

Kelvedon Parish Council

The Old Fire Station, 102 High Street, Kelvedon, Essex CO5 9AA

29 December 2009

Dear Councillor

Members of the Council are summoned to attend the meeting of the Council at 7.45 pm on Tuesday 5 January 2010 in the Council Chamber, to transact the business shown in the agenda.

The press and public are welcome to be present.



Louise R Fuller
Clerk

A G E N D A

- 1 Apologies for Absence**
To receive any apologies for absence.
- 2 Confirmation of Minutes**
To confirm the minutes of the meeting held on 1 December 2009.
- 3 Declarations of Interest**
Councillors to declare any personal and/or prejudicial interest in any items on the agenda.
- 4 Public Questions**
To receive any questions from members of the public; a brief written outline to have been submitted to the Clerk before the meeting.
- 5 Matters for Report**
To report any further significant information on matters which have been previously discussed, in addition to those which may already be included on the agenda.
- 6 Reports from Committees**
To receive reports from committees.
 - 6.1 Planning**
Reports of meetings held on 23 November and 7 December 2009; minutes have been circulated.
 - 6.2 Recreation**
Next meeting is at 7.30 pm on Monday 15 February 2010.
Youth Forum: to receive any report from the Youth Forum.
 - 6.3 Finance**
Report of meeting held on 24 November 2009; minutes have been circulated. See also agenda item 14.

6.3.1 Appointment of External Auditor

The Audit Commission has consulted the Council about its proposed appointment of Wayne Rickard as the Council's external auditor from January 2010. Any comments are required by 8 January 2010.

6.4 Environment

Next meeting is at 6.30 pm on Monday 15 February 2010.

7 Police Report

To receive a report from PC John Hallworth.

8 To receive reports from representatives on outside organisations

8.1 Tripartite Group

8.2 Kelvedon Community Association

8.3 Kelvedon in Bloom

8.4 Brockwell Group

8.5 RCCE

8.6 Witham Local Area Committee

8.7 Kelvedon Institute

8.8 Neighbourhood Action Panel

It was reported to the recent meeting of the Panel that following the retirement of the Essex Watch Administrator, no decision has been made regarding the role and his replacement. The post is important for running the Neighbourhood Watches. The Council is asked if it wishes to write to PC John Hallworth to express its concern that there is no Essex Watch Administrator in post and to support recruitment of a replacement.

8.9 Any other outside bodies

9 Correspondence, and items from EALC

For information: various items of correspondence, and the mailing from EALC, will be available for circulation.

10 Highways, Transport and Road Safety matters

10.1 To receive any reports on highways and road safety matters.

10.2 Highway Rangers

See email in correspondence file.

11 Community Safety and Health

11.1 Report from the Community Warden.

11.2 Any other reports on community safety and health.

12 Annual Parish Assembly

The Annual Parish Assembly will take place at the Institute on Thursday 22 April 2010. The Council is asked to consider the arrangements for the meeting, e.g. whether it wishes to invite a speaker and if so, who it should be, or what other form the meeting should take.

13 Procedural Matters

See attached report. The Council is asked to consider the recommendations.

14 Council Estimates and Precept 2010/11

See attached report.

15 Future events

A list will be available at the meeting; councillors may be asked to agree attendances or other action.

16 Accounts for payment

To agree the accounts for payment; a list will be available at the meeting.

Agenda item 13

Procedural Matters

Two procedural matters have arisen recently which require attention.

Both of these matters should properly be dealt with by amending the Standing Orders. The Council is already committed to a review of the Standing Orders. The National Association of Local Councils has been working on new model Standing Orders and these are supposed to be available shortly, and will provide a template for the Council's Standing Orders. It is suggested that the changes below be implemented without formally changing the Standing Orders at this time, but that they be incorporated in the review.

13.1 Prejudicial interests/public addressing meetings

According to the statutory members' Code of Conduct, councillors with a prejudicial interest in a topic arising at a meeting are allowed to stay in the meeting to make representations, give evidence or answer questions about the matter; they must then leave the meeting while the matter is discussed and a vote taken. They are only entitled to this privilege if members of the public have the same rights to make representations etc.

The current practice in the parish council is that the public are permitted to ask questions at the Council meeting and are expected to submit a brief written outline to the Clerk before the meeting. In fact the Standing Orders say that "members of the public may address the meeting in relation to the business to be transacted at that meeting" (rather than ask questions). The Standing Orders are unspecific as to how the provision should be operated and this is an opportunity to lay down some ground rules.

There is currently no provision for the public to address committees or sub-committees. This means that councillors with a prejudicial interest in a topic at a (sub-)committee do not have the rights listed above.

The Council is asked to consider the recommendations below. They may need amending depending on the decisions arising from (a) & (b) below. The Council is also asked to decide if it wishes the provision for public participation:

- a) to include the ability to ask questions, or just to make representations, give evidence or answer questions about the matter;
- and
- b) to be related to the business to be transacted at that meeting.

Recommended:

- i) members of the public be allowed to ask questions, make representations, give evidence or answer questions at Council, committee and sub-committee meetings in relation to the business to be transacted at that meeting, and that the meeting be adjourned for a maximum of fifteen minutes for this purpose.
- ii) members of the public must give written notice to the Clerk in advance of the meeting of an intention to take advantage of this provision, including the questions to be asked, if any.
- iii) the questions shall be put and answered without discussion, and there shall be no further discussion of any such address at the time it is made.
- iv) the Council may decline to answer the questions, or may decline to answer in public.

13.2 Co-opted members on sub-committees

The council has co-opted members sitting on its sub-committees. The Standing Orders are silent as to whether attendance of co-opted members counts towards the quorum, and as to whether co-opted members are entitled to vote. Co-opted members are, by law, only allowed to vote if the sub-committee is purely advisory i.e. has no executive powers. It is not clear whether this is the case with the council's sub-committees.

Recommended:

- i) The quorum of a sub-committee shall be one half of the whole number of voting members of the sub-committee, or three voting members (whichever is higher).
- ii) Co-opted members are not permitted to vote.

Agenda item 14

Council Estimates and Precept 2010/11

The Finance Committee has considered the estimates of the spending committees for 2010/11, and the result of its deliberations can be seen in the minutes of the meeting on 24 November 2009.

At that meeting the fate of the Parish Support Grant from Braintree District Council was unknown. The Council has now been informed that the PSG will remain until 2012/13 and will be frozen at the current amount.

Summary of committees' estimates

INCOME	£	£
General		
Precept	76,893	
Parish support grant	8,297	
Interest	225	
	<u>85,415</u>	
Finance Committee	<u>0</u>	
Recreation Committee		
Recreation Ground	50	
	<u>50</u>	
Environment Committee		
Allotments	1,475	
Car parks	2,250	
Other environmental activities	2,554	
	<u>6,279</u>	
Total Council Income		<u>91,744</u>
EXPENDITURE		
Finance Committee		
General Council Administration	29,110	
Grants (general)	1,155	
	<u>30,265</u>	
Recreation Committee		
Recreation Ground	9,140	
Other recreational activities	1,000	
Grants (recreation)	8,100	
	<u>18,240</u>	
Environment Committee		
Allotments	1,645	
Car parks	17,390	
Open spaces and footpaths	8,580	
Street furniture, Xmas lights	1,125	
Other environmental activities	12,474	
Grants (environment)	2,025	
	<u>43,239</u>	
Total Council Expenditure		<u>91,744</u>

	2009/10	2010/11
Precept	£66,658	£76,893
Tax base	1350.72	1364.55
Council tax, Band D property	£49.35	£56.35

Recommendation from Finance Committee

The Council's precept for 2010/11 should be £76,893.