

# Studley Parish Council

Minutes of the Parish Council meeting held in the Council Chamber, Studley Village Hall on Tuesday 21<sup>st</sup> October 2008 at 7.30pm.

## 1. Chairman declared the meeting open

## 2. Present

Chairman J. Bacon, P. Beaman, Mrs M. Woodrow, E. Holder, W. McCarthy, Mrs H. Wersocki, Mrs A. Wade, C. Rickhards, M. Redman.  
District Councillors M. Weddell, Mrs H. Wright.  
County Councillor Mrs H. McCarthy. Dr. Peter Bebbington.  
9 members of the public.

## 3. Apologies for Absence

Vice Chair Mrs S. Redman, Mrs M. Bell, J. Vale.

## 4. Declarations of Interest

Members are asked to declare personal interests in any item on the agenda.

*Members are reminded that the Code of Conduct which took effect from 8 March 2002 provides that they should declare the existence and nature of their personal interest at the commencement of the relevant item (or as soon as the interest becomes apparent). If that interest is prejudicial they should withdraw from the room and not seek improperly to influence a decision about that matter.*

Cllr Holder min 264 – non prejudicial interest

## 5. Public Forum

The Chairman gave some background information regarding min 264 concerning the termination of the contract of an allotment plotholder. This is an opportunity for the people concerned to speak before the item is discussed by the Parish Council.

### **Adrian Smith, Secretary of the Allotment Association:**

- Apologies from John King, Chairman of the Association.
  - Association has been in place for 3 years and all agree it has had a positive effect.
  - Has a responsibility to individual plotholders as well as the group and it was proposed at the July meeting and agreed at the October meeting that the tenancy of a plotholder should be terminated after 3 years of non meaningful cultivation.
  - Waiting list for Station Road allotments and as landlords have a responsibility.
  - Aware that tenant has been in hospital and unable to cultivate. Now recovered and if hasn't got time should give up the plot. Doesn't mean he can't take on a plot in the future.
  - Warning letters are only a courtesy, one sent October 2007.
  - Tenant does not want to become a member of the Association.
  - Parish Council need to shoulder responsibility and terminate the contract. Debris has not been removed. Overgrowth only cut down yesterday.
  - It is a sad day but has a responsibility to other tenants and the Association.
- Thank you from the Chairman for comments. It is not a personal decision but that of the Association.

**Tenant from next plot:** lot of seeds blowing onto her plot causing problems. Other people are ill but plots not in same condition.

**Chris Smith:**

- Last year had serious operation, off work for 7/8 months. Warning letter received week after getting out of hospital so impossible to get plot into acceptable form.
- In January when better started to cultivate but had financial problems which needed addressing and plot fell into disrepair.
- For a number of years no one wanted to take on the plot, worked hard to clear away laurel trees long before Association was ever there.
- This year has been a problem and agree has been in breach of contract but yesterday plot was cleared and will now keep it in an acceptable condition.
- Always had an agreement that two warning letters would be sent then if disregarded termination letter sent. No warning letters have been received just the termination letter.
- 27 and 29 Augustine Avenue have taken down a hedge and it has been brought to the allotment for burning.
- Also made clear could not keep chickens due to rat problem. Goalposts being moved, first 10 chickens, then 6 and no ducks or geese. Mr Clark on the next plot still has chickens, more than 40. Is he in breach of contract?
- Very unfair, rules for them and rules for us, should be an even playing field. Just want to get on with work, if there is a problem, send a letter, not unapproachable.

Thank you from the Chairman to Mr Smith.

#### **6. Dr Peter Bebbington re work of the Standards & Ethics Committee**

Thought it would be useful to try and explain the work of the Standards & Ethics Committee. Visiting a number of Parish Councils and thanks to the Clerk for organising the meeting.

**Composition of the Committee:** made up of 13 members, 5 independent, 4 Parish Councillors, 4 District Councillors. Chairman and Vice Chairman independent, neither Councillor or Officer but appointed by political group. Parish Councillors serve for 4 years and are appointed from a broad geographical area. Independent members have a formal interview and come from different walks of life. All members receive appropriate training.

**Responsibility – Code of Conduct:** assessing complaints against Councillors to see whether an investigation or course of action should take place. Stratford has about 25 a year, perhaps 4 are referred to the Standards Board. Councillors can be disqualified. Procedure to follow, depending on severity of allegation, how long ago, if complaint received before. Have to look at costs to see if it would be in the public interest to investigate. Each complaint that is referred costs approximately £4000. A hearing is held to see if the Councillor has breached the Code of Conduct. Committee has power to censure, offer training, apologise or suspend. Sub committees and appeals committee determine whether to hear the case.

Encourage preventative work, important to offer training. Publish a quarterly newsletter 'Decorum' offering advice on concerns and confusion.

**Number of other functions:** role under The Freedom of Information Act. Can make decisions to disclose information, Ombudsman role concerning complaints procedure,

to overview Council's Whistleblowing policy and procedure, Planning & Licensing training to ensure Councillors are properly prepared.

Some other duties involve complaints against Parish Clerk and how Parish Councils are run.

Thank you for the invitation to the meeting from Dr Bebbington.

Questions from Councillors

- Notion of public interest is a bit worrying, how do they decide? With difficulty, rely on common sense and advice from the Monitoring Officer. Do best to interpret public interest.
- Complaints cost money – is there mediation first to try and resolve as much as possible? Ethical Standards Officer or Monitoring Officer will investigate. Sub committee will have discussion to take forward. Report brought back to full committee for a view to see if merits a determination. One person who is well qualified undertakes the investigation.  
Conflict between public interest and Freedom of Information Act – have to take a decision and advise.
- Concern about the composition of Committee as appointed by the ruling political group.

Thank you from the Chairman for attending the meeting.

## **7. To Pass the Minutes of the Last Meeting**

**The minutes were amended and accepted as a true record of the last meeting. They were signed by the Chairman.**

## **8. Matters Arising (for information only)**

Min 250 Request for extra light Willow Way footpath. Area visited by Bob Yarwood, WCC. Lamp lanterns cannot be changed. Only alternative is a new light. To be looked at again in budget for 2009/10.

## **9. Items for Discussion**

Min 245 Freedom of Information Act – New Model Publication Scheme  
Need to look at what charges should be levied and agree what is recommended or other changes. To be passed to Office Committee for discussion.

Min 215 Cllr Mrs Wersocki: Studley Library

Would like Parish Council to write to Val Austin to thank her for her services to the Library.

- Min 215 16<sup>th</sup> September 2008 it was proposed to bring issue of library and opening hours to the next Community Forum meeting on 26<sup>th</sup> November 2008. Disappointed that Library Service had discussion with County Cllr Mrs McCarthy and did not consult Parish Council.
- County Cllr Mrs McCarthy: it is up to the Library what they do, did take note of issue for extra hours but lottery bid was unsuccessful. There is no money therefore no extra hours.
- Cllr Mrs Wersocki feels that the discussion at the meeting at the beginning of September was a pointless exercise. Really disappointed no liaison between Parish Council, County Council and County Councillor.

- Can still be taken to Community Forum on 26<sup>th</sup> November 2008.  
Review to be undertaken, can fight when we know the result.
- Imposition that hours were agreed before the Parish Council meeting.
- Need to put forward a good case.
- Cllr Mrs Wade: in any situation a pressure group is most important. All Councillors should write. We will not go away or be pushed around, we want our fair share of the cake. We trust WCC to apportion money fairly but can see that through the Library it is not apportioned fairly.
- District Cllr Mrs Wright: if review taking place should ask for terms of reference.

**RESOLVED:** Clerk to write to WCC and ask to see terms of reference for review.

- Min 264 Allotments: decision concerning termination of contract of plotholder to be taken by Parish Council.

**Proposed Cllr Beaman to write to the tenant to offer period up until 1<sup>st</sup> April 2009 to put the plot in order, seconded Cllr Redman.**

**Voting 7 for, 2 abstentions.**

Need to make sure that all plotholders work to agreement. Audit to be undertaken each year. Agreement to be looked at.

- Min 265 Cllr Rickhards: Parking outside Tesco Express

Two incidents occurred in September that shocked him. Implore Councillors to press more strongly for something to be done.

First incident involved a gentleman and two children, car just missed child on pavement and second incident was a car driving too fast which hit rear of a van. Could easily have been deaths, only a matter of time. Must press for bollards to go on edge of pavement as a matter of urgency.

Cllr Redman: supports Cllr Rickhards. Also if large vehicle parked outside Tesco creates a blind spot. Serious accident waiting to happen.  
Cllr Beaman: need to push to get pedestrian crossing moved with rail the length of Tesco.

Cllr Bacon: was raised at Community Forum and will be raised again at next meeting. Police are aware of situation.

**RESOLVED:** Clerk to write to WCC again. Also to ask Police if cameras can be moved.

- Min 266 Cllr Mrs Wright: Studley Improvement Plan Information Pack in conjunction with Studley PC. Lack of businesses in the Village, shops closing, had meetings and did a survey. Had discussion with Alcester, Henley and Bidford on how to go forward. Town Centre Manager from Stratford came to a meeting. Need to promote the good in the Village and have produced a food guide. Require permission from the Parish Council to use their symbol on the front cover.  
Now written to all businesses to set up a Trade Association. Will visit everyone to say why it would be useful and work to their advantage. Information pack will have a map, give advice and information. Looking towards encouraging businesses to come to Trade Fair in February. Would like permission to use the logo and need volunteers to visit the businesses. Have support of WCC and SDC. Cllrs Rickhards, Redman and Beaman volunteered to help.

**Proposed Cllr Holder that SIP be given permission to use the Parish Council logo, seconded Cllr Mrs Wade. Voting unanimous.**

**10. Planning Applications for Consideration  
(Cllr Beaman refrained from Voting)**

08/02544/FUL Diocesan Schools Commission, St Marys RC Junior and Infant School, Pool Road, Studley.  
Single storey extension to relocate early years unit with covered play area.  
**Support for the following planning reason:  
In accordance with policy DEV1 general principal will integrate into existing building.**

**11. Planning Decisions Received**  
None.

**12. District and County Council Reports**  
**No District Council Report available**

**County Council Report given by Cllr Mrs H. McCarthy**

Copy handed to all Councillors.

Summary:

- Now over 50,000 carers living in Warwickshire. Number fluctuates by approximately a third every year, with people coming in and out of caring. With the implementation of the National Strategy for Carers, 'Carers at the Heart of 21<sup>st</sup> Century Families and Communities', the County Adult Health & Community Services Directorate has embarked on a ambitious improvement programme that will build on national and local services to increase and improve services to carers.
- The Pupil Reintegration Unit (PRU) where permanently excluded pupils go for short or long periods is looking into matters surrounding fixed term and permanent exclusion numbers and what bearing Learning Support Units within schools have on such numbers.
- As a manager of the PRU asked that reading ages of all pupils in the PRU be looked at with the possible correlation to behaviour.
- Warwickshire now has a Headteacher of a Virtual School which consists of all the children in care in Warwickshire (about 520) and the Head working with partners to ensure effective ways of working with schools and carers to optimise the amount of educational support that will lead to improved performance outcomes. A Private Tutoring Programme is being piloted in Warwickshire.
- Two other pilot projects taking place, 'Right2BCared4' which is to develop services and practices to help maintain young people in their foster placements or other care arrangements until they are 18, and 'Staying Put' which is aimed at exploring new ways of supporting young people beyond 18 to remain in supportive and caring environments beneficial to their development in early adulthood.

- The Government is consulting on proposed changes to the current approach in Planning Policy Statement 6, 'Planning for Town Centres'.
- Locality working is still in its infancy throughout the County. The County Council have voted to change the model Terms of Reference for Community Forums to enable representatives of Parish and Town Councils to chair Community Forums subject to a majority of District and County Councillors voting in favour.

### 13. Correspondence

#### SDC

Min 267 Stratford District Council CCTV Monitoring Service has been re-inspected and achieved the British Standard Award. This has been credited to Richard Beard (Operations Manager) and excellent team of CCTV operatives.

#### WCC

Min 268 Parish Council has been awarded £198.00 grant for Communication Scheme to help set up a welcome pack.

Min 269 Copy letter from WCC confirming Youth Club has been awarded £250.00 Public Realm Grant.

#### Other

Min 270 Letter received from a concerned person about the dangers of speeding traffic and hazard of turning onto A435 by The Little Lark. Noted.

Min 271 Remembrance Day Parade Sunday 9<sup>th</sup> November 2008. To assemble 9.30am Pool Road car park for 9.50am. Parade will march to War Memorial and at 10.45am Parade makes its way up the High Street for Service in the Village Hall.

Min 272 Concerns by residents of 9 & 10 Atcheson Close about youths congregating in the Archway. Would like to see a Youth Shelter in the Recreation Ground, CCTV in the Archway and increased Police presence. Gateway across the Archway would prevent youths gaining access but could raise issue of public access and costs to residents. Studley suffering consequences of moving youths away from Morton Stanley. Need another crack down. Police have been informed. Initiative of Redditch Police always has an impact. Could approach Jephson Housing Association.

**RESOLVED:** Clerk to send copy of letter to Police. Parish Council to look at issue of providing a Youth Shelter.

Min 273 West Midlands Regional Strategy Phase Two . Comments required by 8<sup>th</sup> December 2008.

Min 274 Complaint from 10 Monks Drive concerning the trees and bushes from the Allotments encroaching onto their property. Some of this will be rectified on 21<sup>st</sup> October 2008 when WCC will be carrying out tree surgery work. Copy of letter sent to Allotment Association.

Min 275 Order acknowledgement from LITE that the Christmas lights will be in place before 5<sup>th</sup> December 2008. Cost £1680.00 + VAT for erection, dismantling and storage.

- Min 276 NALC Legal Briefing The Local Authorities (Model Code of Conduct) Order 2007 'The Revised Code'. Copy handed to all Councillors. To be discussed at next meeting.
- Min 277 NALC Financial Services Compensation Scheme following the current financial situation. The scheme operated by FSA will cover up to £35,000 per institution (not per account). Member Councils may need to review their investment strategies.

#### **Correspondence for Circulation**

- Min 278 Report of Henley & Studley Community Forum
- Min 279 NEWSFLASH - WCC Community Computers Scheme
- Min 280 NEWSFLASH – WCC Young People's Fund 2 – Imminent deadline
- Min 281 NEWSFLASH – Three new funds from building Sustainable Neighbourhoods
- Min 282 NEWS RELEASE – Update on Green Bin Service Suspension during Winter months
- Min 283 NEWS RELEASE – Why now is the Best Time to Compost at Home
- Min 284 The Pool Medical Centre – copy of letter to SDC re car parking charges
- Min 285 SDC West Joint Committee Minutes of meeting 18<sup>th</sup> September 2008
- Min 286 SDC Parish Talk magazine

#### **14. Committee Reports**

None.

#### **15. Delegates Reports**

**Report on Stratford District Council Rural Housing Enabling Event held at Ettington Village Hall on Wednesday, 8<sup>th</sup> October 2008 given by Cllr W.**

**McCarthy**

Copy handed to all Councillors

Summary:

- Aim is to alert Parish Councils of the aims and objectives of Warwickshire Rural Community Council (WRCC) in promoting rural affordable housing.
- Rural means any settlement under 10,000 people i.e. any where in Stratford District except Stratford Town.
- Leaflets available describing WRCC's work and how Parish Council's can promote its own affordable housing.
- WRCC also promotes housing for rent or for shared ownership and champions housing for the elderly, singles and disabled.
- Also works with other Housing Associations.
- Highlights 2 parts of the Local Development Framework such as encouraging Parish Councils to identify need.
- Stresses the principles: the need to take the initiative in site identification, support including finance and the completion of a current housing needs survey.
- Barriers mentioned included shortage of suitable land, funding and lead-in times.

- More information available from SDC's Housing officer, Dave Webb.

**16. Approve Accounts for Payment**

**Proposed Cllr Beaman that the schedule of cheques for payment be approved, seconded Cllr Mrs Woodrow. Voting unanimous.**

**The next meeting of the Committee is scheduled for Tuesday, 4<sup>th</sup> November 2008**

**Meeting Closed 9.50pm**