

Blofield Parish Council

Minutes of the Blofield Parish Council Meeting held at Blofield Courthouse on Monday 19th June 2017 at 7:30pm – 8.00pm.

PRESENT

Rob Christie, Pat Wilson, Yvonne Burton, Stella Shackle, Paul Culley-Barber, Paul Baverstock, Joseph Scholes, and Sarah Osbaldeston (Clerk).

1. Welcome and Introduction to the meeting by the Chair, Rob Christie.
2. **TO CONSIDER APOLOGIES FOR ABSENCE**
Apologies were received by Margaret Turner, Nigel MacPherson and David Ward.
3. **TO RECEIVE DECLARATIONS OF INTEREST ON ITEMS ON THE AGENDA**
 - 3.1. Rob Christie, Paul Culley-Barber, Yvonne Burton, Paul Baverstock declared a pecuniary interest in allotments.
4. **TO CONSIDER ANY REQUESTS FOR DISPENSATION FOR ITEMS ON THE AGENDA**
 - 4.1. The Clerk explained the purpose of dispensation for this meeting to the Council. Rob Christie proposed (seconded by Pat Wilson) the Council provide dispensation to all those Councillors with a pecuniary interest in Allotments to enable full participation (discussion and voting) in this meeting. The dispensation would only be in place for this meeting, 7:30-8pm on the 19th June 2017. The dispensation is proposed for two reasons –
 - 4.1.1. the number of Councillors with the pecuniary interest outnumbers those without and leaves the Council not quorate.
 - 4.1.2. the discussion is to deal with an allotment related complaint to the whole Council.
 - 4.2. The Council unanimously resolved to approve this proposal.
5. **TO RESOLVE TO PASS A FORMAL RESOLUTION (UNDER THE PUBLIC BODIES AND ADMISSIONS TO MEETINGS ACT 1960) TO EXCLUDE THE PRESS AND THE PUBLIC FOR THE REMAINING AGENDA ITEMS (RC)**
 - 5.1. No members of public were present, only the complainant.

Suspend standing orders

6. **INVITE THE PARISHIONER TO PRESENT AN OVER VIEW OF HIS CONCERNS TO THE PARISH COUNCIL**
 - 6.1. The complainant spent a couple of minutes detailing the key points from their complaint. The Council clarified a couple of points and standing orders were then resumed. The complainant stayed for the rest of the meeting to observe the council discussion.

Resume standing orders

7. **DISCUSS THE COMPLAINT CONCERNS AND AGREE A FORMAL RESPONSE**
 - 7.1. Rob Christie advised the council that as Paul Baverstock was not present on the 22nd May 2017 when the complaint hearing commenced he was unable to participate in votes on the complaint but was able to participate in the discussion.
 - 7.2. The Council reviewed the complaint report prepared by the clerk (detailed below). Councillors were given the opportunity to express their summarised views on the complaint.
 - 7.3. The Council then voted on each recommendation within the report. See agenda items 7.4 - 7.18 below:

7.4. **ISSUE 1 – ‘In my view the Blofield Parish Council is failing in its duty to serve the community of Blofield and Blofield Heath and failing to allocate the Precept appropriately and proportionately to the needs and wishes of the community that the Parish Council is expected to serve.’**

Evidence - The Parish Council do not actively market parish groups for spending opportunities. They provide all groups that approach them with the opportunity to speak and request funding / support and give these requests thorough consideration. **Groups/areas the parish council financially support regularly with precept funds:** Margaret Harker Hall, Heathlands - grounds maintenance contributions (MHH - 9.6%, Heathlands - 4.1%) agreed each year. Grounds maintenance funding was agreed historically to align the parish council with supporting the provision of outdoor spaces. Courthouse – grounds maintenance (1.1% of precept) and buildings maintenance / improvements as this is the largest and most valuable parish council asset. The Parish Council are responsible for the maintenance of the Churchyard as it is a closed (no further burials allowed) – This includes the grass cutting (4.3% of precept), tree surveys and maintenance, churchyard wall, footpaths and War Memorial.

Other funding areas – bus shelters, footpaths, some signage, benches, noticeboards, focal point, community speed reduction, good neighbourhood scheme,

Adhoc donations (precepted and none-precept funds) have been made by request historically to..... Heathlands, Orchard Conservation Group, BAD Players, scouts hut, preschool Blofield, Heathlands Monday Group, Allotments set up, keep blofield special.

Groups/ work not regularly financially supported by the parish council:

Keep Blofield Special / Preschool groups / playground equipment / There is no burial ground in the village / no community land is currently owned by the parish council.

Independent groups - Football club / tennis club / scouts club.

No precept funds are currently used on the Allotments (apart from the clerk’s time for rental collection). The Parish Council has spent significant section 106 funds to meet its statutory obligation in providing allotments to the Parish. The Parish Council could choose, following the alignment of outdoor spaces provision, to look to cover the costs of maintenance of the grass / hedging of the allotments site out of precept funds.

7.5. **ISSUE 1 Clerk recommendation – rejected.** *The Council provide funding in a variety of ways to a wide selection of groups within the parish and are open to considering any request for funding. They hold a funding request form for this purpose.*

The Parish Council reviewed ISSUE 1 and the recommendation above and the council unanimously resolved to approve the recommendation.

7.6. **ISSUE 2 – ‘The ability of the Council to serve its community is complicated by the regulatory restrictions placed on it to perform its proper function, by preventing the whole of the Parish Council to vote on matters that are important to the community.’**

The regulatory requirements can be restrictive in certain circumstances such as these but necessary to ensure that Council operates in a fair and transparent way putting the needs of the community at the centre of their decisions. As previously mentioned five Councillors hold a pecuniary interest in Allotment matters and five do not hold this interest. In accordance with Parish Council Standing Orders those Parish Councillors with a pecuniary interest leave the room when a financial allotment decision is considered. As this still leaves the Parish Council quorate the remaining Councillors are able to vote on the decision.

7.7. **ISSUE 2 Clerk recommendation – rejected.**

The Parish Council reviewed ISSUE 2 and the recommendation above and the council unanimously resolved to approve the recommendation.

7.8. **ISSUE 3 - ‘Those Parish Councillors that may vote on matters concerning the community allotments have taken a biased, selfish and partisan personal dislike to the community allotments and notwithstanding the whole Councils views and recommendations.....’**

I can see no evidence of this behaviour from any Parish Councillors. Parish Council Allotment representatives have been actively engaged with the Allotment Association, attending meetings and the Allotment Association AGM.

As previously stated to the complainant, if the complainant believes that individual councillors have breached their code of conduct and can provide evidence then Martin Thrower, Broadland District Council Monitoring Officer should be contacted.

7.9. **ISSUE 3 Clerk recommendation – rejected / refer to Monitoring Officer.**

The Parish Council reviewed ISSUE 3 and the recommendation above and the council unanimously resolved to approve the recommendation.

7.10. **ISSUE 4 - ‘and I believe the wishes of the community a handful of Councillors have decided to : Avoided meeting the allotments representative for nearly a year despite numerous requests to do so’**

Steven Ford advised that ‘a meeting with BAA was held on 29/01/16, a further meeting was requested in May but that was postponed at our request until after the May public and annual meetings. For various reasons a new date was not set and the next meeting was held on 1 Feb 2017.’

7.11. **ISSUE 4 Clerk recommendation – upheld. It appears that the Council are at fault in failing to be more proactive and booking the meetings. I would recommend an apology and significant improvement in this area (see later recommendations for a working party). See items 8.5-8.6.**

The Parish Council reviewed ISSUE 4 and the recommendation above and the Council unanimously resolved to approve the recommendation.

7.12. **ISSUE 5 – ‘blocked reasonable funding for the allotments’**

The Parish Council have supported the Allotments in spending significant section 106 funds to meet its statutory obligation in providing allotments to the Parish. The Parish Council are currently working with the Allotment Association to understand the requirements and costs of repairing the entrance to the allotment site. The Parish Council consider all funding requests thoroughly. It is anticipated that this will require significant funds, above the Allotments rental surplus currently held by the Council. The Parish Council have not supported all Allotment funding requests and have not supported all funding requests from other groups.

7.13. **ISSUE 5 Clerk recommendation – rejected.** The Parish Council reviewed ISSUE 5 and the recommendation above and the Council unanimously resolved to approve the recommendation.

7.14. **ISSUE 6 – ‘charge excessive rents and provide few services for these’**

The allotment plot rent of £50 per annum was set at a level that the then-council and one can only assume the allotment campaigners, thought was reasonable. Blofield Allotments rental provides the plot, car park, pest control.

- Brundall Allotments cost £50 per annum and include rabbit fencing a car park and water
- Norwich City Allotments cost £38.75 per annum, including water, maintenance, grass cutting and on some sites there are toilets.
- Acle Allotments is approximately £25 per annum including water and parking (standing charge for water is paid from precept funds).
- Lingwood Allotments is £38 per annum, including reasonable water use, composting area, car park area, pest control.

The Allotment holders were aware when signing leases that water provision was not guaranteed on the allotments.

Reviewing other allotment rents and provisions, I observe that ‘excessive rents’ are not charged however the Council are clearly near the higher end of rental rates. The Council may choose to consider providing more services for the parishioners. That being said, I would reiterate that the Parish Council are progressing with plans to improve drainage at the entrance to the allotments site and this will be at a significant cost, over and above any current surplus rental funds they hold.

7.15. **ISSUE 6 Clerk recommendation – partially upheld (on the basis that more services could be provided).** I believe the council could improve this by understanding the needs of the BAA much better by working with the BAA in a new formed working party (see later recommendations).

7.16. The Parish Council reviewed ISSUE 6 and the recommendation above and the Council unanimously resolved to approve the recommendation.

7.17. ISSUE 7 – ‘seek to carry a surplus from the community allotments while committing significant disproportionate precept funds to other village groups’

When the allotment rent was established at the outset of the allotments the Parish Council aimed to collect some surplus rent to cover its administration costs and where surplus was still available, this would be used for maintenance / repair work on the site. This continues to be the view of the Parish Council. The surplus funds are noted each year and will be used for allotment site maintenance as the Parish Council feel is appropriate.

I have gathered financial support detail below for reference (in grey text). The Council made the decision some years ago to regularly support the grounds maintenance funding of the MHH and Heathlands. This was to provide a consistent approach across the two facilities in providing them with financial assistance in the maintenance of the outdoor spaces. In addition to this either hall is able to approach the Parish Council for a grant for a specific project (which they do from time to time), the parish council will consider each request on its own merit.

The Courthouse is treated differently as the Parish Council own the building. This is the Council’s most significant asset and one which the Council are responsible for maintaining.

Further detail around expenditure is detailed below in grey text.....

Groups/areas the parish council financially support regularly with precept funds:

Margaret Harker Hall, Heathlands - grounds maintenance contributions (MHH - 9.6%, Heathlands - 4.1%) agreed each year. Grounds maintenance funding was agreed historically to align the parish council with supporting the provision of outdoor spaces.

Courthouse – grounds maintenance (1.1% of precept) and buildings maintenance / improvements as this is the largest and most valuable parish council asset.

The Parish Council are responsible for the maintenance of the Churchyard as it is a closed (no further burials allowed) – This includes the grass cutting (4.3% of precept), tree surveys and maintenance, churchyard wall, footpaths and War Memorial.

Other funding areas – bus shelters, footpaths, some signage, benches, noticeboards, focal point, community speed reduction, good neighbourhood scheme,

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Groups/ work not regularly financially supported by the parish council:

Keep Blofield Special / Preschool groups / playground equipment / There is no burial ground in the village / no community land is currently owned by the parish council.

Independent groups - Football club / tennis club / scouts club.

No precept funds are currently used on the Allotments (apart from the clerk’s time for rental collection). The Parish Council has spent significant section 106 funds to meet its statutory obligation in providing allotments to the Parish.

ISSUE 7 Clerk recommendation – rejected. *Reviewing the evidence above the Parish Council put careful thought into all the funding requests they receive and to the regular donations they give. They are controlled by statutory requirements to provide/maintain some facilities. Percentages for different groups varies from year to year as different needs arise but a balance fair approach is considered at all times.*

Therefore, it is my view that ‘disproportionate precept funds are not given to other village groups’.

7.18. The Parish Council reviewed ISSUE 7 and the recommendation above and the Council unanimously resolved to approve the recommendation.

7.19. The Parish Council accepted its shortfalls in some of the issues detailed in items 7.4 - 7.18. The Chair apologised verbally to the complainant and advised a written response would be sent. They requested the clerk send an apology letter to the complainant.

8. CONSIDERATIONS AND RECOMMENDATIONS FROM THE CLERK

8.1. In addition to reviewing the key complaint issues the clerk gathered any key points for consideration and reviewed the 3 resolution points (8.2 – 8.6) suggested by the complainant and considered any resolutions that may be available.

8.2. **REQUEST 1 – ‘Carefully reconsider their responsibilities to the community they serve and seek to align their actions to the needs of their community’.**

- The Parish Council could choose, following the alignment of outdoor spaces provision, to look to cover the costs of maintenance of the grass / hedging of the allotments site out of surplus / precept funds.
- As an observation...I believe the Council could be more proactive at supporting an even bigger range of groups within the community.
- The Council may choose to consider providing more allotment services for the parishioners.
- The Council may consider searching for a piece of land it can purchase to enable allotments to be provided to the community in perpetuity. (The current site had a 20year lease on it which expires in 2032 and a 1 year exit clause).

8.3. **REQUEST 2 – ‘To seek a special motion to reconsider the Blofield Allotment Association request for funding for mains water’**

It is not possible for an agenda item to be automatically considered again for a further 6 months. However, a special motion can be put forward if three councillors give 7 clear days written notice to the clerk requesting the item is added to the agenda. An alternative solution would be for the council to consider paying for the standing charges of the water. Therefore, providing the provision of water to the Allotments but not funding specific volumes depending on usage/weather. This is the approach Acle Parish Council take. A report could be prepared by the Allotments working party with full facts and figures for the Council to consider.

8.4. The Council unanimously resolved to approve REQUEST 1 and REQUEST 2 being passed to the newly formed Parish Council / BAA working party to consider and put forward any recommendations to the Parish Council.

8.5. **REQUEST 3 – ‘To actively engage in a positive and constructive way with the Blofield Allotment Association’**

I have observed that Communications between the Blofield Allotments Association and the Parish Council have fallen down in a number of areas. It would be advisable for the Parish Council to consider improving this relationship. Engaged working from both groups will benefit the community significantly. One solution to this would be to set up an Allotments Working Party.

8.6. Rob Christie proposed (seconded by Yvonne Burton) the Parish Council set up a working party with the BAA in accordance with draft terms of reference prepared by the clerk (see Appendix A). The Council unanimously resolved to approve this proposal.

8.7. **REQUEST 4 – As Clerk, I would recommend the Council adopts a formal complaints procedure.**

8.8. Rob Christie proposed (seconded by Paul Culley-Barber) the chair and vice-chair work with the clerk to produce a draft complaints procedure for the September meeting. The Council unanimously resolved to approve this proposal.

The Parish Council thanked the complainant for attending the meeting and there being no further matters to discuss the meeting closed at approximately 8pm.

Signed.....

Dated.....

DRAFT TERMS OF REFERENCE (Appendix A)

Name - Allotments Working Party

Terms used below - Parish Council / Council - Blofield Parish Council
Association – Blofield Allotments Association

Type - Advisory Role,

Purpose

Review the letter of understanding and bring recommendations to the parish council. Ensure the Council/Association adhere to the letter of understanding.

Exchange allotment information, understand projects/issues/changes in plot holders / membership

Work together to achieve the best for the allotments.

Consider any opportunities to source land for Parish Council owned allotments; providing the Parish with security and allotments in perpetuity.

Describe the purpose of the committee (what the committee will do, why it was created)

Scope

The Allotments Working Party is a working group to provide a positive and constructive way of liaising between the Parish Council and the Allotment Association enabling the village to receive the best possible community allotments for the Parish.

Authority

The Allotments Working Party is a recommending group. It does not have authority to make decisions but will bring to the Parish Council any recommendations for improvements / financial requests / concerns providing detailed documentation for the council to review in advance of the meeting.

Membership

2 parish councillors without pecuniary interests in Allotments

1 parish councillor with pecuniary interests in allotments

3 members of the Allotments association committee

2 members of the Allotments?

Secretary – Clerk of parish council or appointed within?

2 members of the parish

Chair elected at the first meeting within the group. Chair and vice chair to be from each different organisation

Meeting arrangements

Meetings to be held bi-monthly at the Blofield Courthouse Judges Room (to be paid for by the Parish Council). Meetings to be booked up to the end of 2017 by the secretary and then booked in advance for the subsequent year at the same time as booking Parish Council Meetings to ensure alignment of dates.

Quorum - 4 (with an even allotment/parish council representation)

Agenda to be prepared by the Clerk / secretary and circulated by email 1 week in advance of the meeting and posted on the Parish Council website / Allotment Association website. Clerk to take full minutes including attendance and action log and circulate by email promptly after the meeting.

Action log to be maintained by the Clerk / secretary

Communication between meetings will be kept to progressing ongoing actions, preparing documentation for further meetings and communicating new agenda items

Documentation for the Parish Council to be prepared by members as agreed in the meeting

Reporting

The working party will report to the Parish Council and Allotment Association on a bi-monthly basis (more frequently if necessary) with an agenda item and circulation of the meeting minutes.

Resources and budget

There are no funds or specific resources available to the group. However, both the Allotment Association and Parish Council have membership of the National Allotment Society and this service should be utilised as required.

Deliverables

Regular updates and recommendations to the Parish Council / Allotment Association.

Review

The first Terms of Reference review should take place after 6 months and then subsequently annually. The next review date will be January 2017.