

NEW FRANKLEY IN BIRMINGHAM PARISH COUNCIL

At a meeting of the New Frankley
In Birmingham Parish Council held
at St Christopher's Church Centre,
Holly Hill, Frankley on
17 November 2003 at 1930 hours.

Present

Councillor Eric Carter (In the Chair)

Councillors Linda Banks, Ian Bruckshaw, Michael Denny, Sidney Grey
MBE, William Hollis, Reverend Derek Lewis, Kathleen
Lewis, Stephen Trefor-Jones, Joanna Walker and
Geoffrey Williams.

Also in attendance: Richard Smith (Frankley Neighbourhood Office)
Mrs June Ridler (Tudor Rose Community Centre)
Mrs Donna Blundell (Tudor Rose Community
Centre)
Mrs June Barley (Tudor Rose Community Centre)
Andy Ross (Frankley Community Church Project)

There were 3 members of the public present.

PUBLIC MINUTES

APOLOGIES FOR ABSENCE

An apology was submitted on behalf of Councillor Kane (work
commitments).

MINUTES

It was proposed by Councillor Trefor-Jones, seconded by Councillor
Grey and -

- 773 RESOLVED: That the Minutes of the meeting of the Parish Council
held on 20 October 2003, having been previously
circulated, were taken as read, confirmed and signed.

CHAIRPERSON'S ANNOUNCEMENTS

There were none.

QUESTIONS

There were none.

APPLICATION FOR GRANT AID

Easter Playscheme 2004

The following application for Grant Aid was submitted -

(see interleaved document no. 1)

Ms Judith Hinton, speaking in support of the Application, said that it was evident from the surveys undertaken that the parents supported the Playschemes and appreciated the financial assistance from the Council which enabled the costs to be kept to the minimum and the provision of a wide ranging choice of activities.

One of the aims of the schemes was to involve the under 8's, which was appearing to be successful. However, the organisers took steps to ensure that parents did not abuse the schemes by using them as a drop in childcare facility.

It was therefore proposed by Councillor Grey, seconded by Councillor Bruckshaw and -

- 774 RESOLVED: That the Council, in accordance with its powers under Sections 137 and 139 of the Local Government Act 1972, agree to incur the following expenditure, which, in the opinion of the Council, is in the interests of the area or of its inhabitants and will benefit them in a manner commensurate with the expenditure; a grant of £500 to the Easter Playscheme towards the cost of running a Playscheme for children of Frankley in Easter 2004.

PARISH REMUNERATION PANEL'S REPORT

The following report of the Clerk was submitted -

(see interleaved document no. 2)

The Clerk briefly introduced the report, highlighting the main recommendations of the Panel. He went on to advise that in order for Councillors to be able to claim any allowances after 31 December 2003, the Council had to put in place an Allowance Scheme and that, in determining which allowances and the level thereof, Members had to have regard to the recommendations of the Panel.

Parish Basic Allowance

Councillor Grey expressed his concern regarding the comment in the report that stated that, in the Panel's opinion, the time commitment for a Parish Councillor was thought to be only 4 – 5 hours per week.

Councillor Grey considered that in order for the Council to move forward, Councillors would need to commit more than 4 – 5 hours per week on Council business.

Following some further brief discussion, it was agreed to adopt the Panel's recommendation that a Parish Basic Allowance be paid only to the Chairperson.

Parish Travel Allowance

Councillor Trefor-Jones pointed out that, should the Council agree to adopt the Panel's recommendation that Mileage Allowance be paid only within the West Midlands conurbation and that travel outside that area be paid at the lesser of either the Standard Rail fare or Mileage Allowance, it could contravene the provisions of the Disability Discrimination Act which was to be introduced next year, in that it was not always possible for a person with a disability to travel by train. Following some discussion it was agreed that Councillors should be entitled to claim Mileage Allowance for all journeys undertaken in connection with an Approved Duty.

The Clerk advised Members that the Mileage Rates approved by the Joint Council for Local Government Services set out 3 ranges of engine size together with corresponding rates per mile. (450cc-999cc, 1000cc-1199cc, 1200cc-1450cc and above). However, the City Council, in order to encourage car users to use smaller engines, more economical vehicles had restricted its scheme to the payment of allowances to two categories - 999cc and under and 1000cc and above. The Clerk sought guidance as to whether the Council wished to adopt the three categories of allowance or, alternatively, to adopt the City's scheme. Following some discussion, it was agreed to adopt the City's scheme of two categories of Mileage Allowance.

Parish Subsistence Allowance

Following a brief discussion, it was agreed to adopt the City Council's Subsistence Allowance rates but it was agreed that Members be entitled to claim out-of-pocket expenses and the cost of meals within the Birmingham authority area.

General Administrative Arrangements

The proposed administrative arrangements for the dealing with claims submitted by Members, as set out in the report now submitted, were adopted.

Approved Duties

The duties which should be considered an Approved Duty for the purpose of claiming the appropriate allowances, as set out in the report now submitted, were adopted.

Accordingly, it was therefore proposed by Councillor Joanna Walker, seconded by Councillor Bruckshaw and –

- 775 RESOLVED: That a Scheme of Allowances for Members be submitted for consideration and approval to the next meeting of the Council; such a scheme to include the following –
- A Parish Basic Allowance to be paid to the Chairperson of the Council only; such an allowance to be set annually at the Annual Meeting of the Council having regard to the recommendations of the Parish Remuneration Panel;
 - A Parish Travel Allowance based on the allowances paid for travel to Members of Birmingham City Council and that the appropriate Mileage Rates be paid for all journeys;
 - A Parish Subsistence Allowance based on the allowances paid to Members of Birmingham City Council for out-of-pocket expenses and subsistence and that Councillors be entitled to claim for out-of-pocket expenses and meals taken within the Birmingham authority area.

BUDGET AND PARISH PRECEPT FOR 2004/2005

The following report of the Clerk was submitted -

(see interleaved document no. 3)

The Clerk introduced the report highlighting the changes made to the provisional budget submitted at the last meeting. In accordance with the Council's instructions, he had contacted the Community Librarian, the Organisers of the Easter/Summer Playschemes and the Community Worker of the FCCP to ascertain their probable requirements for Grant Aid during the next financial year. Those requirements came to £5,800 and he therefore suggested that the amount allocated for Grants – Miscellaneous within the Section 137 budget should be increased from £7,500 to £10,000. Additionally, he had learnt that the scheme to Provide Legal/Financial Advice through the Neighbourhood Office had ceased and he therefore proposed that

the amount allocated to provide out-of-hours provision be removed from the budget.

He advised that should both the above proposals be adopted, the Council's budgeted expenditure for 2004/2005 would be £57,689 to be funded by a precept of £31,689.

On the proposition of Councillor Grey, it was seconded by Councillor Bruckshaw and -

- 776 RESOLVED: That the budgeted expenditure of £57,689 for the financial year 2004/2005 be approved, funded by £15,000 carried forward from the current year, a transfer of £10,000 from Reserves and a Precept of £31,689 and that the Precept demand be issued to the City council.

TUDOR ROSE COMMUNITY CENTRE

The following report of the Clerk was submitted –

(see interleaved document no. 4)

Upon being invited to address the meeting, Mrs Blundell stated that, in the opinion of the Executive Committee, neither of the Council's nominees had shown commitment to the Centre and its clients during their terms of office and had additionally not represented the Centre at other meetings. Apart from the times they had attended the Centre for meetings, the two nominees had not involved themselves with the Centre Members, merely popping in and popping out on a handful of occasions. The nominees did not seem to be prepared to take on the responsibilities of an Executive Committee Member or to get involved with the running of the Centre and interact with its clients.

With regard to the allegation that Councillor Denny showed a visitor around the Centre without the prior permission of the Executive Committee, as a Member of the Executive Committee, he should have been aware of the requirement to seek the Executive Committee's permission prior to any visit.

In response Councillor Denny refuted the claim that he had not shown the necessary commitment or become involved with the Centre and its clients and went on to quote from the Frankley Church Community Project's Annual Report written earlier this year.

“There has been a great deal of on going support to the executive board both from myself (Andy Ross, the Project's Community Worker) as well as the Reverend Michael Denny and we have had to see it through some difficult times. I am also continuing to promote the work

of the centre especially the work of the woodwork and gardening groups.

Along with the centre's Tutor we managed to secure them funding from the Learning Skills Council to enable them to purchase some important equipment and get some equipment wired up to let clients use it and so fulfil their course work requirements.

It is also great to be able to drop in for a cuppa and chat with those that attend the centre each day and pick up on any local concerns."

Councillor Denny felt that the work undertaken by the Centre was excellent and could not be praised too highly – providing as it did a wonderful facility for many of the vulnerable members of the community. However, he was concerned that the disagreement between the Centre and the Council could damage that work and that the efforts of certain people to bring to the fore areas of personal conflict and organisational difficulties instead of everyone working together to resolve the difficult issues was to be deplored.

He said that because of his particular role in the community involving pastoral care and confidentiality, he felt somewhat restricted in responding to the allegations as such a rebuttal could cause conflict.

He then referred to the e-mails sent by Mrs Blundell to the Clerk in which there seemed to be some confusion as to who was actually the complainant – on some occasions Mrs Blundell used 'I' and at other times used 'the Executive Committee'. Despite the Clerk requesting, in writing, the Acting Chair to confirm that Mrs Blundell was acting with the authority of the Executive Committee, such confirmation was still not forthcoming. In the absence of such confirmation therefore, it had to be questioned whether Mrs Blundell was acting on behalf of the Executive Committee or pursuing her own agenda. If it was the latter, the allegations should be treated as such. Additionally, if the content of the e-mails were approved by the Executive Committee then it should be recorded in the Minutes of that meeting in which case he requested that he be provided with a copy of the Minutes.

If the Executive Committee had condemned Councillor Linda Banks, Andy Ross and himself as alleged by Mrs Blundell, then he felt that each of the 'accused' should have been afforded the opportunity of defending themselves and seeing what evidence was being presented to justify the allegations. Instead, it would appear that they were judged and condemned in absence.

Turning to the Annual Meeting of the Executive Committee, Councillor Denny said that he had not received written notification of the date – he had only learnt about it by word of mouth and as far as he was

aware, neither Councillor Linda Banks or Andy Ross had received written notification of the meeting date. Several people at the Centre had been informed that he would not be able to attend as he had a prior meeting of the Community Project that night and that was also the case for Councillor Linda Banks and Andy Ross who were also scheduled to attend the same meeting. He was given the impression at that time that a revised date would be set, but in the event of the meeting going ahead, he expected that his apologies and the reasons for absence would be presented and recorded in the Minutes. He pointed out that the proposed Annual Meeting of the Executive Committee was unconstitutional as 21 days notice was not given to the Members and the constitution required that the Annual Meeting be held in October not September as it was.

Councillor Denny felt that the rigid adherence to one section of the constitution but the blatant disregard of another was a ploy on the part of certain parties to remove awkward elements from the Executive Committee. Given the jaundiced content of the e-mails he considered the allegations and insinuations to be vindictive, venomous and suspicious

With regard to the allegation that he had not spent much time at the Centre he admitted that, because of personal circumstances, he had not visited the Centre during the summer.

In relation to the allegation that he showed a visitor around the Centre without the prior permission of the Executive Committee, he admitted that he had visited the Centre with a mature Theology Student but denied that he had shown her around the Centre as they had only gone as far as the aquarium inside the main room. Additionally, given his connections with the Centre over many years, he did not see why he should suddenly be obliged to get the Committee's permission before he visited the Centre.

Councillor Linda Banks stated that because of her working hours it was not possible to visit the Centre more often. She maintained that as a Member of the Executive Committee she had done her best but that was obviously not good enough. She reiterated Councillor Denny's comments regarding the lack of written notice for the Annual Meeting and the prior commitment to attend the meeting of the Project.

Responding to the points raised, Mrs Blundell stated that if Councillor Denny had had concerns regarding the legitimacy of the Annual Meeting then he should have raised them at the time. As to the clash of dates, she queried why all three of the Project Members had to attend the Project meeting – she considered that they should have attended the Executive Committee Annual Meeting as that was, in her opinion, the more important. Mrs Ridler added that both Councillors

had not visited the Centre very often – the only one they saw on a regular basis was Andy Ross.

Councillor Grey advised that, as Councillors Linda Banks and Denny were nominees of the Parish Council, which was a Local Authority, they did not have to seek election to the Executive Committee. He went on to ask Mrs Blundell for a list of the current Members of the Executive Committee and the skills each Member had to enable them to serve.

Mrs Blundell said that as the Centre was a registered Charity, all Members of the Executive Committee had to be elected at the Annual Meeting – no Member had a seat by right.

At this point in the meeting, the Clerk advised the Council that, in the absence of the complainant, Miss Nicola Ridler, the Council should defer consideration of her complaint that two Councillors laughed at her during a visit to the Parish Office as any evidence presented would be hearsay. However, Members wished to clear the matter up and therefore decided to proceed.

Councillor Grey, while denying that he had treated Miss Ridler inappropriately, questioned why it had taken 10 months for the complaint to surface. If Miss Ridler was as upset as was suggested in Mrs Blundell's e-mail, he questioned why the matter was not taken up at the time. Given the years he had spent working on behalf of the local community he felt personally insulted by the allegation. The Chairperson reported that he had telephoned Miss Ridler at lunchtime the day after the alleged incident to check on the progress of the repair and Miss Ridler had told him that the repair had been completed and had thanked him for chasing the repair. At no time during that telephone conversation did she complain regarding her alleged treatment at the Parish Office the previous day. He refuted the allegation that the treatment that Miss Ridler had received was inappropriate, maintaining that she had been treated no differently than any other member of the public seeking the help of the Parish Council. He added that because of his voluntary work for the Social Services involving work with the Elderly/Disabled, anyone that knew him would not believe that he would treat any disabled person in the manner suggested.

A lengthy discussion ensued during which Mrs Blundell and Mrs Ridler complained that because of the lack of involvement by Parish Councillors, the Centre felt isolated. They therefore requested that Councillors visit the Centre on regular basis. However, it was pointed out that all but three of the Councillors were in regular employment during the Centre's opening hours, and of the three Councillors who were retired, Councillors Kathleen Lewis and Reverend Lewis undertook work in connection with the Church and the Chairperson

was fully committed to the Parish Council. However, Mrs Blundell considered that Councillors should make time to visit the Centre.

Andy Ross, the Project's Community Worker, responding to allegations that he lacked commitment to the Centre stated that although he tried to pop in whenever possible, because of the other commitments of the Project, it was often difficult to find the time. He was disappointed to receive the letter following the meeting of the Executive Committee as he considered that he had carried out the role of an Executive Committee Member satisfactorily.

Summing up, the Chairperson said that it appeared obvious that the Councillors were unable to meet certain people's requirements of Executive Committee but, on behalf of the Council, he undertook to assist the Centre were ever possible. Mrs Blundell said that the Centre would welcomes visits from any Councillor.

At this point of the meeting Councillor Linda Banks submitted her resignation as the Council's nominee to the Centre. There being no nominations to fill the vacancy caused by Councillor Linda bank's resignation, it was -

- 777 RESOLVED: That the Executive Committee of the Tudor Rose Centre be advised of the resignation of Councillor Linda Banks as the Council's nominee to the Executive Committee of the Tudor Rose Community Centre.

TRAINING

There was nothing to report.

PLANNING APPLICATIONS

There were no Planning Applications.

DECISIONS MADE ON PLANNING APPLICATIONS

There were no decisions made on Planning Applications.

FRANKLEY CENTRE DEVELOPMENT

- 778 The Chairperson reported that the City Council, following pressure from the Parish Council, was now committed to looking at a comprehensive regeneration scheme for the Centre. A Steering Group, chaired by Councillor Ffello, and involving City Council Officers and the Parish Council had been established to investigate various options for the regeneration of the Centre. Additionally, Members of the City Council's Development Control Committee had visited the Centre on Saturday 1 November as part of that Committee's

determination of Planning Applications submitted in respect of Sites A and C. At the subsequent Development Control Committee, the Committee had deferred determination of the Applications pending a further report on the development of the Centre.

With regard to the progress of the development of the Industrial Units on Arden Road, the landscaping work was now underway with the fencing currently being erected around the site. The Chairperson advised that one of the Units had been let to Ring and Ride who were currently in the process of interviewing for approximately 40 part time driver positions which he hoped would be filled by Frankley residents.

CROSS CITY LINE EXTENSION

- 779 Councillor Grey reported that he had received a letter from CENTO advising of a bid for the funding of a three year enhancement of the 49A Rubery to Northfield Service extending the route to Longbridge station. It was suggested that the enhanced service would meet demand pending the decision on the extension of the Cross City Line. However, Councillor Grey expressed some concern in that the first bus in the morning did not arrive at Longbridge Station until 730 hours, which could be too late for people wanting to catch a train to go to work. He undertook to write to CENTRO with his concerns.

ITEMS FOR INFORMATION ONLY

Vehicle Speeding

- 780 Councillor Bruckshaw reported that he had received the results of the recent speed checks undertaken by the Police on roads in the Estate. Ignoring the results for Rubery Lane, the average of the results for Boleyn Road, Holly Hill Road, New Street and Ormond Road indicated that approximately 37% of motorists were recorded as having exceeded the 30mph limit and approximately 7% having exceeded 43mph. The figures indicated the 'hotspots' where Police resources would be best used. Additionally, the figures would help in the case for the provision of Traffic Calming measures on the Estate especially in those areas around schools.

Christmas Meal

- 781 The Chairperson reminded Members that the Christmas Meal would be held on Friday 28 November.

PAYMENTS

The following Schedule of Payments was submitted -

(see interleaved document no. 5)

It was proposed by Councillor Reverend Lewis, seconded by Councillor Hollis and –

- 782 RESOLVED: That the payments, as set out in the Schedule now submitted, be approved.

LOCAL ISSUED RAISED BY MEMBERS OF THE PUBLIC

Fencing Around Industrial Units, Arden Road

- 783 In response to a point raised by Mr L Lovett, the Chairperson stated that as far as he was aware, the fencing would erected completely around the development not just between it and the adjoining walk way.

Vandalism of Nameplate

- 784 Mr G Stephenson reported that the nameplate at the Ormond Road end of Caldy Walk had been ripped out of its mountings. He requested that the sign be re-instated with the correct name for the Walk which was Lower Caldy Walk.

The Chairperson advised that he was currently in the process of inspecting all the nameplates for the Walks, which the Parish Council had funded, and would be reporting their condition to the Transportation Department.

EXCLUSION OF THE PUBLIC

- 785 RESOLVED: That, in view of the confidential nature of the business to be transacted, which includes the following exempt information, the press and the public be temporarily excluded from the meeting.

Agenda Item

Exempt Information

Contract of Employment
for the Clerk

Information relating to a
employee of the Council

SUMMARY OF THE PROCEEDINGS HELD IN PRIVATE

(Minute No. 786)

CONTRACT OF EMPLOYMENT

A draft Contract of Employment for the Clerk was submitted.

On the suggestion of the Clerk it was agreed, that in order to fall into line with those allowances agreed earlier for Councillors, the Mileage Rates applicable to the Clerk should be based on two engine sizes (999cc and under; 1000cc and over) and on Casual User Rates.

Subject to that amendment, the Contract was approved the Chairperson be authorised to sign it on behalf of the Council.

The meeting ended at 2125 hours.

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Chairperson