



PARISH COUNCILS' FORUM

THURSDAY 15TH APRIL 2010
AT 6.30 P.M.

COUNCIL CHAMBER, THE COUNCIL HOUSE, BURCOT LANE, BROMSGROVE

Copies of the Parish Councils' Forum Agendas, Reports and Minutes are available on the Council's web-site at www.bromsgrove.gov.uk/pcf

AGENDA

1. Apologies for absence
2. Minutes of the last meeting of the Parish Councils' Forum held on 28th January 2010 and matters arising (Pages 1 - 8)
3. Presentation by Mr. A. Coel, Strategic Housing Manager

"Identifying the need for rural housing and the part played by the rural housing enabler."
4. Parish Councils' Charter - update

The Parish Council Charter will be considered at the meeting of the Council on 21st April 2010. The references within the Charter to the Local Neighbourhood Partnerships have been deleted now that they have ceased.

The Forum also needs to determine the membership of a Parish Council Charter Sub-Group.
5. Standards for England guidance: Notifications to parish and town councils concerning complaints about their members and the Standards Committee (England) Regulations 2008 (Pages 9 - 10)
6. Electoral Services / Parish Council Casual Vacancies (Pages 11 - 12)
 - (a) **General Election**

The Parliamentary General Election is to be held on Thursday 6th May 2010. The critical timetable dates are as follows:-

- Nomination of candidates for the General Election must be received by 5.00 p.m. on Tuesday 20 April
- Registration applications must be received by 5.00 p.m. on Tuesday 20 April
- Applications for a postal vote or changes to existing arrangements must be received by 5.00 p.m. on Tuesday 20 April
- Postal ballot papers will be issued 23 - 30 April
- Applications to appoint a proxy (someone who can vote on your behalf) must be received by 5.00 p.m. Wednesday 27 April
- Hours of Poll are 7.00 a.m. to 10.00 p.m. on Thursday 6 May

Registration and Voting Applications available on our Websites
www.bromsgrove.gov.uk or **www.redditchbc.gov.uk**

Helpline: 01527 881 421

Email: elections@bromsgroveandredditch.gov.uk

(b) Community Governance Review - Lickey End Parish Council

The Electoral Matters Committee meets on 12th April 2010 to approve the Terms of Reference for the Community Governance Review of Lickey End Parish Council to include the form of consultation process, the timetable and consultation leaflet.

(c) Parish Casual Vacancy Summary

Attached.

7. Question re: Council Tax / Precept calculation

"It is noted that the District Council 'surcharge' 10% over the declared precept."

(Note: This item has been added at the request of Mr. C. W. Bateman, Lickey End Parish Council.)

K. DICKS
Joint Chief Executive

The Council House
 Burcot Lane
 BROMSGROVE
 Worcestershire
 B60 1AA

8th April 2010

Agenda Item 2

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PARISH COUNCILS' FORUM

THURSDAY, 28TH JANUARY 2010

AT 6.30 P.M.

PRESENT: Councillor R. Hollingworth (Chairman)

Representative(s)	Parish
Mr. J. Cypher (Chairman)	Alvechurch
Mrs. J. Jagger (Chairman)	Barnt Green
Mr. R. Westbury (Executive Officer)	
Mr. C. R. Scurrall	Belbroughton
Miss P. Harrison (Executive Officer)	Beoley
Mrs. E. Guise (Clerk)	Cofton Hackett
Mr. K. Duncan	
Mr. R. Harper (Chairman)	Dodford with Grafton
Mr. G. V. Cole	Hagley
Mr. K. Woolford	Lickey and Blackwell
Mr. C. W. Bateman	Lickey End
Mr. I. A. Hodgetts (Chairman)	Romsley
Mrs. H. Davies (Clerk)	Tutnall and Cobley
Mrs. S. J. Baxter (Chairman)	Wythall
Miss P. Harrison (Executive Officer)	

Officers: Mr. K. Dicks, Mrs. C. Felton and Mr. A. C. Stephens

15/09 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from:

Parish	Representative
Beoley	Mr. B. J. Somner (Chairman)
Belbroughton	Mr. J. M. Bradley (Chairman) Mrs. C. Limm (Clerk)
Bournheath	Mrs. K. May (Chairman) Mrs. S. Davies
Catshill and North Marlbrook	Mr. G. F. Witcomb (Chairman) Mrs. G. Lungley (Clerk)
Clent	Mr. E. Sheppard (Chairman) Mr. S. Malek Mrs. R. Mullett (Clerk)
Cofton Hackett	Mr. B. Bridgewater

Parish	Representative
Dodford-with-Grafton	Mrs. C. Limm (Clerk)
Hunnington	Mrs. R. Mullett (Clerk)
Lickey and Blackwell	Mrs. J. King
Romsley	Mrs. R. Mullett (Clerk)

(NOTE: Miss P. Harrison gave the apologies for absence from Mr. B. J. Somner and explained that he had recently been unwell. Consequently, the Joint Chief Executive suggested that the Forum may like to forward its best wishes to Mr. Somner. This was agreed by the Forum.)

16/09 **MINUTES, AND MATTERS ARISING**

The minutes of the meeting of the Parish Councils' Forum held on 22nd September 2009 were submitted.

Miss Harrison referred to the minutes and expressed concern over the consultation procedures relating to the issue of Certificates of Lawfulness in that her Parish Council wished to comment on applications for proposed developments, as well as existing developments. The Chairman confirmed that the matter would be investigated and arrange for the Parish Council's concern to be communicated to the relevant department(s) within the Council.

Mr. J. Cypher stated that he had recently encountered problems using the 'Public Access' planning / licensing website facility and questioned whether the parishes could be afforded additional time to respond to consultations. Mr. Dicks stated that he was aware of issues with the software and that he would speak to colleagues in Planning and Environment Services about the problems. However, he added that the Council would still have to work within statutory deadlines or run the risk of applications for planning permission being appealed for non-determination.

RESOLVED that the minutes be approved as a correct record.

17/09 **ELECTORAL SERVICES / PARISH COUNCIL CASUAL VACANCIES**

The Forum gave consideration to a report which outlined the Parish Councils' Casual Vacancies, together with details of the annual canvass for the Register of Electors which had been published on 1st December 2009.

RESOLVED that the information contained within the report be noted.

18/09 **FORWARD PLAN (1ST JANUARY TO 30TH APRIL 2010)**

Consideration was given to a report which indicated to the Forum where the Cabinet's Forward Plan of key decisions to be taken over the next four months could be located on the Council's website.

RESOLVED that the report be noted.

19/09 **PARISH COUNCILS' CHARTER - UPDATE**

The Chairman informed the Forum that, to date, the Parish Council Charter had been adopted by fifteen Parish Councils, with two parishes yet to respond. He added that three Parish Councils had declined the invitation to adopt the Charter.

Councillor Hollingworth then outlined what would happen with the Charter next; that is, the Council would itself adopt the Charter and work in accordance with it in conjunction with those parishes that had signed up to it. He stated that the those Parish Councils who had not, at this stage, adopted the Charter could still sign up to the document at any stage if they so wished.

In response to a question from Mr. Cypher, the Chairman confirmed that Councillor M. J. A. Webb would be the Cabinet Member to support the Charter and that Mrs. C. L. Felton, Head of Legal, Equalities and Democratic Services would be the Lead Officer to the Forum. Furthermore, Mr. Dicks added that he would also be happy to respond to questions from Members of the Forum.

The Chairman clarified the position in respect of the County Council's Parish Councils' Charter which had been proposed several years ago. However, he stated that the development of the District Council's Parish Charter had been developed with the Parish Councils themselves and that it would be a 'living' document, unlike the County Charter which had probably not been reviewed in any way since being initially proposed.

Members of the Forum discussed the reasons why some Parish Councils had declined the District Council's invitation to adopt the Charter. In conclusion, Mr. Cypher suggested that Feckenham Parish Council - the only Parish Council within the Redditch District - may wish to be invited to attend meetings of the Forum and, ultimately, sign up to and adopt the Parish Councils' Charter.

RESOLVED:

- (a) that the details of those Parish Councils which have adopted the Parish Councils' Charter be noted;
- (b) that an invitation be extended to Feckenham Parish Council to attend and participate in meetings of the Forum; and
- (c) that the membership of the Parish Councils' Charter Sub-Group be determined at the next meeting of the Forum, by which time the Charter itself would have been considered by the District Council, prior to formal adoption.

20/09 **QUESTIONS RAISED BY THE AREA COMMITTEE OF CALC**

- (a) Parish Council information in Council Tax billing packs

"Would it be possible, if the parishes wanted to do so, to include an explanatory paragraph / small leaflet about the parish precept in the mailing sending out the Council Tax bills?"

The Chairman stated that this issue had been considered in the past but had been reluctantly turned down due to the increased costs which would be incurred by including an individual leaflet relating to each of the parish areas.

The contents of a statement from Ms. J. Pickering, the Head of Financial Services, was read out to the Forum giving a further explanation of the issues involved. However, the statement included details of a possible solution for the 2011/2012 Council Tax year (the bills having already been prepared for 2010/2011) by way of a generic explanation on behalf of all of the parishes contained within the County/District Combined booklet which was sent to all households with the Council Tax bills. Members of the Forum were advised to contact Ms. A.-M. Darroch, the Council's Communications Manager, with a view to obtaining space in next year's combined booklet.

The Forum considered alternative methods of communicating an explanation of what parish councils do and why they raise a precept. It was noted that each parish operates in differing ways and do different things so a generic statement on behalf of all parish councils may not accurately reflect the work undertaken within the parishes. For example, some parish councils within the district employ the services of a Lengthsman, paid for out of the parish precept. However, the Forum considered that the Lengthsman scheme was something that should be investigated at a later date.

This was noted

(b) Older People Task Group

"Hugh Bennett had made a presentation about the Older Persons Task Group at the last meeting and the parishes had been asked to submit comments. Did he receive any feed back and has a report emerged yet?"

The Forum were advised that two responses had been received following the presentation on the Older People Task Group by Mr. Bennett at the previous meeting. Brief details of these responses were relayed to the Forum.

It was reported that, whilst the Task Group's report had been drafted, the Overview Board would be considering the report at its meeting to be held on 2nd February 2010 before being presented to Cabinet on 3rd March 2010 which would then consider the recommendations made by the Task Group.

This was noted.

(c) Core Strategy

"News on the Core Strategy?"

The Forum were advised of the current situation in respect of the development of the draft Core Strategy; that is, the Regional Spatial Strategy (RSS) report had been received and more focussed work on the draft Core Strategy could therefore be undertaken. The Forum were also informed of the approach the Council were intending to take in respect of the housing allocation within the District of 4,000 houses initially up to 2021, with scope for a further 2,000 - 3,000 in later years.

Members then discussed the implications of the RSS report, the draft Core Strategy document, matters arising from the formal Examination in Public and the proposals for consultation with the public and statutory consultees.

This was noted.

(d) Shared Services with Redditch Borough Council

"Shared services with Redditch - are there likely to be any disadvantages (Redditch has little experience with working with parishes)?"

The Chairman informed the Forum that the Council's relationship with the Parish Councils would be likely to be unaffected by the Shared Services initiatives.

Mr. Dicks reported that the Shared Management Team had been appointed and would formally be taking up their posts on 20th April 2010. He also outlined how he anticipated services to improve as a result of closer shared working and how he planned to implement the necessary changes in due course.

RESOLVED that the details of the new Shared Management Team, together with contact information, be forwarded to the Parish Councils for information.

(e) Cuts to the District Council's budget - impact on Parish Councils

"What impact will there be on the parishes arising from cuts in funding to the District Council?"

Mr. J. Cypher expressed concern that, as a result of cuts to the Council's budget, the operation of the Local Neighbourhood Partnerships was to cease on 31st March 2010.

The Chairman stated that it was unfortunate that the Council had to take this course of action but savings were required to be made for the next financial year. However, he added that additional funding was

being given to the Local Strategic Partnership which would be available to cover the District, rather than those specific areas where a Local Neighbourhood Partnership had been established.

From the ensuing discussion, Members of the Forum considered the issues relating to engaging the public and public bodies, including the possibility of encouraging those Partnerships already established to continue their work on an informal, unfunded basis.

This was noted.

(f) Parish Council Training - Planning issues / Code of Conduct

"Provision of training for the parishes by the District Council on:-

- *planning issues*
- *the Code of Conduct."*

Mrs. Felton explained that both the Head of Planning and Environment Services, and herself, had provided training for individual, or groups of, Parish Councils in the past, and that there was no reason why this could not continue as long as the training sessions were well attended and, therefore, meaningful.

She suggested that requests for training could be programmed in to a training schedule in order that there is a better opportunity for the provision of training.

Mr. Cypher commented on the Code of Conduct training which had been provided in the past, with a view to the provision of further training on the imminent changes to the Code of Conduct. Mrs. Felton responded by saying that the Chairman and Clerk of the Parish Councils would also be invited to future Code of Conduct training, but that it would be impractical to invite all parish councillors.

In respect of training on planning issues (especially in the light of recent planning applications in Stoke Prior, Alvechurch and Dodford), it was felt that the new Head of Planning Services, when appointed, could assist in developing a programme of relevant training.

This was noted.

21/09 **COMMUNITY INVOLVEMENT IN LOCAL DEMOCRACY**

(The Chairman agreed to the addition of this item as a matter of urgency in order that information could be conveyed to the Forum before the next meeting.)

The Forum was advised that the Council were investigating ways to enhance community involvement in the democratic process, in the light of Democracy Year 2010 - 2011, and had established the Community Involvement in Local Democracy Task Group.

Members were informed of the terms of reference for the Task Group, what it intends to do and who it would consult with, together with co-ordinating the arrangements for Democracy Year. Members were invited to contact the Council should they wish to be involved or express the views of their respective parish council.

This was noted.

22/09 **DATES OF PARISH COUNCILS' FORUM MEETINGS (2010)**

Consideration was given to a report which outlined suggested dates for future meetings of the Forum.

RESOLVED that the Forum meetings during 2010 be held on the following dates:-

- Tuesday, 30th March 2010 (6.30 p.m., Council Chamber)
- Tuesday, 29th June 2010 (6.30 p.m., Council Chamber)
- Tuesday, 28th September 2010 (6.30 p.m., Council Chamber)
- Tuesday, 21st December 2010 (6.30 p.m., Committee Room)

The meeting closed at 8.10 p.m.

Chairman

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Notifications to parish and town councils concerning complaints about their members and the Standards Committee (England) Regulations 2008 (the 2008 Regulations)

The 2008 Regulations make it clear that parish and town councils must be given notification that a complaint concerning one of their members has been assessed. After that, unless the initial assessment sub-committee decides to take no action on the complaint, the parish or town council must then be informed of certain significant subsequent steps taken in dealing with that complaint.

What information should be received?

Where a sub-committee of a standards committee meets to assess an allegation or to review a decision it must send in writing to the parish or town council concerned the main points considered, its conclusions, the reasons for its decision and may name the member unless to do so is not in the public interest or would prejudice an investigation. The decisions are whether to investigate the allegation, or whether to take some other action in relation to the alleged behaviour.

A parish or town council should also receive notification after a standards committee meets to consider the report into an investigation and whether to accept a finding about whether a councillor has breached the code of conduct or not. They should also receive notification of the outcome of a hearing and reasons for it, if one is held.

When should notifications be sent?

The duty to give notifications has no specific time frame. The general rule is that notification should be given as soon as is reasonably practicable. However, Standards for England recommend that notification be sent out within five working days of the decision being made for most decisions and within two weeks of any hearing being concluded.

The purpose of notifications

As a parish or town council you will be given these notifications to inform you of a case against one of your members and to keep you informed of significant events as the case progresses. This is important so that you have time to prepare or preserve evidence relevant to the complaint. You will also be able to make appropriate arrangements between the member and an employee where the complaint has been made by the employee. The rationale of the notification is to facilitate the standards committee's action, not to start new action within the parish or town council.

What to do when you get a notification

Each council needs to consider what it can lawfully do with the notifications it receives. Parish or town councils should consider putting in place protocols that deal with:

- access to information
- sharing of information

- how various legal obligations are met including those under the general law of confidentiality, the Freedom of Information Act and the Data Protection Act.

Notification procedures

Standards for England recommend that each parish or town council adopt procedures about how to deal with notifications. The clerk should then notify the monitoring officer of these procedures once they have been implemented so that the monitoring officer knows who to send the notifications to. The rules should clearly set out the limits on what information each member, employee and the public are able to receive about each complaint.

They should:

- Ensure that if the council is to be informed of a notification it is normally done by sending out an information item for members, rather than including the notification on the agenda of a council meeting.
- Choose a nominated employee (usually the clerk) and select a council committee to deal with and be informed of such notifications when they are received.
- The nominated employee and the committee should, if required to discuss the notification at a council meeting:
 - draft the summonses and agendas so the identity and subject matter of the complaint are not disclosed
 - ensure that any background papers are not made public
 - ensure that the public and press are excluded from meetings where appropriate
 - ensure that the minutes of meetings are written so as to preserve confidentiality
 - make appropriate arrangements, where the complainant is an employee, between the employee and the subject member.
- Take into account who will deal with providing further evidence or information needed by the standards committee about a complaint, be it the nominated employee or a member of the selected council committee.

By having appropriate arrangements in place your parish or town council will ensure that the rights of all concerned in a complaint will be considered. They will also ensure that complaints are dealt with lawfully, effectively and fairly, and will identify only those who need to know or are entitled to know certain information at the various stages of a complaint.

Find out more

- Please read our Code of Conduct: Guidance for members 2007
- Call our enquiries line on 0845 078 8181
- Email us at enquiries@standardsforengland.gov.uk

Published on 4th January 2010.

BROMSGROVE DISTRICT COUNCIL

PARISH COUNCIL – CASUAL VACANCY SUMMARY 2009/10

Date of Notice	Parish	Co-Option/Election Outcome	Appointment Notification
2009 29 Jan	Barnt Green	Co-Option	Yes
9 Feb	Bournheath	Co-Option	Yes
13 Feb	Stoke Stoke Prior Ward	Co-Option	Yes
26 Feb	Bentley Paucefoot	Co-Option	Yes
27 Feb	Barnt Green	Co-Option	Yes
2 Mar	Hunnington	Co-Option	Yes
21 April	Alvechurch Rowney Green Ward	Co-Option	Yes
8 May	Lickey & Blackwell Shepley Ward	Co-Option	
12 May	Stoke Stoke Heath Ward	Co-Option	Yes
18 Jun	Barnt Green	Uncontested Election	Yes
30 Jun	Stoke Stoke Heath Ward	Co-Option	Yes
31 July	Catshill & North Marlbrook Catshill Village Ward	Co-Option	Yes
12 Aug	Belbroughton Belbroughton Ward	Co-Option	Yes
21 Aug	Stoke Stoke Prior Ward	Co-Option	
3 Sept	Alvechurch Alvechurch Ward	Co-Option	Yes
16 Sept	Tutnall & Cobley	Co-Option	Yes
12 Oct	Stoke Stoke Heath	Co-Option	

Continued Overleaf

Date of Notice	Parish	Co-Option/Election Outcome	Appointment Notification
14 Oct	Alvechurch Alvechurch Ward	Co-Option	Yes
20 Nov	Wythall Wythall South Ward	Uncontested Election	Yes
24 Nov	Romsley	Co-Option	Yes
2010 21 Jan	Catshill & North Marlbrook Catshill Village Ward	Co-Option	Yes
4 Feb	Bentley Pauncefoot	Co-Option	
11 Feb	Catshill & North Marlbrook Catshill Village Ward	Co-Option	
19 Feb	Stoke Stoke Heath	Co-Option	
1 April	Barnt Green		
1 April	Lickey & Blackwell Shepley Ward		
6 April	Stoke Stoke Heath		

As at 6th April 2010