of up to £5000 in the Magistrates' Court (or an unlimited fine in the Crown Court).

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This notification would include elected members when they held and processed personal data about individuals in the course of undertaking council business. They would be covered by the Council's notification and have the same responsibilities with regard to data protection as any employee of the authority.

However, the Clerk pointed out that should members hold or handle personal data for purposes other than council business (e.g. for ward casework or political campaigning), the individual councillor should notify the ICO that he/she was a 'data controller'. The relevant NALC briefing paper was available on the Members' Area of the Council's website

Resolved:

(a) That the report be noted

(b) That the Clerk make arrangements to notify the Council's details as appropriate with the Information Commissioner in accordance with the Data Protection Act 1998, the registration fee being £35.00

46. PARISH REPRESENTATIVES ON NWLDC STANDARDS COMMITTEE

The Clerk reported that the District Council had invited expressions of interest from parish councillors to fill vacancies on its Standards Committee. This investigated complaints against councillors (parish and district) and imposed sanctions.

No members expressed interest in being nominated.

47. STANDING ORDERS

Consideration was given to draft Standing Orders (copy previously circulated). The Clerk reported two corrections: para. 4.7.1 should refer to "para 5.3 below" and para 6.10 should be deleted.

Resolved: That subject to the above corrections, Standing Orders be adopted (amended copy attached to the official copy of the minutes).

48. FINANCIAL REGULATIONS

Consideration was given to draft Financial Regulations (draft attached).

Resolved: That Financial Regulations be adopted (copy attached to the official copy of the minutes).

49. ACCOUNTS FOR PAYMENT

The following accounts were submitted:

Whitwick Methodist Church – Hire of hall (2 evenings) - £35

Dell Products – laptop/case/mouse - £420.97

W Stanier – Microsoft Office Professional 2007 - £93.28

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Resolved: That payment of the above accounts be approved

50. PROPOSED CODE OF CONDUCT TRAINING

The Clerk reported that the NWLDC Monitoring Officer was intending to hold a training session for Town and Parish Councillors with regards to the Code of Conduct in September. It was highly advisable that all newly elected Councillors attended the training to ensure that they were able to fully comply with the Code. The date would be circulated by email as soon as it was received and early application for places was strongly recommended.

51. EXCLUSION OF PRESS AND PUBLIC

Resolved: That having regard to the confidential nature of the following business and the need to receive advice, publicity in respect of which would be prejudicial to the public interest, the press and public be excluded from the Meeting in accordance with the provisions of Section 1 of Public Bodies (Admission to Meetings) Act 1960 (as amended).

52. USE OF PREMISES

Consideration was given to the report of the Interim Clerk (copy previously circulated and attached to the official copy of the minutes).

Members debated the merits of alternative suggestions for future meetings and also for location of an office if the Council eventually decided to go down that route.

Resolved: That the Clerk undertake further investigations of potential locations and report back to a future meeting.

53. CONTRACTS OF EMPLOYMENT

Consideration was given to draft contracts of employment for the Interim Clerk and Interim Assistant Clerk which were based on the model recommended by the National Association of Local Councils and the Society of Local Council Clerks (copies previously circulated)

With regard to expenses in respect of working from home, members' attention was drawn to para 8 which referred to "use of space, lighting, heating and electricity". The Clerk also gave examples of the expenses paid by other local parishes. He also suggested that until the permanent Clerk was appointed, no action be taken to purchase a mobile phone as discussed at the previous meeting and that his home landline be used as the Council's number in the meantime.

The Clerk also queried whether payment of Employers National Insurance contributions had been taken into account in calculating the salary figure agreed at the previous meeting as this could result in an overspend on this budget head.

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Resolved:

(a) That the hours of work for the Interim Clerk be reduced by one hour to 24 hours per week

(b) That the Interim Clerk be paid expenses of £40 per month to take account of the use of his home for council business.

(c) That the period of employment for the Interim Clerk and Interim Assistant Clerk be extended to 31 December 2011 to take account of the recruitment schedule for the permanent clerk as previously agreed.

(d) That subject to the above amendments, the contracts of employment be approved (copies attached to the official copy of the minutes).

The meeting terminated at 8.20pm

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