

SUTTON ST. NICHOLAS PARISH COUNCIL

Minutes of the Annual Meeting of Sutton St. Nicholas Parish Council, held in the Village Hall, Sutton St. Nicholas on Wednesday 8th May 2019 (SPC/TF/140)

Councillors Present

Cllr Ron Gow (Chairman) (items 1 to 2)
Cllr Ann Burke
Cllr Richard Andrews
Cllr Stan Gyford
Cllr Tina Hurley
Cllr Ian Nicholas

In attendance

Tony Ford – Parish Clerk
Mike Darley – Footpath Officer

Members of the Public – 4

1 Election of the Chairman

Cllr Ron Gow was appointed Chairman and the Acceptance of Office Form was signed.

2 Election of the Vice- Chairman

Cllr Stan Gyford was appointed Vice Chairman and the Acceptance form

3 Apologies for Absence

All elected Councillors were present.

4 Dispensations

Regarding item 32 dispensation was given to Cllr Ann Burke and Cllr Ian Nicholas as members of the Village Hall Committee to discuss and inform the Parish Council, but not to vote on the matter.

5 Declarations of Interest

Councillor	Y e s	N o	Agenda Item		DPI or NPI
Cllr Ron Gow		√			Disclosable Pecuniary Interest
Cllr Ann Burke	√		32		
Cllr Richard Andrews	√		23		Non Disclosable Pecuniary Interest
Cllr Stan Gyford		√			
Cllr Tina Hurley		√			Disclosable Pecuniary Interest
Cllr Ian Nicholas	√		32		
Vacant					

6 Acceptance of Office Forms

All Councillors signed their Acceptance Forms

Action Clerk to completed the required forms and send to Herefordshire Council.

7 Declarations of Interest Forms

Declaration of Interest Forms was given to each Councillor it was agreed that completed forms would be given to the Clerk who would forward to Herefordshire Council. Councillors noted that

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the deadline was 28 days following the election.

8 General Power of Competence

The Parish Council considered the report from the Clerk (Appendix 1 refers), Having considered the matter the Parish Council resolved that Sutton Parish Council met the criteria for the General Power of Competence, which would be in place until the next ordinary elections for Parish Councillors.

The Parish Council noted the vacant Councillor position and agreed to consider cooption at the next Parish Council meeting

Action Clerk to put notices up

9 Appointment of any new Committees

There are no new committees

10 Review of Delegations

Approved the delegation arrangements (Appendix 2 refers).

11 Review of terms of reference for committees

Approved terms of reference (Appendix 2 refers).

12 Appointment of members to exiting committees

Approved appointments. (Appendix 2 refers)

13 Review of the Councils complaints procedure.

The Parish Council considered and approved its Complaints Policy (Appendix 3 refers)

Freedom of Information

14 The Parish Council Reviewed and approved the council's procedure for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998 (Appendix 4 refers)

15 Future Meeting

The Parish Council approved the dates of future meetings (Appendix 5 refers)

16 Appointment of members to working groups

Currently there are no working groups

17 Appointment of members to outside bodies

The Parish Council appointed Cllr Ron Gow, Cllr Ann Burke and Cllr Ian Nicholas to the Village Hall Management Committee.

18 Nomination Officers

The Parish Council resolved to appoint Richard Morgan as Lengthsman at £20.00 per hour and Mike Darley as Footpath Officer for the 2019/20 year.

19 Insurance

The Parish Council noted that this was the last year of a three year agreement.

20 Receive approve and sign the Minutes of the Ordinary Meeting of the Parish Council (no SPC/TF/138) held on Monday 1st April 2019

The minutes were signed by the Vice-Chairman as a true record of the meeting

21 Receive approve and sign the Private and Confidential Minutes of the Ordinary Meeting of the Parish Council (no SPC/TF/139) held on Monday 1st April 2019

The minutes were signed by the Vice-Chairman as a true record of the meeting

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22 Receive, approve and sign the Minutes of the Extraordinary Meeting of the Parish Council (no SPC/TF/140), held on Monday 15th April 2019.

The minutes were signed by the Vice-Chairman as a true record of the meeting

23 Land Adjacent to Woodville

The Parish Council received an update on the proposed development

- 1 The proposal involves the construction of 24 dwellings
 - 2 - Two bedroom bungalows (Plots 1 & 2).
 - 8 - Three bedroom houses
 - 6 - Four bedroom+ homes.
 - 8 - Two and three bedroom Low Cost Market Housing (Plots 17 - 24) in order to comply with the 35% Affordable Housing allocation.
- 2 The land to the far south of the development (<5000m²), will be used as Open Space and forever be kept free from development (in accordance with Policy 3 of the Neighborhood Development Plan). This land will also be used for structural landscaping, surface water attenuation ponds, ecology features and possibly, a foul water pumping station
3. The development will be serviced by one single point of vehicular access, situated approximately in the centre of the site, to maximise visibility.
4. The development will provide a footpath link and proposed pedestrian crossing at the northern end of the site, which would link up with Sutton St Nicholas Footpath 12.
5. The specification of the houses themselves will be very similar, if not the same, as the houses recently built at Englands Field in Bodenham.
6. Within the S106 Draft Heads of Terms which has been drawn up by the Council, for this development, there would be funds for projects across the parish including village gates.
7. It was stressed that the open space would not be public open space as the land would be under the management of the 24 dwellings on the development and not publicly funded.
8. A public presentation was planned for the end of June 2019

24 Questions/Issues on any matter, from members of the public present.

24.1 Ward Councillors Report

Cllr Kema Guthrie made the following short statement- *'I would like to thank all those people who supported me in the recent Election. I am delighted to be returned to office and look forward to representing Sutton Walls Ward for a further four years.'*

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24.2 Questions from other members of the public

- The Parish Council has been informed by a resident that during the night of 3rd May and morning of 4th May that he had a trailer and some garden items stolen from his property and would like other residents to be aware of leaving valuable items outside.
- Cllr Ann Burke informed the Parish Council that she had received complaints regarding the open space on Willow Rise/Millway regarding the weeds coming through a neighbouring property fence, the issue being that now seeds had been spread along the edge it meant when the grass was cut, the edges were not strimmed as was previously the case.
- A Parishioner had also raise a concern regarding the road surface on the Craft, Cllr Kema Guthrie to raise the issue with Herefordshire Council.

25 Planning Application –Land at cross keys Inn, A465 From C1118 to Ridgeway- Cross keys (190809) – Residential development of 5 dwellings.

As the site was not in the parish the Parish Council agreed not to comment.

26 Defibrillator

The Parish Council was informed that agreement had been signed by both parties and sent to the solicitors, and that the Clerk has contacted Heart Start and is waiting for a reply.

27 Financial Report

27.1 Confirmation of Balances as per attached £20,005.98 (Appendix 6 refers)

27.2 Receipts £115.38 Final P3 grant payment (£1877.59 VAT refund received on 25/03/19)

27.3 Invoices for payments

Ref	Payee	Amount £	VAT	
1	Mike Darley	665.00	n/a	30/04/19 (371) SID deployment & Battery change, Grass cutting and P3 work.
2	Border Office Supplies and Systems Ltd	163.80	27.30	18/04/19(00149514) ink cartridges
3	Richard Morgan	155.00	n/a	02/05/19 (57) Grass cutting & Lengthsman work
4	BHIB Ltd	507.63	n/a	09/04/19 (LCO01501-248583 insurance premium

The above payments were authorised for payment and cheques signed

28 30 MPH Signs

To complement the Village gates and the Speed watch program, the Parish Council considered the re-siting of signs on the entrances to the main village Current thinking was to

- *To move the 30mph signs further out of the village on the Bodenham Road to include the last/first cottage*
- *To move the 30mph signs on the Marden Road to include Downfield and the Pool House turn.*
- *To move the 30mph signs on the Ridgeway Road further out of the village.*

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- *To move the 30mph signs on the Hereford Road, however it was noted that this would be considered as part of the new development adjacent to Woodville.*
- *To consider any other areas in the Parish put forward by parishioners that might require restrictions.*

The Clerk informed the Parish Council that a Traffic Regulation Order would be required and that there was a statutory process to follow, which was:-

- An informal consultation
- Local Authority Approval
- Formal Consultation
- Consideration of objections
- Making the Order
- Implementation of the restriction.

The Parish Council resolved that it would start the process by carrying out an informal consultation, which would be an agenda item for the June meeting

29 Lift Sharing Scheme

To consider a Sutton lift sharing scheme- This was deferred until the next meeting

30 Speed Indicator Device

The Parish Council considered a request from Marden Parish Council to change the approach to future rotation, which meant that each parish would have the SID for two consecutive months rather than every other month. The Parish Council agreed to the request meaning that Sutton would have the SID

- March/April
- July/August
- November/December

31 Lengthsman

The Lengthsman informed the Parish Council that his wife had been to both waste disposal sites and they would not take commercial waste. This means using a company like Wye Valley Waste who would charge either £25 per load/ton (if under a ton its £25 anyway) that is for soil, gravel and grass cuttings only. For other waste such as hedge cuttings and timber the costs are higher - nearer £65-95/ton. The Lengthsman was of the view that the cost of disposal should be borne by the parish council.

Having considered the matter the Parish Council agreed to pay for up to four amounts of £25 on the understanding that as much as possible was taken on each trip(all kerbs in the village to be done)

32 Village Hall Charity

The Parish Council considered correspondence from the Secretary of the Village hall Committee regarding the future management Strategy for the Village Hall. Having considered the matter it was agreed that Cllr Richard Andrews and Cllr Stan Gyford would meet with the committee to discuss the matter and report back to the Parish Council.

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- 33 Travelers Sites DPD Examination – Main Modification Consultation**
The Parish Council considered and noted correspondence received from Herefordshire Council

- 34 Community Speed Watch**
The Parish Council noted that training had been booked for Friday 10th May and Friday 24th May

- 35 Matters relayed to the Clerk for the Agenda of the next meeting**
- Co-opting
 - Traffic Regulation Order Informal consultation
 - Village Hall Meeting update

- 36 Confirmation of the date, time, and venue of the next meeting**
Parish Council Wednesday 3rd June 2019 @ 7.15pm at the Village Hall

The Parish Council resolved to go into private session to consider the following due to its confidential nature.

- 37 Sutton Playing Field**
The Parish Council accepted the quotation from Mike Darley

- 38 Maintenance Community Garden**
The Parish Council noted the update and agreed that quotes would be sent out again with a deadline for the June meeting.

- 39 Alleged Tree Claim**
The Parish Council noted the update and delegated to the Clerk in consultation with the Chairman and Vice Chairman to get the matter resolved

- 40 Clerks Salary**
The Clerks Salary was authorised.

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Appendix 1

General Power of Competence

1. Introduction

Local councils in England were given a 'general power of competence' (GPC) in the Localism Act 2011, sections 1 to 8.

2 Criteria for eligibility

The Prescribed criteria which a local council is required to fulfil in order to become an eligible parish council is set out in the Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012. It confirms that a local council is eligible to use the general power of competence if it has passed a resolution at a meeting of full council which confirms

1. It has a qualified clerk
2. A minimum of two thirds of vacancies were filled at the last ordinary elections: and
3. It has resolved at a meeting of the council and at each subsequent relevant annual meeting (that is, an annual meeting that takes place in a year of ordinary elections of parish Councillors) that it meets these conditions.

3. Meeting Criteria

Criteria 1 – the Clerk is CiLCA qualified

Criteria 2 – table

	Councillor	Elected at last election (May 2019)	
1	Cllr Ron Gow	Yes	
2	Cllr Ann Burke	Yes	
3	Cllr Richard Andrews	Yes	
4	Cllr Stan Gyford	Yes	
5	Cllr Tina Hurley	Yes	
6	Cllr Ian Nicholas	Yes	
7	Vacant		
	Total Councillors elected at the last election	6	

The minimum requirement would be five and the Parish Council has 6 elected Councillors

4. Conclusion

The Parish Council meets criteria 1 and 2 and therefore needs to pass a resolution to that effect if it decides it wants the General Power of Competence.

5. Recommended

The Parish Council considers the contents of the report

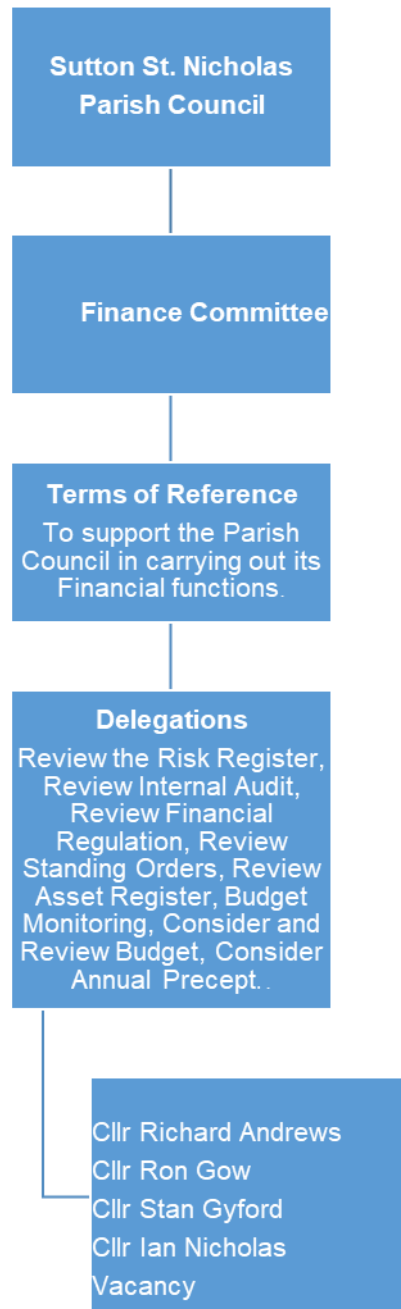
Tony Ford
Parish Clerk
May 2019

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Appendix 2

Annual Meeting of Sutton St. Nicholas Parish Council

Agenda Item 10 Review of Delegations Agenda Item 11 Review of Terms of reference of Committees 12 Appointments to committees



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Appendix 3

Complaints Policy

1. This policy document sets out procedures for dealing with any complaints made about Sutton St Nicholas Parish Council's administration and procedures.
The conduct of Councillors is covered by the Parish Councils (Model Code of Conduct) (England).
Complaints against policy decisions made by the Council shall be referred back to Council.
2. If a complaint about the Council's procedures or administration is notified orally to a Councillor or the Clerk, they should seek to satisfy the complaint fully. If that fails, the complainant should be asked to put the complaint in writing to the Clerk and be assured that it will be dealt with promptly after receipt.
3. If the complainant prefers not to put the complaint to the Clerk, he or she shall be advised to put it to the Chairman of the Council.
4. On receipt of a written complaint, the Clerk or the Chairman (as the case may be) shall, *except where the complaint is about his/her own actions*, try to settle the complaint directly with the complainant within the existing policy of the Council, but shall not do so in respect of a complaint about the behavior of the Clerk or a Councillor without notifying the person complained of and giving him/her an opportunity to comment on the manner in which it is intended to attempt to settle the complaint. Where the Clerk or Chairman receives a written complaint about his/her own actions, he/she shall immediately refer the complaint to the Council.
5. The Clerk or the Chairman shall report to the next meeting of the Council any written complaint disposed of by direct action with the complainant.
6. The Clerk or the Chairman shall bring any written complaint that has not been settled to the next meeting of the Council. The Clerk shall notify the complainant of the date on which the complaint will be considered and the complainant shall be offered an opportunity to explain the complaint orally. (Unless such a matter may be related to Grievance, Disciplinary or Standards Board proceedings that are taking, or likely to take place when such a hearing may prejudice those hearings, when the complaint will have to be heard under Exempt Business to exclude any member of the public or the press, or deferred on appropriate advice received).
7. The Council shall defer dealing with any written complaint only if it is of the opinion that issues of law or practice arise on which advice is necessary. The complaint shall be dealt with at the next meeting after the advice has been received.
8. The Council shall consider whether the circumstances attending any complaint warrant the matter being discussed in the absence of the press and public but any decision on a complaint shall be announced at the Council meeting in public.
9. As soon as may be practicable after the decision has been made, it and the nature of any action to be taken shall be communicated in writing to the complainant.
10. In the event of serial facetious, vexatious or malicious complaints from a member of the public the Council shall consider taking legal advice before responding formally to the complainant [or] follow a course of action as outlined in the council's policy for dealing with unreasonable complainant behavior.

Chairman

Date

Approved at the Annual Meeting of the Parish Council 8th May 2019

**Information available from Sutton St Nicholas Parish
Council under the model publication scheme**

Information to be published	How the information can be obtained	Cost
Class1 - Who we are and what we do		
Who's who on the Council and its Committees	Website	Free
Contact details for Parish Clerk and Council members (named contacts where possible with telephone number and email address (if used))	Website/Sutton News	Free
Location of main Council Office and accessibility details	Website/ Sutton News	Free
Staffing Structure	Hard Copy	Free
Class 2 – What we spend and how we spend it		
Annual return form and report by auditor	Hard Copy-	15p per A4 sheet
Finalised budget	Website as part of the Minutes Hard Copy	15p per A4 sheet
Precept	Hard Copy	15p per A4 sheet
Borrowing Approval letter	Hard Copy	15p per A4 sheet
Financial Standing Orders and Regulations	Website Hard copy	Free 15p per A4 sheet
Grants given and received	Hard Copy	15p per A4 sheet
List of current contracts awarded and value of contract	Hard Copy	Free
Class 3 – What our priorities are and how we are doing	Hard Copy	15p per A4 sheet
Parish Plan	Website*	Free
Annual Report to Parish Meeting	Website Hard copy	Free 15p per A4 sheet
Class 4 – How we make decisions Current and previous council year as a minimum		
Timetable of meetings (Council, any	Website*	Free

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Information to be published	How the information can be obtained	Cost
committee/sub-committee meetings and parish meetings)	Hard copy	15p per A4 sheet
Agendas of meetings (as above)	Website Hard copy	Free 15p per A4 sheet
Minutes of meetings (as above) – NB this will exclude information that is properly regarded as private to the meeting.	Website Hard copy	Free 15p per A4 sheet
Reports presented to council meetings - NB this will exclude information that is properly regarded as private to the meeting.	Website Hard Copy	Free 15p per A4 sheet
Responses to consultation papers	Website Reported as part of the Minutes	Free 15p per A4 sheet
Responses to planning applications	Website-	Free
Class 5 – Our policies and procedures		
Policies and procedures for the conduct of council business: Procedural standing orders (<i>on Website</i>) Committee and sub-committee terms of reference (<i>Website</i>) Delegated authority in respect of officers (Contained within minutes) Code of Conduct (<i>Website</i>) Financial Regulation (<i>Website</i>)	Website <i>where indicated</i> Hard copy	Free 15p per A4 sheet
Policies and procedures for the provision of services and about the employment of staff: Internal policies relating to the delivery of services Equality and diversity policy Health and safety policy Policies and procedures for handling requests for information Complaints procedures Grants Policy	Website Website Website* Website* Website	Free Free Free Free Free
Information security policy	Website *	Free
Records management policies (records retention, destruction and archive)	Website*	Free
Data protection policies	Website*	Free
Schedule of charges)for the publication of information)	Website	Free
Class 6 – Lists and Registers		
Currently maintained lists and registers only		

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Information to be published	How the information can be obtained	Cost
Assets Register	Hard copy	15p per A4 sheet
Register of members' interests	Website*	Free
Register of gifts and hospitality	Hard Copy	15p per A4 sheet
Planning Register	Website*	Free
Class 7 – The services we offer (Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses)		
Parks, playing fields and recreational facilities	Website*	
Any other Additional Information	Upon request by hard copy if available	15p per A4 sheet

Contact details:

Website Address: www.suttonstnicholas.co.uk

Parish Clerk
Sutton St Nicholas Parish Council
20 Willow Rise
Sutton St Nicholas
Hereford
HR1 3DH

Email ssnparishclerk@btinternet.com

SCHEDULE OF CHARGES

TYPE OF CHARGE	DESCRIPTION	BASIS OF CHARGE
Disbursement cost	Photocopying @ 15p per sheet (black & white)	Actual cost
	Photocopying @ 30p per sheet (colour)	Actual cost
	Postage	Actual cost of Royal Mail standard 2 nd class
Freedom of Information Request	An additional charge may be made if the cost to the Parish Council for retrieval and collation is unreasonable.	

Reviewed and updated at the Annual Meeting of the Parish Council held on 8th May 2019

Chairman

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Appendix 5

SUTTON ST. NICHOLAS PARISH COUNCIL SCHEDULE OF PLANNED MEETINGS JUNE 2019 TO MAY 2020

Date of Meeting	Day	Type of Meeting	Time	Location
03/06/19	Monday	Parish Council	7.15pm	Sutton St. Nicholas Village Hall
01/07/19	Monday	Parish Council	7.15pm	Sutton St. Nicholas Village Hall
05/08/19	Monday	Parish Council	7.15pm	Sutton St. Nicholas Village Hall
02/09/19	Monday	Parish Council	7.15pm	Sutton St. Nicholas Village Hall
07/10/19	Monday	Parish Council	7.15pm	Sutton St. Nicholas Village Hall
04/11/19	Monday	Parish Council	7.15pm	Sutton St. Nicholas Village Hall
02/12/19	Monday	Parish Council	7.15pm	Sutton St. Nicholas Village Hall
09/12/19	Monday	Finance Committee	7.15pm	Sutton St. Nicholas Village Hall
06/01/20	Monday	Parish Council	7.15pm	Sutton St. Nicholas Village Hall
03/02/20	Monday	Parish Council	7.15pm	Sutton St. Nicholas Village Hall
02/03/20	Monday	Parish Council	7.15pm	Sutton St. Nicholas Village Hall
16/03/20	Monday	Finance Committee	7.15pm	Sutton St. Nicholas Village Hall
06/04/20	Monday	Parish Council	7.15pm	Sutton St. Nicholas Village Hall
05/05/20	Tuesday	Parish Council	7.15pm	Sutton St. Nicholas Village Hall
18/05/20	Monday	Annual Meeting of The Parish Council	7.15pm	Sutton St. Nicholas Village Hall
18/05/20	Monday	Annual Parish Meeting	7.45pm	Sutton St. Nicholas Village Hall

If missed at planned Parish Council meeting if required planning application will be considered by an Extraordinary Parish Council meetings.

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Appendix 6

Bank Reconciliation as at 8th May 2019

Opening 01/04/19	24,018.77
Receipts	115.38
	24,134.15
Expenditure	4,128.17
Balance	20,005.98

Bank balance 12/04/2019 21,864.82

os cheques

1140	665.00
1141	163.80
1142	155.00
1143	507.63
1144	294.01
1145	73.40

1,858.84

20,005.98