

# Holme Valley Parish Council

## MINUTES OF THE COUNCIL MEETING HELD ON MONDAY, 26 MARCH 2018

Those present:

Chairman: Cllr JG Cropper

Councillors: Cllrs S Baggott, DK Bellamy, K Bellamy, T Bellamy, J Brook, P Davies, RP Dixon, TW Dixon, SN East, DM Firth, CR Greaves, D Hall, R Hogley, M Pogson, J Roberts, R Rogers and T Walshaw

Officer: Mrs S S Barber

### **1718 93 Public Bodies (Admission to Meetings) Act 1960 amended by the Openness of Local Government Bodies Regulations 2014**

As Council meetings can now be recorded, the Chairman checked if anyone wished to do so, to enable reasonable facilities to be provided if necessary. The Clerk recorded the meeting (for Minute purposes only) and the recording would be deleted once draft Minutes had been ratified.

### **1718 94 Public Question Time**

(1) One member of the public was present and asked two specific Members of the Council and the Clerk about their membership of a local community group at the time when grant funding was awarded. Each Member responded verbally, but the member of the public then asked for the responses to be confirmed in writing.

RESOLVED: That the responses be confirmed in writing after the meeting.

(2) Cllr T Walshaw addressed Members on his concern regarding the wording in the draft Neighbourhood Plan regarding solar panels.

RESOLVED: That the concerns be noted and referred to the next Neighbourhood Plan Steering Group meeting, where advice and comments from the Council's Planning Consultants would be sought.

### **1718 95 To accept apologies for absence**

Apologies for absence were accepted from Cllrs E Bunbury and CM Kaye.

Members also noted that Cllr G Christofi no longer had a special dispensation, because his previous one was invalidated when he attended a Committee meeting on 11 December 2017. The Council's attendance registers had been updated accordingly. The Clerk had advised him that he must therefore submit his apologies to each Council/Committee meeting unless the Council felt it could agree to grant a further dispensation (for up to six months from the date of the last meeting he attended). He had then attended the Annual Parish Meeting earlier this evening, but was unable to attend this meeting because of continuing ill-health.

RESOLVED: That Cllr G Christofi be granted a further special dispensation of six months from today's date, to be excused from attendance of all meetings of the Council and its Committees until 25 September 2018 inclusive, on medical grounds.

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## **1718 96 To receive Members' personal and disclosable pecuniary interests in items on the agenda**

Cllrs S Baggott, JG Cropper and J Roberts declared a personal interest in any items referring to Holmfirth Civic Hall Community Trust. Cllr DK Bellamy declared a personal interest in any items referring to Friends of Honley Library. Cllr M Pogson declared a personal interest in any items referring to Brockholes Village Trust.

## **1718 97 To consider written requests for new DPI dispensations**

None received.

## **1718 98 To consider whether items on the agenda should be discussed in private session**

RESOLVED: That Item 12 (1) (Complaints on Procedural Matters) be taken in private session, owing to the confidential nature of the matters to be discussed.

## **1718 99 To confirm the Minutes of Council Meetings**

Cllr J Roberts expressed her concern at the wording of Minute No. 1718 91 as, in her view, pertinent details had been omitted. Members subsequently debated the procedures followed and votes taken at the last Council meeting, to appoint the Chairman-Elect and Vice-Chairman-Elect. The Clerk reminded Members that the purpose of the Minutes is to record decisions (only) and any preamble is purely to provide context and clarity if Minutes need to be referred to in future.

RESOLVED: That the Member's concerns be noted but the Minutes of the Council meeting held on 5 February 2018, numbered 1718 75 to 1718 92 inclusive, be confirmed.

## **1718 100 Exclusion of Public and Press**

RESOLVED: That the business of the Council now to be transacted be not open to the public or press on the grounds that the matters to be considered are of a confidential nature.

## **1718 101 Complaints on Procedural Matters**

RESOLVED: That this item be brought forward in priority order.

(1) Complaint from Fulstone Ward Councillor: Members noted a letter of complaint dated 7 February 2018, expressing concerns about how the decision was reached to appoint the Chairman-Elect and Vice-Chairman-Elect at the last Council meeting on 5 February 2018, contrary to the convention of order of seniority.

The Chairman explained the democratic process followed at that meeting and pointed out that, as both appointments have to be voted upon (annually, at the February meeting, before those appointed take on the roles from the Annual Council Meeting) it is not an automatic process; any motion put forward has to have a proposer and seconder, with a vote by a show of hands, in the normal way, but it is quite feasible, within Standing Orders, for alternative motions to be put forward (as was the case on this occasion).

He also mentioned a similar vote 12 months earlier which was not unanimous and, had it

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failed, a second motion could have been made.

Members were reminded that any decision taken could not be revoked within six months, but the Ward Councillor raised her further concern that when she was asked, by the outgoing Chairman, as to whether she would be willing to take on the role of Vice-Chairman-Elect (in conventional order of seniority) she was not asked if she would be willing to be Chairman-Elect if the more senior Member was not appointed. The Chairman, having received an indication that Cllr DM Firth would be willing to accept the role of Chairman, and not anticipating that the proposal that he do so would not be supported by the Council, did not ask further Councillors if they would be willing to do so.

RESOLVED: That the Member's letter of complaint and concerns be noted.

(2) The Clerk asked Members to note that Kirklees Standards had requested a copy of the Clerk's recording of the meeting held on 5 February 2018. For the sake of openness and transparency the Clerk had provided the recording, but upon seeking legal/professional advice, if a recording is taken purely for minute purposes, it need not be shared.

RESOLVED: That it be noted that, in future, the Clerk need not share any recordings and any recordings would be deleted as soon as Minutes have been ratified by full Council, as previously agreed by the Council.

## **1718 102 Re-admittance of the Public and Press**

RESOLVED: That the public and press be re-admitted to the meeting.

## **1718 103 To confirm the Committee Minutes under delegated powers**

(1) RESOLVED: That the Minutes of the Community Asset Support Committee meeting held on:

- (a) 26 February 2018, numbered 1718 100 to 1718 109 inclusive be confirmed.
- (b) 12 March 2018, numbered 1718 110 to 1718 123 inclusive be confirmed.

(2) RESOLVED: That the Minutes of the Finance & Management Committee meeting held on 19 March 2018, numbered 1718 79 to 1718 100 inclusive be confirmed.

(3) RESOLVED: That the Minutes of the Planning Committee meeting held on:

- (a) 29 January 2018, numbered 1718 125 to 1718 137 inclusive be confirmed.
- (b) 26 February 2018, numbered 1718 138 to 1718 151 inclusive be confirmed.
- (c) 19 March 2018, numbered 1718 152 to 1718 167 inclusive be confirmed.

(4) RESOLVED: That the Minutes of the Publications & Communications Committee meeting held on 12 February 2018, numbered 1718 54 to 1718 68 inclusive be confirmed, subject to an amendment (date change).

(5) RESOLVED: That the Minutes of the Service Provision Committee meeting held on 12 March 2018, numbered 1718 100 to 1718 117 inclusive be confirmed.

## **1718 104 Reference from a Committee**

(1) The Chairman of the Community Assets Support Committee reported on the following:

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(a) Representation on Board of Trustees of new charity to be established regarding Honley Library asset transfer (Minute No. 1718 117(4) refers):

RESOLVED: That the appointment of Cllr S East to represent the Council on any Board of Trustees of the new charity be approved.

(b) Grant Funding Monitoring & Evaluation Policy (Minute No. 1718 118(1)(a) refers):

RESOLVED: That the Policy be approved and adopted with immediate effect.

(c) Members received an update on the longer term future of Holmfirth Adult Education Centre and considered any further actions required (Minute No. 1718 121(1) refers).

RESOLVED: That a further update be awaited from a local community group working with the College regarding a proposal to be publicised in the next few weeks.

(d) Recommendation of Committee to nominate Holmfirth Library building as an asset of community value (Minute No. 1718 122(2) refers):

RESOLVED: That Holmfirth Library building be nominated as an asset of community value and the Clerk to contact Kirklees Council accordingly.

(2) The Chairman of the Finance & Management Committee reported on the following.

(a) Minute No. 1718 99 refers – General Data Protection Regulation (GDPR):

RESOLVED: (i) That the GDPR Policy & Procedures be approved and adopted, for implementation when the Regulation comes into force on 25 May 2018.

(ii) That the Clerk be appointed to act as Data Protection Officer, subject to further legal/professional advice and clarification (from NALC, YLCA, SLCC and/or the Information Commissioner's Office) on any conflicts of interest that may exist.

(3) The Chairman of the Publications & Communications Committee reported on the following:

(a) Minute No. 1718 63(2)(b) refers:

RESOLVED: That the Clerk be authorised to remind all Committee Chairman of the need to submit their Committee reports for the Annual Report to the Clerk by the end of May 2018 (latest).

(b) Minute No. 1718 65(3) refers – To approve Social Media Policy – copy enclosed

RESOLVED: That the above be referred back to Publications & Communications for clarification on the definitive wording.

(c) Death in Service Policy & Procedures (Minute No. 1718 65(4) refers):

RESOLVED: That the Policy be approved and adopted with immediate effect.

## **1718 105 Matters Arising from the Minutes**

(1) Service Provision Committee:

(a) Power to fund a WW1 Centenary Commemoration Addendum Panel (Minute No. 1718 107 refers) – War Memorial in the grounds of Holme Valley Memorial Hospital: The Clerk reported that clarification on the power to provide the Addenda Panel had been sought and YLCA had now confirmed that the Council has the power to maintain, repair, protect and adapt war memorials in its area, subject to any Listed Building consent necessary.

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RESOLVED: (1) That, as the proposal is to add extra names to this existing war memorial, the Council supports the proposal, in principle.

(2) That the Clerk be authorised to liaise with the community group, Listed Buildings Officer and the War Memorials Trust (regarding any grant funding available) as necessary, for any firm proposals/quotations to be considered by the Service Provision Committee in due course.

(b) Cllr DM Firth updated Members on negotiations with Kirklees Council to provide a more weather-proof base for the HCG Interpretation Board (Minute No. 1718 112 refers). The situation was ongoing, but it was hoped a cost-effective solution could be found as soon as possible.

RESOLVED: That the above be noted.

(2) Community Assets Support Committee - Minute No. 1718 89(1)(i) refers - To consider advice from YLCA (if available) on "collective responsibility". The Clerk reported that advice was still awaited from YLCA.

RESOLVED: That the above be deferred to a future CASC meeting.

(3) Publications & Communications Committee – Council Website – Minute No. 1718 67 and full Council Minute No. 1718 71 refer: The Clerk reported that an alternative hosting provider had now confirmed that they could not take over the hosting of the Council's website because it is a '.gov.uk' domain name. Attempts were therefore being made to stay with the current hosting provider for the time being, until the Committee has the opportunity to review the situation and consider cheaper hosting options.

Unfortunately, due to a lack of communications between the proposed and current hosting companies, the Council's website had gone off-line for a short time on 23 March 2018 and when it appeared back on-line, an older version (going back to mid-February) had been uploaded. The current hosting provider had been asked to rectify the situation immediately.

RESOLVED: That hosting options and other matters relating to the website be considered at the next Publications & Communications Committee meeting.

(4) Service Provision – Minute No. 1718 116 – Memorial Seat: The Clerk reported that Cllr Searby's family had confirmed that they would like a memorial seat and have suggested that it could be installed on the small garden area at the bottom of Westgate in Honley centre (just over the wall from the carpark/recycling area). The Clerk would now seek quotations from potential suppliers of the seat (and a suitable plaque) and investigate ownership of the land on which the seat might be installed.

RESOLVED: That the proposed location be supported in principle.

### **1718 106 Casual Vacancy – Honley Central & East Ward**

The Clerk updated Members on the casual vacancy.

The Clerk reported that Kirklees Council had received a request (from 10 residents) to hold an election for the vacancy (following the death of Cllr P D Searby). The Notice of Election

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would be published in the Ward and on the Council's website and noticeboard on Tuesday, 27 March 2018. If contested, the election would be held on Thursday, 3 May 2018 (same day as District Council Elections), but poll cards would not be printed by Kirklees Council (as their printing deadline had passed).

RESOLVED: That the above be noted and a short article be included in the next issue of the Holme Valley Review.

## **1718 107 Audit Matters**

Members noted that, as yet, no correspondence had been received from PKF Littlejohn regarding the review of the Annual Return and accounts for the year ending 31 March 2018, but it was due anytime. The internal auditor had already been appointed for 2017-18 and the Clerk had booked the internal audit for Thursday, 26 April 2018.

RESOLVED: That the Clerk/RFO be given delegated authority to complete the internal and external audit process, and completion of the Annual Return and supporting documentation, by the required deadlines.

## **1718 108 To receive Chairman's Report**

The Chairman reported on Council business he had undertaken since the last full Council meeting, which comprised mostly of meetings regarding Holmfirth Civic Hall but also a Workshop on becoming Dementia-Friendly, attended with the Clerk and Admin Support Officer. The Alzheimer Society would now be asked to carry out an audit of the Parish Council and the Civic Hall. A meeting with Cllr D Sheard of Kirklees Council had to be cancelled due to bad weather.

RESOLVED: That the above be noted.

## **1718 109 Freedom of Information Act 2000 – to agree what information will be made available to the public**

RESOLVED: That, under the Council's Publication Scheme, supporting papers for any item within the public session of the meeting be made available, if requested, after confirmation of the minutes.

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Chairman