ERISWELL PARISH COUNCIL

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MINUTES of the ERISWELL PARISH COUNCIL MEETING held on TUESDAY OCTOBER 8th 2019

Present:
Cllr L. Hall (Chairman)
Cllr Z. Eaton
Cllr J. Seaney
Cllr B. Thomas

In attendance:
D/Cllr S. Frost, Nicola Glading, Parish clerk, and 4 members of the public

1. RECORDING OF MEETING

No recording of meeting.

2. APOLOGIES FOR ABSENCE

a) Apologies for absence were received from C/Cllr C. Noble and Cllr A. Bibbey
b) The Councillors consented to accept the apologies

3. DECLARATIONS OF INTEREST

None

4. PUBLIC PARTICIPATION

A member of the public spoke to the Council about her concerns over the withdrawal in April of Suffolk County Council funding for the bus service. Eriswell has no shops or other amenities; it is necessary to travel to Mildenhall. Residents who previously had been able to use their bus pass now face a £5 charge. There is only one bus on Fridays. Action: Clerk to look into and report back to the next meeting.

5. UPDATES FROM COUNTY and DISTRICT COUNCILLORS

a) Update from C/Cllr Colin Noble: Cllr Noble had sent his apologies and had emailed the clerk to assure EPC of his support for the council.
Update from D/Cllr Frost: (West Suffolk District Council) Cllr Frost will mention the bus charge issue to C/Cllr Noble. He has been very busy.
There is a main District Council meeting every month, last month the climate people were disruptive. West Suffolk are discussing how to be carbon neutral, as far as current technology allows. This can be offset against other initiatives, e.g. wind power.
Planning: there is still a housing shortage- 25/30 sites still need to be found across West Suffolk (approximately 6,000 houses).
A Rural Action group has been set up to look at how business can be encouraged.
Cllr Frost sits on the Scrutiny Committee, which examines how cash is used, and he has recently attended a briefing ¬County Lines` which is around drug issues.
A small amount of Locality Budget is available for pump priming community needs

b) Inconsiderate/ dangerous parking: parking on the unadopted road into the estate by Tesco delivery vans and car park overflow is at times causing danger to other road users. Clerk to contact Base to ascertain the viability of an onsite area for grocery deliveries.

c) Footpath connecting Earlsfield to the older part of the village: Councillors **AGREED** that Chair and clerk to compose a letter to Lord Iveagh asking for his views on this.
NOTED Minutes to be copied to Lord Iveagh.

d) Promotional signage: Councillors are concerned at the numerous advertising signs on the roundabout. Clerk to investigate if the roundabout is indeed adopted as this is the impression given by these signs.

13. VILLAGE VISION

a) **DEFERRED:** To remain on agenda.

14. CLERKS REPORT

a) Clerks report:

(i) There had been no items actioned under delegated powers
(ii) Clerk has received the Parish Council books, files and laptop from clerk Shimmon
(iii) Clerk had attended the SALC area meeting on 10th September 2019
(iv) A larger noticeboard at Lords Walk is required, to be costed and discussed at next meeting (magnetic preferred). D/Cllr Frost offered to look into funding.

15. CHAIRS ITINERARY and REPORTS

a) Chairs report: Noted that the Willian H Brown signs have been removed.
b) Councillors reports: Grass cutting at Lords Walk: despite the inclusion of this provision in the relevant sale contracts, the developers have failed to honour this service. Councillors are of the opinion that this is entirely related to the developers planning application, in an attempt to make the area look unkempt. A crowdfunding page has been set up and the cuts are being made. D/Cllr Frost will investigate further. Clerk to ascertain who the shops pay rent to.

16. FINANCE/ AUTHORISATION OF PAYMENTS

a) Finance

(i) Report on expenditure and bank account: next meeting, awaiting Bank Statements
(ii) The itemised expenditure/ invoice for payment was unanimously **APPROVED** and the signatories were authorised to sign the same (Appendix 1)

17. GOVERNANCE REVIEW

a) The current version of the EPC Standing Orders was unanimously **AGREED** (Appendix 2)

18. EXCHANGE OF INFORMATION : None

19. EXEMPT MATTER

It is **RECOMMENDED** that:
In view of the confidential nature of the following item, which relates to the business matters of other individuals and organisations, the public shall be excluded while the following item is discussed. This is in accordance with the Public Bodies (Admission to Meetings) Act 1960, as amended by the Local Government Act 1972.

(Meeting closed 9.13pm)

Appendix 1

Itemised expenditure/ invoices for payment

Parish Council insurance* (annual premium only) £714.84

*It was **NOTED** The previous Zurich insurance has been replaced by Community Action Suffolk with an alternate Royal Sun Alliance `package` policy. The insured assets register is listed below to confirm that EPC do not exceed the overall insured asset value

ERISWELL FIXED ASSET REGISTER	2019
ITEM	INSURED VALUE
War memorial	£26,923.00
Junior multi play- Ice storm	£14,121.27
Toddler multi play- Dragon	£5,115.23
Flat seat/ cradle swing	£3,745.43
Spring wobble board	£1,117.81
Metal seat springy	£1,184.58
Springy elephant	£970.28
Chain bridge	£607.37
Parallel Bars	£352.14
Balance beams	£246.61
Playground furniture	£2,692.23
Noticeboards	£1,076.89
Total assets	£58,152.84

Rules of debate at meetings

a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.

b A motion (including an amendment) shall not be progressed unless it has been moved and seconded.

c A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.

d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.

e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.

f If an amendment to the original motion is carried, the original motion becomes the substantive motion upon which further amendment(s) may be moved.

g An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairman of the meeting, is expressed in writing to the chairman.

h A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.

i If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman.

j Subject to standing order 1(k) below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.

k One or more amendments may be discussed together if the chairman of the meeting considers this expedient but each amendment shall be voted upon separately.

l A councillor may not move more than one amendment to an original or substantive motion.

m The mover of an amendment has no right of reply at the end of debate on it.

n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate of the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.

o Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion except:

i. to speak on an amendment moved by another councillor;
ii. to move or speak on another amendment if the motion has been amended since he last spoke;
iii. to make a point of order;
iv. to give a personal explanation; or

Meetings generally

- ▲ Full Council meetings
- ○ Committee meetings
- ■ Sub-committee meetings

a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**

b **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**

c **The minimum three clear days' public notice of a meeting does not include the day on which the notice was issued or the day of the meeting.**

d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**

e Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.

f The period of time designated for public participation at a meeting in accordance with standing order 2(e) above shall not exceed 15 minutes unless directed by the chairman of the meeting.

g Subject to standing order 2(f) above, a member of the public shall not speak for more than 3 minutes.

h In accordance with standing order 2(e) above, a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.

i A person shall raise his hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The chairman of the meeting may at any time permit a person to be seated when speaking.

j A person who speaks at a meeting shall direct his comments to the chairman of

vi. the resolutions made.

t **A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.**

u **No business may be transacted at a meeting unless at least one-third of the whole number of members of the council are present and in no case shall the quorum of a meeting be less than three.**

v **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.

w A meeting shall not exceed a period of 2 hours.

Committees and sub-committees

a **Unless the council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**

b **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the council.**

c **Unless the council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**

Ordinary council meetings

a **In an election year, the annual meeting of the council shall be held on or within 14 days following the day on which the new councillors elected take office.**

b **In a year which is not an election year, the annual meeting of a council shall be held on such day in May as the council may direct.**

c **If no other time is fixed, the annual meeting of the council shall take place at 6pm.**

d **In addition to the annual meeting of the council, at least three other ordinary meetings shall be held in each year on such dates and times as the council directs.**

e **The first business conducted at the annual meeting of the council shall be the election of the Chairman and Vice-Chairman (if any) of the Council.**

f **The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual**

Previous resolutions

a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least two councillors to be given to the Proper Officer in accordance with standing order 9 below, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.

b When a motion moved pursuant to standing order 7(a) above has been disposed of, no similar motion may be moved within a further six months.

Voting on appointments

a Where more than two persons have been nominated for a position to be filled by the council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the chairman of the meeting.

Motions for a meeting that require written notice to be given to the Proper Officer

a A motion shall relate to the responsibilities of the meeting which it is tabled for and in any event shall relate to the performance of the council's statutory functions, powers and obligations or an issue which specifically affects the council's area or its residents.

b No motion may be moved at a meeting unless it is on the agenda and the mover has given notice of its wording to the Proper Officer at least 5 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.

c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b) above, correct obvious grammatical or typographical errors in the wording of the motion.

d If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood at least 5 clear days before the meeting.

e If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.

f Subject to standing order 9(e) above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.

d If the chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

"The chairman of this meeting does not believe that the minutes of the meeting of the ( ) held on [date] in respect of ( ) were a correct record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings."

e Upon a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

Code of conduct and dispensations

See also standing order 3(t) above.

a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the council.

b Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.

c Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.

d **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.

e A decision as to whether to grant a dispensation shall be made by a meeting of the council, or committee or sub-committee for which the dispensation is required and that decision is final.

f A dispensation request shall confirm:

i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
iv. an explanation as to why the dispensation is sought.

g Subject to standing orders 13(d) and (f) above, dispensations requests shall be considered at the beginning of the meeting of the council, or committee or a sub-committee for which the dispensation is required.

h **A dispensation may be granted in accordance with standing order 13(e) above if having regard to all relevant circumstances the following applies:**

standing order 3(c) above for a meeting of a committee.

iii. subject to standing order 9 above, include on the agenda all motions in the order received unless a councillor has given written notice at least 5 days before the meeting confirming his withdrawal of it;

iv. **convene a meeting of full council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;**

v. facilitate inspection of the minute book by local government electors;

vi. **receive and retain copies of byelaws made by other local authorities;**

vii. retain acceptance of office forms from councillors;

viii. retain a copy of every councillor's register of interests;

ix. assist with responding to requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the council's policies and procedures relating to the same;

x. receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary;

xi. manage the organisation, storage of, access to and destruction of information held by the council in paper and electronic form;

xii. arrange for legal deeds to be executed;
See also standing order 22 below.

xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the council in accordance with the council's financial regulations;

xiv. record every planning application notified to the council and the council's response to the local planning authority in a book for such purpose;

xv. refer a planning application received by the council to the Chairman or in his absence Vice-Chairman (if any) of the Planning Committee within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the council;

xvi. manage access to information about the council via the publication scheme; and

xvii. retain custody of the seal of the council (if any) which shall not be used without a resolution to that effect.
See also standing order 22 below.

Responsible Financial Officer

a The council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

Accounts and accounting statements

a "Proper practices" in standing orders refer to the most recent version of Governance and Accountability for Local Councils – a Practitioners' Guide.

b All payments by the council shall be authorised, approved and paid in accordance with the law, proper practices and the council's financial regulations.

c The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:

the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;

iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;

iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;

v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;

vi. tenders are to be reported to and considered by the appropriate meeting of the council or a committee or sub-committee with delegated responsibility.

vii. **the tendering process will make reference to the terms as laid out in the Bribery Act 2010.**

e Neither the council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.

f **The 2015 Regulations are engaged where the value of a contract for a) public works, public service or public supply contract with an estimated value of £25,000 or more and b) i) a public works contract with an estimated value of currently £4,104,394 or more of ii) a public service or public supply contract with an estimated value of currently £164,176 or more. The financial thresholds for proposed contracts in b) are set by the European Commission and are confirmed in the Public Contracts Directive 2014/24/EU. The thresholds will be adjusted every two years and will usually take effect on 1 January.**

Handling staff matters

a A matter personal to a member of staff that is being considered by a meeting of council is subject to standing order 11 above.

b Subject to the council's policy regarding absences from work, the council's most senior member of staff shall notify the chairman of the council or, if he is not available, the vice-chairman of absence occasioned by illness or other reason and that person shall report such absence to the council at its next meeting.

c The chairman of the council or in his absence, the vice-chairman shall upon a resolution conduct a review of the performance and annual appraisal of the work of the clerk. The reviews and appraisal shall be reported in writing and is subject to approval by resolution by council.

d Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential and secure.

e The council shall keep all written records relating to employees secure. All paper records shall be secured and locked and electronic records shall be password protected and encrypted.

f Only persons with line management responsibilities shall have access to staff records referred to in standing orders 15(d) and (e) above if so justified.