

BETLEY, BALTERLEY & WRINEHILL PARISH COUNCIL

Minutes of the meeting held on 26th July 2012

PRESENT

Cllrs Robert Bettley-Smith, Steven Ball, Mandy Berrisford, Seb Daly (from min.251), Dave Hales, Simon Harrison, Richard Head, Jo Thomas (from min.227) and Chris Watkin.

IN ATTENDANCE

One member of the public
Gwyn Griffiths (Clerk)

221/12 Apologies for absence were received and accepted as valid reasons for absence under Section 85 of the Local Government Act 1972 from Cllrs Burton (work), Kerr (family) and Speed (work).

Apologies for likely late arrival had been received from Cllrs Daly (other community commitment) and Thomas (family)

Apologies for absence had also been received from County Cllr Chapman (other commitment) and Borough Cllrs Becket (civic engagement) and Wemyss (work).

222/12 Members considered the declaration of interests in agenda items. There were no interests declared at this point.

223/12 The Clerk explained that although the Minutes of the special meeting of 19th July were available it had not been possible to distribute them to members in advance of the meeting. It was therefore:

RESOLVED that the minutes of the special meeting of 19th July 2012 be considered at the next meeting.

224/12 **RESOLVED that the minutes of the meeting of 28th June 2012 be approved as a true record and be signed by the Chairman.**

225/12 The meeting was adjourned to allow public participation.

The member of the public indicated that he had attended in order to comment on the agenda item relating to access issues in The Butts, Betley. His family had been resident in the area for over a century and it was only in the last 7-8 years that some residents had allowed foliage to grow to restrict access. It was once possible to take a tractor and trailer along The Butts but this was no longer possible, and he outlined the various properties at which encroachment had taken place.

He felt that the appropriate authority should take action to insist that access was maintained.

The Chairman indicated that the Parish Council had tried to encourage residents to cut back encroaching vegetation, and had also sought advice on the legal status of The Butts.

However it was not yet clear whether the highways authority had any powers in respect of The Butts, or whether it was a civil matter between the various householders. The Parish Council would continue to seek clarification and any appropriate action.

226/12 The Chairman reported that he had been unable to attend the most recent meeting of the Rural Transport Scheme due to another commitment.

[Cllr Thomas joined the meeting at this point]

227/12 The Clerk advised members of three matters: notification from Sanctuary Housing of a vacancy at Wesley Court; a suggestion that a copy of the Parish Magazine describing the Diamond Jubilee events might be sent to HM The Queen; and that a Model Code of Conduct reflecting the Localism Act 2011 had now been published.

RESOLVED a) that the Chairman be authorised to send a copy of the relevant Parish Magazine on behalf of the community;
b) that consideration of the Model Code of Conduct be placed as an agenda item at the next scheduled meeting of the Council.

228/12 The Clerk relayed to members a brief report on behalf of County Cllr Chapman.

229/12 Cllr Head advised that the Village Hall Committee had amended to some degree proposals for refitting the kitchen, in response to comments by the Parish Council and other users. Consideration was being given to widen the scope of any bid application to include improvements additional to those already outlined for the kitchen and toilet facilities.

230/12 Members considered the following planning application:

12/00335/FUL Retention of a workshop & garage, Yew Trees, Main Road, Betley.
RESOLVED that the Parish Council has no objection to the application

231/12 Members considered the following planning application:

12/00389/FUL & 391LBC Alterations to existing ground floor windows and new window on rear elevation, 5 Balterley Court, Nantwich Road, Balterley.
RESOLVED that the Parish Council supports the proposed alterations as it believes it represents an aesthetic improvement.

232/12 Members considered the following planning application:

12/00418/FUL Detached greenhouse, Hall Oth Wood, Balterley Green Road, Balterley.
RESOLVED that the Parish Council supports the application.

233/12 The Clerk advised members that the planning appeal in respect of planning application 12/00002 (Retention of Tree House & Decking, 21 Ladygates, Betley) had been upheld by the Planning Inspector, as it was not felt that the development had any impact on the openness of the Green Belt.

234/12 Members considered a comment from a member of the public regarding the condition of the redundant telephone kiosk in Main Road Betley, who had offered to carry out painting

work. This was noted, but was not considered practical at this point as the kiosk is still the property of BT.

RESOLVED that the Clerk write to BT urging them to carry out repainting of this listed structure, within the Conservation Area.

235/12 Members received a letter from a resident commenting on the planning application (12/00357) relating to the Blue Bell Inn, Wrinehill. It was noted that the points raised had been included in the Parish Council's own submission to the planning authority.

RESOLVED that the Clerk write to the member of the public outlining the Parish Council's views and actions.

236/12 Members considered the recent collapse of a wall at the rear of Main Road, Betley. The Clerk advised that, on behalf of the Parish Council, he had asked the Borough Council's planning department to take any appropriate action to protect this important historical feature of the Conservation Area. Ownership of, and responsibility for, the wall was still unclear and County Cllr Chapman was pursuing the matter with the County Council, as owners of adjoining land. However, it was clear that no direct responsibility fell upon the Parish Council.

237/12 Members considered initiatives being undertaken or considered by the Parish Council.

Work of neighbourhood gangs. It was clear that the County Council was now aware that the scheduled works had not been completed, and that this raised questions regarding the supervision of works by the Neighbourhood Highways Teams.

RESOLVED that the Clerk advise the County Council of the Parish Council's concern regarding the failure to carry out the scheduled works; of the urgent needs for the works to ensure the safety of pedestrians; and that if the County Council does not complete the works by the end of August the Parish Council will arrange for the work to be carried out and seek reimbursement from the County Council.

Dropped kerbs. Members reviewed the provision of dropped kerbs in the area, and felt that most requirements seemed to be met.

RESOLVED that no further action be taken at this point, but that a village walk be carried out by members on Saturday 1st September to examine dropped kerbs, gully problems, and other highways issues.

238/12 Cllr Burton had advised that progress on the Community Paths Initiative had slowed, because of budgetary issues and holiday absences at Staffordshire County Council.

239/12 Members considered participation in the Community Speed Watch Scheme.

RESOLVED that necessary orders for equipment be placed to allow the scheme to be launched.

240/12 The Council considered area issues raised by members.

It was noted that recent events at the Hand & Trumpet had led to parking on the A531 and Old Road, underlining the need for additional on-site parking.

Members reviewed the condition of the Council's noticeboards. Although a voluntary offer had been made to carry out necessary works it was felt it might be more appropriate to engage a professional contractor.

RESOLVED a) that a professional contractor be engaged to carry out necessary repairs and refurbishments to the noticeboards at the Memorial Garden, Betley and Post Office Lane/ Main Road, Balterley, subject to a maximum budget of £100;

b) that no further action be taken in respect of the noticeboard on the B5500, Balterley but that the views of local residents on the value of the noticeboard be sought.

241/12 Members considered highways issues, including access problems at The Butts.

RESOLVED a) that the need to maintain safe access to The Butts for emergency vehicles was recognised as an essential requirement;

b) that advice be sought on the precise legal status of The Butts, and on whether there was any legal power available to the Highways Authority to require access to be maintained, or whether any rights were restricted to access rights for local residents under civil powers.

242/12 There was no correspondence to place before members.

243/12 The Clerk reported that there were no applications for financial assistance nor under the Community Chest Scheme.

244/12 The Clerk submitted to members a list of invoices to hand and payments due, and the Financial and Bank Statements to date.

245/12 **RESOLVED** a) that the Council authorises payment of the following:

DT Askey	memorial garden maintenance	£ 280.00	1058
G Griffiths	salary & expenses	£ 367.47	1059
R Morris	jubilee event	£ 134.51	1060

b) that the Financial Statement be received;
c) that the Bank Statements be noted, and the reconciliation verified and be signed by the Chairman.

246/12 Members of the Laudy Croft Working Group advised that no maintenance work was currently required.

247/12 Members considered maintenance of the Memorial Garden. It was noted that the conifer looks well following recent works on the lowest branches, and that the general appearance of the Garden had improved.

248/12 Date of next meeting: Thursday 27th September 2012.

249/12 **RESOLVED** that the press and public be excluded during consideration of the following items under the provisions of the Public Bodies (Admission to Meetings) Act 1960 and Section 100A (Schedule 12A Part I 1, 8, 9 & 12) of the Local Government Act 1972, in that it relates to potential contractual arrangements for the supply of goods and services, and/or potential legal proceedings by or against the authority (Min.250) and information relating to a particular employee (Min.251), and that it is considered in the public interest to exclude.

250/12 The Clerk advised that no further communication had been received from the Borough Council regarding land at Laudy Croft

[Cllr Daly joined the meeting at this point]

[The Clerk indicated that he had a prejudicial interest in the matter to be discussed, and withdrew from the meeting at this point]

251/12 Members considered whether the Council should recognise the 2008 and 2009 pay agreements, which had not previously been advised to the Council due to late agreement at a national level. If recognised this would result in back pay, payable to the Clerk, amounting to £828.88.

This is calculated as follows:

Period 1 1 April 2008 – 30 June 2012. Hourly rate increase from £9.42 to £9.82
Back pay calculation: 1,768 hours @ 40p = £707.20

Period 2 1 April 2009 – 30 June 2012. Hourly rate increase from £9.82 to £9.91
Back pay calculation: 1,352 hours @ 9p = £121.68

The Chairman proposed that the total back pay owing of £828.88 should be paid to the Clerk. This proposal was seconded by the Vice-Chairman and, when put to the vote, was supported unanimously.

RESOLVED that the Parish Council pays the Clerk a total of £828.88 in back pay as shown above.

252/12 The Clerk is currently on Salary Point 21. Point 22 is generally considered to be the top band appropriate for a Parish Council Clerk with “normal duties”. Cllr Daly emphasised that this position should be reviewed every year.

The Chairman suggested a route forward – that the Clerk should move to Salary Point 22 as from January 2010 and then move to Salary Point 23 as from April 2012. This move reflects the diverse nature of the parish, the high quality reporting and special tasks performed by the Clerk e.g. the development and implementation of the new Parish Council community website.

RESOLVED that the Clerk’s position on the Salary Scale should be moved to Scale Point 22 with effect from April 2010, and to Scale Point 23 with effect from April 2012, and that any appropriate payments of arrears in salary be approved.

253/12 Regarding a Risk Assessment of the Clerk’s place of work the Clerk will write to the Chairman confirming his decision to opt out of the Risk Assessment regarding his place of work i.e. his home. The Parish Council will therefore be absolved of liability in this regard.

RESOLVED that the Clerk be asked to formally notify the Council of his declining a Risk Assessment on his home workplace, and thereby to absolve the Council of any liability in this regard.

254/12 The Model Contract will form the basis of the future relationship between the Parish Council and the Clerk. It was recognised that there are some detail changes yet to be made prior to the document being finalised.

RESOLVED that the Model Contract of Employment be adopted in principle, subject to any detail changes necessary, and that the finalised Contract be referred to the Council for approval.