

# STAPLEHURST PARISH COUNCIL

## Policy Group

Meeting notes – Wednesday 24<sup>th</sup> February 2010

Present: Councillors Arger, Perry, Fairfax, Best (notes).

Apologies: None.

### 1. Matters carried forward from previous meeting

**Action Point 060809-01** Councillor Fairfax to draft Democracy and Citizenship section –

**Update:** Work on this has been suspended awaiting outcome of Quality Council re-accreditation deliberation – see agenda item 2

**Action Point 060809-02** Councillor Best to draft Training Plan

**Update:** The Council wide training plan has been completed. It was agreed to notify to all Councillors through the message board of the availability of training and to publish the training plan on the website.

**Action completed and item closed.**

**Action Point 060809-03** Councillor Best to investigate costs and overheads of supporting commercial activity on the website.

**Update:** This matter is still ongoing and a business case is being prepared in the Publicity and Website group which should be available for review shortly.

**Action completed and item closed.**

**Action Point 270809-04** Councillor Best to progress Health & Safety risk assessments.

**Update:** Action continues.

**Action Point 060809-05** Councillor Best to propose appropriate guidelines for when formal contract arrangements should be put in place.

**Update:** Councillor Best will review all existing and recent procurements made by the Council to help determine the most appropriate level to set the guideline for using contracts. Action Continues

### 2. Quality Council Accreditation

The Policy Group noted that no further news has been received following the Clerk's letter to Michael Chater, Chairman, NALC and Sam Shippen, Chairman, SLCC of the 21st October 2009 and in particular the letter from Rodney Williamson, County Secretary, KALC to John Findlay, CEO, NALC dated 22<sup>nd</sup> September 2009 in which he pressed for a change from two thirds of the Council members having been elected to three fifths (i.e. 9 of 15).

It was agreed that the Group should ask the Clerk to make further enquiries as to the current status of this 'appeal'.

**Action 240210-01 Councillor Arger to pursue with the Clerk**

Notwithstanding the outcome of the matter above, the Policy Group noted that even if such a change is made to the rules regarding Quality Council eligibility, it would only take one more resignation from this Council before the next election for it to fall below even the

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revised criteria. With this in mind it was agreed that the Policy Group would recommend that this Council should continue to work to all intents and purposes as a Quality Council but also accept that re-accreditation would now be a matter for the next Council to pursue.

## 3. Policy Review

### Forum Policy

The Policy Group considered the extent, if any, of risk that may exist against the Council as the operator of the Forum on the website. The issue relates around whether the Council could be considered as the 'publisher' of forum postings. The concern being if a post is considered libelous or illegal (for example inciting racial hatred) could the Council be a party to any litigation or legal action pursued against the posting originator. It was agreed that the Council has an effective set of user guidelines and does take all reasonable steps to identify and remove any such postings. The Group discussed the possibility of taking legal advice on the matter but held off doing this for the time being. The Group did agree to check with the Clerk the extent of indemnity insurance held by the Council and whether this would include cover for any action taken against the Council in the above circumstances.

**Action 240110-02 Council Arger to check indemnity cover with the Clerk**

### Jubilee Field Management Committee - maintenance agreement

The Group reviewed the maintenance agreement between the Council and the Jubilee Fields Management Committee and agreed that the contract was ambiguous in places and lacking clarity as to where responsibilities fall. It was agreed that the contract is in need of editing and redrafting and in order to progress this Councillor Perry agreed to draft a set of basic principles. These would be sent to members of the Policy Group for comment; and after agreement has been reached, these principles would be sent to the JFMC for their views. Once agreement has been obtained from all parties a revised maintenance agreement would be re-drafted. At this stage consideration would be given to instructing the SPC's solicitors to prepare an amended agreement.

**Action 240210 – 03 Councillor Perry to propose basic principles of maintenance agreement for agreement by Policy Group.**

## 4. Standing Orders and Chairmanship Guidelines

### Standing Orders

The Group reviewed the options for updating the current Standing Orders of the Council. These have not been reviewed and updated since 2002 and in April of this year a new set of best practice guidelines for Standing Orders was published by a group made up of the Association of Council Secretaries and Solicitors, the Society of Local Council Clerks, the Standards Board of England, National Association of Local Councils, and the Local Government Association. (This document is called *Governance Toolkit for Parish & Town Councils*).

It was agreed by the Group that there is no pressing need for any amendment to the current Standard Orders but that it is also appropriate to consider the latest thinking in terms of best practice as published in the above mentioned document. It was noted that KALC have

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indicated that they are working on a revised version of Standard Orders based on the above document that Parish Councils may adopt.

The Group considered three options;

- a) Continue with existing Standing Orders as they are.
- b) Make recommendations to update current Standing Orders to reflect the new best practice tool kit
- c) Await the latest template version from KALC for adoption by the Council.

The group agreed to follow option c.

**Action 240210-04 Councillor Best to ascertain timescales from KALC for the production of a revised Standing Orders template.**

## Council Committees

The Group discussed options for changing the structures of both the Amenities Committee and the Planning Committee but agreed to make no recommendations to Full Council at this stage. It was noted that the current make up of the Amenities Committee consists of all members of the Full Council except for two members. This means that almost the entire Council is holding the same meeting twice and perhaps amenities business could be dealt with by Full Council. It was agreed that this should be a matter for discussion by all members at the next informal meeting on April 26<sup>th</sup>.

The Group discussed the decision making powers of the Planning Committee and agreed that the current Standing Orders need to be checked and possibly modified to reflect current working practices. It was agreed that an addition should be made to allow any member of the Council to attend a Planning Committee meeting (if they wished to do so) and voting rights – for non permanent members – to be at the discretion of the Chairman of the Planning Committee. Councillor Best agreed to look into this.

**Action 240210-05 Councillor Best to review Standing Orders in relation to Planning Committee.**

Meeting closed at 9.30pmpm

Date of Next Meeting: To be determined at a later date