

**NOTTH HORSHAM PARISH COUNCIL
THURSDAY 14th MAY 2015 AT 7.30pm
AT ROFFEY MILLENNIUM HALL**

CLERK'S REPORT

1. ELECTION OF CHAIRMAN

Sections 15(1) and (2) of the Local Government Act 1972 provide that the Chairman is elected annually and does not provide any limitation on the number of years that a person may serve as the Chairman;

Members are asked to again note that no Resolution has ever been made by Council confirming or otherwise the previously established 'custom and practice' of the Chairman only serving for two years; and that the Vice-Chairman was a 'Chairman in Waiting'. Further, that there is no reference to the 'custom and practice' within the Council's Standing Orders. (see Reports for this meeting for the past three years)

Two nominations have been received to date – Councillors Rickett and Roger Wilton.

Further nominations may be tabled at the meeting and should be duly proposed and seconded.

RECOMMENDATION

That a Chairman to the Parish Council is elected

2. DECLARATION OF ACCEPTANCE OF OFFICE - CHAIRMAN

The newly elected Chairman is required, by virtue of S.83(4)(a) of the Local Government Act 1972, to sign a prescribed Declaration of Acceptance of Office in the presence of a Councillor(s) and which is witnessed by the Parish Clerk. The appropriate form will be available at the meeting.

3. EARLES MEADOW OAK TREE

Members have previously been advised of visits by two Tree Surgeons to inspect this feature oak tree, following which assistance was also sought from the Trees and Woodland Officer of Horsham District Council (HDC).

As a result of comments made and the high winds of Tuesday and Wednesday an 'exclusion zone' was created around the tree. On Wednesday 6th May 2015, wind gusts of 40mph were recorded on site and physical movement could quite clearly be seen on one of the major fractures of the tree.

To complement this action, a leaflet drop was undertaken to all residents of Earles Meadow on 7th May, as follows –

“As you will, no doubt, have noticed, the feature oak tree on the parkland has been cordoned off and a notice displayed warning of ‘Danger’.

This has come about following inspections by Tree Surgeons and the high winds of the last couple of days. Yesterday, wind speeds were recorded on site of 40mph and it could clearly be seen that there was movement in the tree at one of the fracture joints.

The action taken by the Parish Council in cordoning off the area is a precautionary measure until such times as work is done on the tree itself.

Please take heed of the exclusion zone and do not walk inside of the roped off area. It is also suggested that vehicles are not parked on the road for the length of the roped off area”.

The Clerk has asked David Kavanagh-Spall, one of the Tree Surgeons to attend this meeting to explain to Councillors the concerns and issues and a plan of action.

Members will be invited to consider approving, at the meeting, works to the tree, so as to preserve it. Such works will, of course, may be subject to planning consent, but the Clerk will be working closely with HDC on this matter.

RECOMMENDATION

Members are asked to note the Report and approve such work to the oak tree as may be deemed necessary.

4. ELECTION OF VICE-CHAIRMAN

Section 15(6) of the Local Government Act provides that a Council may appoint a Vice Chairman and Members’ attention is drawn to the comments in the Report for the first agenda item.

Two nominations have been received to date – Councillors Rickett and Turner.

Further nominations may be tabled at the meeting and should be duly proposed and seconded.

RECOMMENDATION

That a Vice-Chairman to the Parish Council is elected

5. DECLARATION OF ACCEPTANCE OF OFFICE – VICE-CHAIRMAN

It is not a legal requirement for the newly elected Vice-Chairman to sign a Declaration of Acceptance of Office. It is, however, historical to the Council that this is done. The appropriate form will be available at the meeting.

6. PUBLIC FORUM

Members of the public are invited to put questions or draw relevant matters to the Council's attention, prior to the commencement of business. This is for a period of up to 15 minutes and shall be limited to 3 minutes per person

9. DECLARATIONS OF INTEREST

Members are advised to consider the agenda for the meeting and determine in advance if they may have a Personal, Prejudicial or a Disclosable Pecuniary Interest in any of the agenda items. If a Member decides they do have a declarable interest, they are reminded that the interest and the nature of the interest must be declared at the commencement of the consideration of the agenda item; or when the interest becomes apparent to them. Details of the interest will be minuted.

Where you have a Prejudicial Interest (which is not a Disclosable Pecuniary Interest), Members are reminded that they must now withdraw from the meeting chamber after making representations or asking questions.

If the interest is a Disclosable Pecuniary Interest, Members are reminded that they must take no part in the discussions of the item at all; or participate in any voting; and must withdraw from the meeting chamber; unless they have received a dispensation.

11. ANNUAL MEETING OF ELECTORS OF THE PARISH

The Minutes of the Annual Meeting of the Electors of the Parish held on Monday 27th April 2015, are available on the Council's website. These Minutes will be signed at the next Annual Meeting of Electors in 2016.

RECOMMENDATION

Members are asked to note this section of the Report

12. CASUAL VACANCIES

As Members are now aware there are six vacancies on the Parish Council – three in Holbrook East; and one each in Holbrook West, Roffey North and Roffey South wards.

Due to the timing of these Casual Vacancies (i.e. immediately following the Election, the co-option procedure is different. The Council –

- (a) is not required to advertise the vacancies
- (b) the opportunity for ten local government electors to demand an election does not apply
- (c) the Council must fill the vacancies within 35 days, starting with the date of the election. The timing is calculated excluding Saturdays, Sundays and Bank Holidays, thus giving a date for co-option **by 25th June 2015**

Conveniently, 25th June is the date of the next full Council meeting and it is hoped that the majority, if not all the vacancies can be filled on that date..

At the time of writing the Report, former Councillor Mrs Ginn has expressed a wish to be co-opted to the Parish Council and will be in attendance at the meeting, thus leaving five vacancies to be filled.

RECOMMENDATION

Members' views are sought as to the filling of the six Casual Vacancies

13. APPOINTMENT OF MEMBERS TO COUNCIL COMMITTEES

Members are reminded of Standing Order 15.5. as follows –
'It is recommended that Members sit on at least one (1) Committee and not sit on more than two (2)'.

Members are advised that in the event of an 'over-subscription' to any of the Council's Committees there will be a vote by way of a paper ballot of the whole Council, as prescribed by Standing Order 12 –

"Where two or more 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 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. Any tie may be settled by the Chairman's casting vote".

(a) Finance and Administration Committee

The Council's Standing Orders (SO15.9-2) of 11.11.2010, last amended June 2014, provide that this Committee shall consist of **seven** Members, including the Chairman and Vice-Chairman of Council, with a quorum of three.

Following the invitation to Members to select their Committee choices and at the time of writing the Report, four Councillors have signified this Committee as their first or second choice (Councillors Burgess, Torn, Turner and Mrs Wilton); **thus leaving one vacancy on this Committee.**

Members are asked to note that the Committee will be invited to elect a Committee Chairman and Vice-Chairman at the next Finance and Administration Committee meeting on 4th June 2015. Members are also asked to note that, at that meeting, appointments will be made to the Internal Controls Working Group, in accordance with SO15.9-7

RECOMMENDATION

That appointments are made to the Finance and Administration Committee, as required

(b) Property Committee

The Council's Standing Orders (SO15.9-3) of 11.11.2010, last amended June 2014, provide that this Committee shall consist of **eight** Members, with a quorum of three.

Following the invitation to Members to select their Committee choices and at the time of writing the Report, six Councillors have signified this Committee as their first or second choice (Councillors Mrs Burgess, P. Burgess, Knight, Searle, Torn, and R. Wilton), **thus leaving two vacancies on this Committee.**

Members may wish to consider an amendment to Standing Order 15 9-3 to change the membership of this Committee to seven, rather than an even numbered eight.

Members are asked to note that the Committee will be invited to elect a Committee Chairman and Vice-Chairman at the next Property Committee meeting on 11th June 2015.

RECOMMENDATION

(a) Members' views are sought as to a change to Standing Order 15 9-3, to reduce the Committee membership from eight to seven Members

(b) That appointments are made to the Property Committee, as required

(c) Planning, Environment and Transport Committee

The Council's Standing Orders (SO15.9-4) of 11.11.2010, amended June 2014, provide that this Committee shall consist of a **maximum of twelve Members, three from each of the four Wards**, with a quorum of four.

Following the invitation to Members to select their Committee choices and at the time of writing the Report, twelve Councillors have signified this Committee as their first choice or second choice - one from Holbrook East (Councillor Mrs Burgess); two from Holbrook West (Councillors Knight and Wassell); one from Roffey North (Councillor Searle); and two from Roffey South (Councillors Turner and Mrs Wilton), **thus leaving six vacancies on this Committee.**

Members are asked to note the following points –

- (a) any Parish Councillor who was also elected as a District Councillor is unable to sit on this Committee
- (b) Mrs Ginn, who has put herself forward for co-option (see agenda item 11 above) has indicated her wish to sit on this Committee in Holbrook East ward
- (c) the 'distribution' of Members among the Wards can be addressed by the Committee.

Members are asked to note that the Committee will be invited to elect a Committee Chairman and Vice-Chairman at the next meeting of the Planning, Environment and Transport Committee on 18th June 2015

RECOMMENDATION

That appointments are made to the Planning, Environment and Transport Committee, as required

(d) Personnel Committee

The Council's Standing Orders (SO15.9-5) of 11.11.2010, last amended June 2014, provide that this Committee shall consist of the Chairman and Vice-Chairman of Council and the Chairman of the Finance and Administration Committee; and **two** other Members; with a quorum of three.

Following the invitation to Members to select their Committee choices and at the time of writing the Report, no Councillors have signified this Committee as their first or second choice.

Members are asked to note that the Committee will be invited to confirm that the Council Chairman and Vice-Chairman will be the Committee Chairman and Vice-Chairman (SO15.9 at the next meeting of the Personnel Committee on 2nd July 2015.

RECOMMENDATION

That appointments are made to the Personnel Committee, as required

(e) Local Plan Committee

The Council's Standing Orders (SO15.9-6) of 11.11.2010, last amended June 2014, provide that this Committee shall consist of the Chairman and Vice-Chairman of Council and the Chairmen of the Finance and Administration and Planning, Environment and Transport Committee; and **one** other Members; with a quorum of three.

Standing Order 15.9-6(v) provides that a review of the existence of this Committee take place in January 2015.

RECOMMENDATION

- (a) That Members consider whether the Local Plan Committee continues to exist**
- (b) That if the Committee continues, an appointment is made to the Committee as appropriate**

14. REPRESENTATIVES TO OUTSIDE BODIES

- (a) BIFFA Brookhurst Wood Landfill Site Liaison Group**
Previous Council year – Councillor Searle
Current nominations – Councillors Searle (2nd choice)

- (b) Horsham District Association of Local Councils**
Two representatives – generally Chairman and Vice-Chairman of Council

- (c) Horsham District Burial Advisory Group**
Previous Council year – Councillor Searle
Current nominations – Councillor Searle (1st choice)

- (d) **Sussex Association of Local Councils**
Note – generally the Chairman of Council

- (e) **Horsham in Bloom**
Previous Council year – Mrs Ginn
Current nomination – Mrs Ginn (subject to co-optioon) and
Councillor Searle (3rd choice)

Further nominations in respect of any of the above will be taken at the meeting.

RECOMMENDATION

That appointments and nominations are made, as required

15. REPORTS FROM OUTSIDE ORGANISATIONS

At the time of writing the Report, there are no advance Reports

16. CHAIRMAN'S ANNOUNCEMENTS

At the time of writing the Report there are no Chairman's Announcements

17. REVIEW OF COUNCIL POLICIES

- (a) **Policy and Conditions of Hire in relation to Parish Council owned premises -**

Members are asked to consider the following **amendments** to this Policy –

Section 4 – Age of Hirer

- (i) Amend typographical error in section heading
- (ii) Delete second paragraph of section

Section 7 – Deposits

Increase the sum of the deposit to £350.

Section 9 – Payment of Hire Charges

- (i) Insert new third paragraph – 'Where a booking is made with less than seven days' notice, payment of the invoice must be made in full immediately'
- (ii) Insert new fourth paragraph – 'Late payment of any invoice may, at the discretion of the Parish Clerk, attract an Administration Fee of £5 per week, beyond the due date of the invoice'

Section 18 – Undesirable substances

Amend the final paragraph to read ‘Hirers must keep helium filled balloons weighted’

Section 23 – Equipment provided by the Council

Amend the second paragraph to read –
The following appliances are available to hirers –

Roffey Millennium Hall

Cooker (both ground floor kitchens)
Fridge with freeze box (both ground floor and upstairs kitchens)
Dishwasher (North Hall and upstairs kitchens)
Microwave (North Hall kitchen)

North Heath Hall

Cooker (upstairs kitchen)
Fridge and freezer (upstairs kitchen)
Fridge with freeze box (Room 15/16 kitchenette)
Dishwasher (upstairs kitchen)

Holbrook Tythe Barn

Cooker (main Hall and Wallace Room kitchens)
Fridge with freeze box (main Hall and Wallace Room kitchens)
Dishwasher (main Hall kitchen)
Microwave (main Hall kitchen)

Section 24 - Cleanliness

Add to end of first paragraph – ‘.... Including kitchen appliances, crockery and cutlery’

Section 37 – End of Hire

Change end of hire time for Sundays to 9pm

RECOMMENDATION

That the Policy and Conditions of Hire in relation to Parish Council owned Premises is amended in the manner described above, by way of amendments

Members are asked to consider the following **additions** to this Policy –

New Section 6 – Booking Exclusions

- (i) Bookings will not be taken for groups that it is believed may exceed the capacity of any room or rooms as prescribed by current Fire Regulations

- (ii) Bookings will not be taken for parties or events involving persons between secondary school age and 21 years
- (iii) Bookings are not taken at any of the Parish Council venues (including the Multi Courts on any Bank or Public holidays viz. New Year's Day, Good Friday, Easter Monday, Early May Bank Holiday, Spring Bank Holiday, Summer Bank Holiday, Christmas Day and Boxing Day; and any other Public Holiday that may be announced, from time to time.
- (iv) Bookings are not taken during the Parish Council's Christmas closure from 1pm on Christmas Eve until the New Year (the Parish Office will advise of opening hours)
- (v) Bookings may be taken on the Saturday and Sunday between Good Friday and Easter Monday.

New Section 7 – Use of the Rear Garden at North Heath Hall

- (i) Use of the rear garden at North Heath Hall may be used as part of the hire of the building. Hirers are advised, however, that the garden is a public open space and is, therefore, open to all
- (ii) The specific hiring of the rear garden e.g. for amateur dramatic productions, may be at the discretion of the Parish Clerk but the hirer must be aware of the previous paragraph. In the event of such a hiring the hire charge will be as that currently for the hire of Rooms 1 and 4 together.

New Section 25 – Barbecues

- (i) Barbecues are permitted in the outside areas of North Heath Hall and Holbrook Tythe Barn only
- (ii) The intended use of a barbecue must be notified to the Parish Office at the time of booking or prior to the use of the venue.
- (iii) Barbecues must not be placed near to any wooden structures e.g. seats, sheds etc.
- (iv) The use of an accelerant, such as petrol, must not be used to ignite the barbecue
- (v) The safety of others and any loss or damage arising from the use of a barbecue is the full responsibility of the hirer

RECOMMENDATION

That the Policy and Conditions of Hire in relation to Parish Council owned Premises is amended in the manner described above, by way of additions

Members are asked to note that following approval being given to the above amendments and additions, the Policy will be re-numbered. The document will then be sent to all hirers and put on the Council's website.

(b) Review of all other Council Policies

Listed below are the current Council Policies, all of which are available to view on the Council's website –

Legionella Control Policy (March 2015)
Grants Policy (March 2013/last reviewed May 2014)
Open Spaces Policy (January 2013/last reviewed May 2014)
Corporate Branding Policy (May 2012/last reviewed May 2014)
Community Engagement Strategy (March 2012/last reviewed May 2014)
Statement of Intent as to Training (March 2012/last reviewed May 2014)
Health and Safety – General Statement of Policy (September 2011/last reviewed May 2014)
Fire Safety Policy (October 2010/last reviewed May 2014)
Code of Practice for handling Complaints from Members of the Public (2003/last reviewed May 2014)

At the current time, there are no suggested amendments to be made to any of the Policies listed above. Further, Members are invited to consider that these Policies continue to be relevant to the Council's business and none require to be made 'redundant'.

RECOMMENDATION

Members are asked to continue approval of the listed Council Policies without amendment

The following Policies are all contained within the Staff Handbook (not on the website), of which all members of staff have a copy and is available in the Parish Office for Members to view if they wish.

General Information and Workplace Rules and Guidelines
Terms and Conditions of Service (general information)
Absence Management Policy including Continued and Frequent Sickness
Absence procedures
Staff Performance and Development Policy
Training Policy
Use of the Internet, Email and IT Equipment Policy
Secondary Employment, Volunteering and Political Work Policy
Dignity at Work Policy
Standards of Behaviour at Work Policy
Disciplinary Policy and Procedures
Grievance Policy and Procedures
Pensions Policy

Members are advised that, at the current time, there are no suggested amendments to be made to any of the Policies listed above. Further, Members are invited to consider that these Policies continue to be relevant to the Council's business and none require to be made 'redundant'.

RECOMMENDATION

Members are asked to continue approval, without amendment, of the listed Council Policies contained within the Staff Handbook

18. STANDING ORDERS

(a) SO 28.5 – Financial Matters

Members are asked to approve an amendment to the statutory reference - to the Public Contracts Regulations 2015 (S.I. 2015/102) which is now applicable. There will be no change in the monetary value of this section (£172,514) until 1st January 2016.

RECOMMENDATION

That Standing Order 28.5 is amended in the manner as described above

(b) Standing Orders – Other amendments

Members are asked to note that other amendments will be made as a consequence of Resolutions made (or not) earlier in the meeting – agenda item 12(b) and 12(e).

RECOMMENDATION

Members' views are sought

19. YEAR END ACCOUNTS – 2014/2015

Members are asked to note that the year end accounts were finalized on 16th April 2015, with the assistance, as in previous years, of RBS Software Solutions.

The final accounts will be seen by the Finance and Administration Committee, which next meets on 5th June 2015, who will formulate a Recommendation to Council, for the meeting on 25th June 2015.

The statutory deadline for approval of the accounts is 30th June 2015, with the year-end documentation being required to be deposited with the external auditors, Littlejohn, on an amended date of 7th July 2012. This timetable will be able to be met, in view of the fact that Council next meets on 25th June 2015

RECOMMENDATION

Members are asked to note this section of the Report

20. INDEPENDENT INTERNAL AUDITOR

Regulation 6 of the Account and Audit Regulations 2006 require that the Council appoints an independent Internal Auditor. Council itself determined in May 2006, that the appointment be made every May thereafter.

The current Internal Auditor is Mulberry and Co. who has undertaken the duties of the Internal Auditor since May 2012. The service offered is in two parts – the first on the systems and procedures in place, in the autumn; and financial processes in the spring.

RECOMMENDATION

That the appointment of Mulberry and Co. is confirmed, as the Council's internal auditor, for the year 2015/2016.

21. FINANCIAL MATTERS

(a) Approval of Accounts

The schedule of accounts for payment will be tabled at the meeting

RECOMMENDATION

That the schedule payment of accounts is approved and signed by the Chairman

(b) Direct Debits and Standing Orders

Members are advised that Financial Regulations require that the Councils approve annually all payees to whom payment is made by way of Direct Debit (FR 6.7.) or Standing Order. The following payees are paid by Direct Debit (there are no payments made by Standing Order) –

BNP Paribas	Photocopier Rental
British Gas	Gas and Electricity
Horsham District Council	National Non-Domestic Rates (NNDR) Trade Refuse Collections Dog Bin Emptying
Information Commissioner	Data Protection Registration
Principal	Photocopies made
Public Works Loan Board	Loan Repayment (Roffey Millennium Hall)
Southern Water	Water

RECOMMENDATION

That the payees paid by Direct Debit listed above are approved

(c) Financial Regulations

Financial Regulation 18.1 requires that Council review Financial Regulations annually. Members are advised that, at the current time, there are no suggested amendments to be made to Financial Regulations and they continue to be relevant.

RECOMMENDATION

Members are asked to continue approval, without amendment, of Financial Regulations.

22. DATE OF NEXT COUNCIL MEETING

Thursday 25th June 2015

Sue Kemp – Parish Clerk
8th May 2015