

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
18 August 2003 at 1930 hours.

Present

Councillor Eric Carter (In the Chair)

Councillors Linda Banks, Ian Bruckshaw, William Hollis, Paul Kane,
Reverend Derek Lewis, Kathleen Lewis, Joanna Walker
and Geoffrey Williams.

Also in attendance: Judith Hinton – Leisure Centre Manager
Margaret Wilson – Playscheme Co-ordinator
John Hawksley – Chair, Birmingham
Independent Remuneration Panel

There were 3 members of the public present.

PUBLIC MINUTES

APOLOGY FOR ABSENCE

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

MINUTES

It was proposed by Councillor Reverend Lewis, seconded by
Councillor Joanna Walker and -

- 728 RESOLVED: That the Minutes of the meeting of the Parish Council held on 21 July 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

Hereon, Councillor Linda Banks declared a personal interest in the application in that she had been employed by the Playscheme during the Summer.

Frankley Summer Playscheme

The following application for Grant Aid together with supporting documents was submitted –

(see interleaved document no. 1)

Ms Hinton, speaking in support of the application explained that the report submitted with the application related to the previous year's playscheme. However, the current year's playscheme had just finished and had been a success with an average of over 85 children attending the playscheme each day. That meant that over 85 children from the Frankley area were kept out of trouble, off the streets and from under their parents' feet. There was a wide range of activities available for the children and it was felt that the children benefited from attending the Playscheme.

The Chairperson, whilst supporting the achievements of the Playscheme said that that the Council, in approving Grant Aid had to be mindful of the constraints of the budget. Whilst the Council would like to give the £3000 requested, such action would mean that the Council would have insufficient funds left in the budget to meet those applications from other organisations during the remainder of the financial year. He therefore suggested that, when setting the budget for 2004/2005, the amount allocated in the budget for grant aid be increased so that the Council would be a better position to fund applications such as the one now being considered. Mindful therefore, of the current budget restriction he proposed that the Playscheme be awarded a grant of £2000.

Accordingly, it was proposed by Councillor Reverend Lewis, seconded by Councillor Williams and –

- 729 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 £2000 to the Frankley Playscheme towards the running costs of the Summer Playscheme.

MEMBERS' ALLOWANCES REGULATIONS 2003

The following report of the Clerk was submitted –

(see interleaved document no. 2)

The Clerk explained that, when drafting the report that was considered at the Council's last meeting, he had assumed from the wording of the Regulations, that all current allowances were to be discontinued with effect from 31 December 2003. However, since that meeting, he had received legal guidance from NALC which had advised that parish and town councils could, if they so wished, continue to pay their chairmen an allowance under the provisions of Section 15(5) of the Local Government Act 1972. The major difference between paying the Chairperson a Parish Basic Allowance having regard to the recommendation of the Parish Remuneration Panel and continuing to pay the Chairperson an Allowance under Section 15(5) would be the probable difference in the level of the Allowance. Whereas the level of the Parish Basic Allowance recommended by the Parish Remuneration Panel would reimburse the Chairperson for the time spent in carrying out the duties of Chairperson, the Allowance paid under the provisions of Section 15(5) was to defray the costs of the office. It was therefore likely that any allowance recommended by the Parish Remuneration Panel would be higher than that set by the Council under Section 15(5). Mr Hawksley concurred with this view, adding that the Parish Remuneration Panel would assess the time spent by the Chairperson in carrying out his duties and then put a cash value against that time. It was, however, unlikely to be anywhere near to the amount the Independent Remuneration Panel had recommended for the Basic Allowance paid to Birmingham Councillors.

A number of Members expressed concern as to the possible level of the Parish Basic Allowance recommended by the Parish Remuneration Panel, which was likely to be in excess of the current allowance paid to the Chairperson, as any increase in the allowance would have to be funded from the precept. However, Members were also mindful that, as a result of next year's elections, it was possible that there would be new Councillors and a new Chairperson and that the new Council may wish to pay a Parish Basic Allowance to all Members with an additional sum paid to the Chairperson. There was, therefore, concern that a decision to continue paying the Chairperson under the provisions of Section 15(5) might not be acceptable to a new Council.

In response, Mr Hawksley and the Clerk pointed out that whatever decision regarding allowances was made by the current Council would not be binding on a new Council. If a new Council wanted to pay Parish Basic Allowance to its Members with an extra amount for the Chairperson, the Council simply had to make application to the

Parish Remuneration Panel requesting that it make recommendations as to the levels of any such allowance. Additionally, regarding the concerns as to the level of any recommended allowances, whilst the Regulations required the Council to have regard to the recommendations of the Panel, the Council was not obliged to adopt them. The Council could, for example, if it considered the level of the allowance to be set too high, substitute it with a lower level. Also, if the level was felt to be set too low, that could also be substituted with a higher level although, as the Regulations required that the recommendations and the adopted levels of allowances to be published, such action could lead to criticism from the local electorate.

Following some further discussion, it was agreed that the decision made at the last meeting of the Council to request that the Parish Remuneration Panel make recommendations as to the level of a Parish Basic Allowance to be paid to the Chairperson only and the level of the Parish Travel and Subsistence Allowance with the travel element to be paid on a per mile basis to be available to all Members undertaking approved duties be endorsed. It was further agreed that, once the Parish Remuneration Panel's recommendations were received, the Council determine whether or not it wishes to adopt the recommendation regarding the level of the Basic Parish Allowance payable to the Chairperson, or to amend the level of that allowance or to continue paying the Chairperson an allowance under the provisions of Section 15(5) of the Local Government Act 1972.

- 730 RESOLVED: (i) That the decision made at the last meeting of the Parish Council to request that the Parish Remuneration Panel make recommendations as to the level of a Parish Basic Allowance to be paid to the Chairperson only and the level of the Parish Travel and Subsistence Allowance with the travel element to be paid on a per mile basis to be available to all Members undertaking approved duties be endorsed.
- (ii) that, upon receipt of the Parish Remuneration Panel's recommendations regarding the level of Basic Parish Allowance payable to the Chairperson only, the Council to determine whether or not to adopt the Panel's recommendation, to amend the level of the recommended allowance or to continue to pay the Chairperson an allowance under the provisions of Section 15(5) of the Local Government Act 1972.

DOG FOULING BYELAW

The following report of the Clerk was submitted –

(see interleaved document no. 3)

Following an introductory commentary from the Clerk, it was –

731 RESOLVED: That the report be noted.

STREET LIGHTING IMPROVEMENTS 2003/2004

The following report of the Clerk was submitted –

(see interleaved document no. 4)

Following an introductory commentary from the Clerk, it was –

- 732 RESOLVED: (i) That the Ward Committee be advised that this Council's preferred option for inclusion in the Street Lighting Improvement Programme 2003/2004 is the replacement of the following old style lighting columns –
- 9 in Ormond Road
 - 8 in Chalybeate Close
 - 13 (including one fixed to the side of a house) in Wide Acres
- and that the additional cost in excess of the £21,000 allocated for street lighting improvements be funded by NRF funding.
- (ii) that the remainder of the old style lighting columns in Ormond Road, Old Stone Close, Rea Fordway and Quarry House Close be recommended for inclusion in a rolling programme of replacement in future years.

STANDING ORDERS

The Clerk advised that there was a disparity between the amount above which it was necessary to obtain three quotations in the Council's Standing Orders and the amount specified in the Council's Financial Regulations. Accordingly, he was recommending that the Council amend the amount set out in the Standing Orders (£250) to that set out in the Financial Regulations (£1000). Additionally, he would be taking this opportunity of removing all references to the Council's Finance and General Purposes Committee, as the Council had not appointed such a Committee. In accordance with Standing Order No. 77, which required that any motion to permanently vary or revoke any Standing Order do stand adjourned to the next meeting of

the Council, the Clerk would submit a report detailing all the amendments to the next meeting of the Parish Council.

It was therefore, proposed by Councillor Kane, seconded by Councillor Linda Banks and –

- 733 RESOLVED: That the necessary amendments to those Standing Orders in order to conform with the Financial Regulations and the amendment caused by the deletion of references to the Finance and General Purposes Committee be submitted for approval to the next ordinary meeting of the Council.

TRAINING

- 734 The Chairperson reported that the Council hoped, in the future, to attain Quality Parish status. As part that process, the Council had to have an Accredited Clerk. The Clerk had sent off for the necessary documentation but, unfortunately, had found that the content of the assessment criteria appeared to be biased towards long established rural parish councils. As there was a difference between a rural and urban parish councils the Clerk was taking the matter up with the appropriate authorities.

PLANNING APPLICATIONS

There were no Planning Applications for consideration.

DECISIONS MADE ON PLANNING APPLICATIONS

There were no decisions made on Planning Applications.

CROSS CITY LINE EXTENSION

- 735 The Chairperson reported that CENTRO were still undertaking surveying work as part of the planning process.

ITEMS FOR INFORMATION ONLY

Speeding Vehicles

- 736 Councillor Bruckshaw reported that the Police would be placing sensors across the road at various parts of the estate. These sensors recorded vehicle speeds and direction and would be use to identify hot spots for speeding. Once those locations had been identified, the police would then take action to curb speeding motorists.

Councillor Grey MBE

- 737 The Chairperson reported that Councillor Grey had recently changed jobs and due to the requirements of his new employment, would not, in future, be able to spend as much time on Parish Council matters. He had spoken to Councillor Grey and they had both agreed that due to the change in circumstances, it would be best for the Council to appoint a new Vice-Chairperson of the Council and a new Chairperson of the Planning, Environmental, Highways and Public Transport Committee. Accordingly, there would be appropriate items on the Agenda for the next meeting of the Council.

PAYMENTS

The following Schedule of Payments was submitted -

(see interleaved document no. 5)

It was proposed by Councillor Linda Banks seconded by Councillor Hollis and –

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

LOCAL ISSUED RAISED BY MEMBERS OF THE PUBLIC

Tree Prunings

- 739 Mr Lovett stated that he had received complaints regarding prunings left after residents had had tree work carried out. He questioned whether the Council could do anything about the situation.

In response, the Chairperson pointed out that, unfortunately, there were a number of 'cowboy' firms who offered to prune back trees in residents' garden but then didn't take the prunings away after. Although it wasn't the responsibility of the Parish Council or the City Council to dispose of the prunings but the responsibility of the resident, where possible the Parish Council did try and arrange for their collection. However, he urged that residents only employed recognised firms, which had suitable insurance and which disposed of the prunings after the work was completed, to undertake tree work in their gardens.

Dog Warden

- 740 Mr Stephenson questioned whether it was possible to request that the City's dog warden patrol around Frankley in the hope that irresponsible owners are caught and possibly prosecuted. This would, hopefully, act as a deterrent to other owners.

However, the Chairperson reported that a request for the dog warden to patrol the Frankley area for perhaps 1 or 2 days had been made to the City's Environmental Heath Department, but the Council had been informed that the dog warden was too busy.

EXCLUSION OF THE PUBLIC

- 741 RESOLVED: That, in view of the confidential nature of the business to be transacted, which includes the following exempted information, it is advisable in the public interest, that the press and the public be temporarily excluded from the meeting and they are therefore instructed to withdraw.

Letter from Mr P Spooner, Director of Economic Development

Letter from Mr P Jones, Assistant Director, Property Services and Major Projects

Exempt Information – information relating to a particular contract.

SUMMARY OF THE PROCEEDINGS HELD IN PRIVATE

(Minute No 742)

FRANKLEY CENTRE DEVELOPMENT

Letters from Mr P Spooner, Director of Economic Developments and Mr P Jones, Assistant Director, Property Services and Major Projects were submitted following which the Council agreed a response.

The meeting ended at 2035

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Chairperson