

EUXTON PARISH COUNCIL



Meeting arrangements: Full Council Meeting

Thursday, 17 March 2016, 7.15 pm start

Annexe, Euxton PC Community Centre, Wigan Road, Euxton

A G E N D A

1. Apologies

2. Declarations of Interest and Dispensation Considerations

Members are reminded of their responsibility to declare any interest in respect of any matters contained or brought up at any point in this meeting, in accordance with the current Code of Conduct. Council will consider dispensation requests.

3. Minutes of Council Meetings

Council Minutes of the last meeting, approve their signing as a correct record (Item 3)

4. Statutory Business

Planning - consider applications, report from Lead Member for Planning (Item 4)

5. Public Participation

Matters brought to the Parish Council by residents. Residents will have twenty minutes set aside during which each resident shall have three minutes.

6. Financial Items

6.1 Receive financial reports 1, 3 and 4 and approve Expenditure report 2 (Item 6.1)

6.2 Confirm the bank signatories' names for the new bank accounts (Item 6.2)

6.3 Receive two completed internal Councillor audits (Item 6.3)

7. Committee/Working Group Reports and Recommendations

7.1 All Purposes Committee

Consider and decide on two suggested sites for wayside seats (Item 7.1)

7.2 Personnel Committee – verbal update from meeting 7 March

Recommendation to apply for a debit card and necessary processes to enable this (Item 7.2)

7.3 Leisure Committee

Report from the Millennium Green working group with recommendations (Item 7.3)

7.4 Bowling Committee - verbal update from meeting on 3 March

7.5 Other Committee/Working Group verbal updates

8. HM Queen Elizabeth II 90th Birthday Commemorations

To commemorate the Queens 90th birthday, it has been suggested to give young people in the village a commemorative medal, consider this or other alternatives (Item 8)

9. Agendas and Papers

Clarification on the legislation for Summons and Agenda and a discussion regarding the associated papers for meetings (Item 9)

10. Councillors Conduct during meetings

Request by Chair after receiving formal complaint regarding this matter (verbal).

D. Platt

CLERK

Published: 10/03/16

11. Matters for information

Notify the Chair prior to the meeting start of any item to be brought up under this section. Only items of information, referral to another authority, or matters offered for consideration at a future meeting can be raised. No legal decisions can be taken.

Notes: Public Participation item will be taken whilst Standing Orders are suspended. This agenda is accompanied by public reports, if referenced at the agenda item. **End**

Meeting calendar deadline for agenda items/submit papers is 7 clear working days prior
2016: 21 April, 19 May, 16 June, 21 July

Newsletter calendar

Distribution 1st week of June, deadline early May 2016

Distribution 1st week of September, deadline early August 2016

Distribution 1st week of December, deadline early November 2016

Distribution 1st week of March, deadline early February 2017

MINUTES of the Full Council Meeting held 18 February 2016 at 7.15 pm at The Annexe, Euxton PC Community Centre, Wigan Road, Euxton.

<u>Present</u>	Cllr J Bamber (Vice Chair)	Cllr M Jarnell	Cllr J Prayle
	Cllr M Bamber	Cllr C Jones	Cllr K Reed (Chairman)
	Cllr A Caughey	Cllr E Jones	Cllr A Reed
	Cllr J Caughey	Cllr J Matson	Cllr A Riggott
	Cllr P Fellows	Cllr A Platt	Cllr V Thornhill

Members of the public 4

1. Apologies Cllrs Cook, Parr, Wellerd.

2. Declarations of Interest

Cllr Platt declared a pecuniary interest in items forming part of agenda items 7, as a relative of an employee and 8.2 a and b.

3. Minutes of Council Meetings

Resolved: Minutes of the Council Meeting on 21 January 2016 were agreed to be an accurate record, and signed by the Chairman with one word corrected in item 12 which was initialled.

4. Statutory Business

Planning - considered applications in report from Lead Member for Planning.

15/01230/FUL Xeleflex site – a draft response had been prepared by the member.

Resolved: Council agreed to object to this application and send the prepared letter.

5. Items carried forward from previous meeting

a) Roads in Euxton

The report was an update of the successful progress on Balshaw Lane. It was reported that Euxton Lane was to be done later this year following repairs.

b) Bus Service

Bus service route changes and loss of services. Councillors discussed at length.

Resolved: Council to respond to the resident to inform that the Council will support the retention of services in consultations, to pass on information of alternative transport services.

Resolved: Council to write to a bus company to ask if they would take over or reinstate a service which was once the 119 route or, if the 109 service could have a route change to include a stop at the hospital for residents.

Councillors referenced the LCC bus scheme from the November 2015 meeting, the conditions were read out from that scheme.

6. Public Participation - Residents and Police Matters

Resolved: Council resolved to suspend standing orders.

Two residents attended to enquire regarding the building of homes on the land at Greenside (currently the mini pitch).

A resident spoke regarding the information request from LCC regarding Culbeck Lane and his opinion and views of the application.

Resolved: Council resolved to restore standing orders.

The Council referred to the two residents to the Chorley Local Plan and all the information which the Parish Council published in its newsletters and leaflets which

were circulated. The Parish Council and residents submitted objections and evidence to the Local Plan Inquiry and attended the Inquiry to give evidence. Chorley Council submitted the land into the Local Plan for housing, very late in the process, the Parish Council objected to all the housing proposals for the village.

7. Financial Items

Council were asked to receive financial reports 1, 3 and 4 and approve Expenditure report 2

Resolved: Council received financial reports 1, 3 and 4 and approved Expenditure report 2, which had been checked by a Councillor prior.

Creditor	Description	Total £
Easy Web-Sites	SO for website	24.00
Easy Web-Sites	Website build	600.00
Eccleston Electrical	Boiler, repairs	1173.97
Eccleston Electrical	Repairs	226.55
HFE Signs	Banner	55.94
Employee 1	Reimbursements	19.25
Employee 2	Reimbursements	31.50
Employee 3	Reimbursements	35.67
Employee 4	Reimbursements	20.30
Employee 1	Salary February 2016	1464.98
Employee 2	Salary February 2016	782.27
Employee 3	Salary February 2016	736.94
Employee 4	Salary February 2016	723.30
HMRC	Tax & NI February 2016	540.90
Cash	Petty cash fund reimbursement	160.57
Chorley Council	Planning application fee	195.00

8. Committee/Working Group Reports and Recommendations

8.1 All Purposes Committee

Chair gave a verbal update of the meeting, the committee was developing a defibrillator project and had Clean for the Queen volunteer days set up for 5 and 6 March.

Councillors considered the All Purposes Committee recommendation to set up an email system connected to the website to provide Councillors with 'council' email addresses. Members understood that this was an opt-in facility and they didn't have to have a Council email address and it didn't have to be published. A protocol and instructions, security of system will need to be formed for users of the system and the All Purposes Committee would look into this. The ICO had confirmed that the mechanism would cover Councillors under the Council's licence.

Resolved: Council agreed to set up an email system connected to the website.

8.2 Personnel Committee Recommendations

a) IT equipment b) Telephone/Broadband

Members discussed these items at length, a cost comparison against the present system was requested as it was not available with the papers. Members discussed equipment and options. A recorded vote was requested. Clerk informed the budget for this was set at precept at £2000, not £5000.

Recommendations a) and b) were proposed and seconded.

A counter proposal was put, to defer the decision to enable further discussion, with a cost comparison, whether this is taken in private or public section.

Council voted on the counter proposal to defer the decision for more information:

For: Cllrs C Jones, M Jarnell, J Matson, A Riggott

Against: Cllrs J Caughey, A Caughey, M Thornhill, M Bamber, P Fellows, J Bamber, K Reed, T Reed

Abstained: Cllrs E Jones, J Prayle

Resolved: Council voted on the recommendations a) and b) as put:

For: Cllrs J Caughey, A Caughey, M Thornhill, M Bamber, P Fellows, J Bamber, K Reed, T Reed, E Jones

Against: Cllrs M Jarnell, J Matson, A Riggott

Abstained: Cllrs C Jones, J Prayle

The proposal was carried.

c) Contracting out employee salary process

Resolved: Council agreed on the recommendation c) as put, to contract out the employee salary process.

d) Council Meeting dates i) & ii)

Councillors discussed why we need the precept meeting in December and that this would effect the proposed Financial Regulations and they would need to be amended. The cost impact of an additional meeting was requested. Time savings would be made by the above contracting out and a shorter January meeting, the Personnel Committee had worked hard to present these recommendations.

Resolved: Council agreed on recommendation d) to have a meeting in December to set the Precept and to have a July meeting and make the August date a 'possible if required' published meeting date.

e) Budget spending

Resolved: Council agreed on recommendation e) with amended words:

Agreed the Personnel Committee be given permission to spend the new budget headed 'Advice/assistance on NIC/VAT' £1500 to use to gain advice on NIC, VAT, Pensions, PAYE and other relevant Personnel issues.

Resolved: Council agreed to bring item 10a forward.

10. Consultations

a) Culbeck Lane application to upgrade to a restricted byway

Resolved: Council agreed a time extension of 15 minutes.

Resolved: Council resolved to suspend standing orders.

A resident spoke regarding the removal of the gates and in his opinion there would be future abuse of the use of the lane.

Resolved: Council resolved to restore standing orders.

Council will refer the LCC request for information to the Civic Society, to see if it has information about the lane, and to forward on to County if it does.

b) Pear Tree Lane presentation updates and letter from a resident

Agenda item for flooding, updates, meeting with Network Rail requested.

Resolved: Council noted the information supplied by a resident and will respond with the standard drafted letter. Any future enquires on the subject of housing in Euxton will be responded to with the standard response.

8.3 Finance Committee

It was noted that due to decisions made above that c) Financial Regulations document required some amendments and would go back to Finance Committee to be completed and returned to Council.

a) Risk Register

Resolved: Council agreed to accept the review report of the risk register.

b) Insurance needs currently meet the Risk Assessment

Resolved: Council accepted insurance needs are met from the Risk Assessment.

d) Sector Led External Audit system

Resolved: Council agreed to remain in the Sector Led External Audit system and not to opt-out.

Resolved: Council agreed a time extension of 15 minutes.

8.4 Other Committee/Working Group verbal updates

The Neighbourhood Working group met at Chorley Council and approved projects for a hand-rail in Astley Village, an extended defibrillator scheme covering the whole neighbourhood area and the skate park safety measures.

Bowling & Boules Committee has been arranged for the 3 March in place of the Leisure Committee. Bowling will be on the March Council agenda.

The Chorley LALC meeting reported Wheelton Parish Council is to have a Fracking presentation, the Sports Forum is running a First Aid course.

9. Euxton Library

Councillors discussed the threat of the loss of Euxton Library at length, it felt that, until LCC had carried out its consultations and research and decided what was to be closed or retained and if Euxton's library building was to be affected, then it could not move forward.

As there was no further business, the Chairman declared the meeting closed.

9.45

EUXTON PARISH COUNCIL**Item 6.1**

Bank Reconciliation

Financial year ending 31 March 2016

Balance per bank statement as at

29 February 2016

	£	£
Current account balance	592.01	
High Interest Account	198,133.03	
TSB	0.00	
Co-op	0.00	
Santander	0.00	
		<u>198,725.04</u>

Less: any unpresented cheques as at the statement date

Cheque No

Amount

	-
	-
4189	75.00 -
4190	186.00 -
4222	55.94 -
4226	20.30 -
4230	723.30
4233	195.00 -
	-
	-
	<u>1,255.54</u>

Add: any unbanked cash

0.00

0.00

Net bank balances as at:

29 February 2016

197,469.50Cash Book as at:

29 February 2016

Opening Balance	172,524.54
Add: Receipts in the year	131,481.42
Less: Payments in the year	- 106,536.46
	<u>197,469.50</u>

Cash Book as at:

17 March 2016

Opening Balance	172,524.54
Add: Receipts in the year	131,481.42
Less: Payments in the year	- 114,725.41
	<u>189,280.55</u>

EUXTON PARISH COUNCIL**Item 6.1****Budget Breakdown Report 2015/2016 (cumulative for year)**

Budget Codes	Description	Committee	Budget 2015/16	Carried fwd from 14/15	Total Budget avail 15/16	Spend to Date	Income 2015/16	Budget Via	Budget Balance	Note	Section totals
01 Employees											
01	Employees	PC	51500		51500	52841			-1341		52841
02 Housekeeping											
02-1	Employee Mileage	Per	1600		1600	1384			216		11765
02-2	General Office - stationery, copy, post, IT, tel	PC	1400		1400	1621			-221		
02-3	Publicity - newsletter/AnnRep/ Other	AP	3000		3000	4635	3474		1839		
02-4	Insurance	C	2500		2500	2657			-157		
02-5	Subscriptions	C	250		250	219			31		
02-6	Audit	C	1000		1000	580			420		
02-7	Legal Fees/Planning Investigation	C	2500		2500	669			1831		
03 Council											
03-1	Training/Conference Fees	C	350		350	426	0		-76		426
03-2	Elections and Parish Poll Fund	C	0	5000	5000	0			5000		
03-3	General Reserve	C	0	22803	22803	0		-500	22303	*2	
04 Grants/S137											
04-1	Grants	AP	3000		3000	1670			1330	*1	2498
04-2	Christmas Celebrations	AP	1000		1000	828			172		
05 Special Events/Projects											
05-1	Euxton Gala	AP	700		700	695			5		1683
05-2	Balshaw Lane Pond	L	2500	4500	7000	0			7000		
05-3	Neighbourhood Plan	NWG	0	2000	2000	0			2000		
05-4	Quality Status renewal	C	50	200	250	0			250		
05-5	Website	AP	2000		2000	600			1400		
05-6	Comms and social media methods	AP	250		250	137			114		
05-7	Increase public involvement work	AP	250		250	251			-1		
05-8	Finance software	F	2050		2050	0			2050		
05-9	Heritage Fund	AP	212		212	0			212		
06 Amenity/Utility											
06-1	Utilities	C	1100		1100	808	55		347		37165
06-2	Gardens/Planting/Competitions	AP	3250		3250	3013	400		637		
06-3	War Memorial	AP	0	2500	2500	187			2313		
06-4	Millennium Green - grass cuts, maint	L	2000	1000	3000	2317			683		
06-5	All Purposes Committee	AP	0	4000	4000	984			3016		
06-6	Greenside Pitch Maintenance	L	3000		3000	0			3000		
06-7	Play Equipment Replace Scheme	L	13350	11774	25124	20000			5124		
06-8	Amenity/Open Space RRM	L	13500		13500	9857	2545		6188		
07 Earmarked Reserve/Carry Forward Money											
07-1	Land Fund/Amenity	L	0	18684	18684	0			18684		213
07-2	Street Sweeping Machine Fund	AP	500	3500	4000	0			4000		
07-3	Bowling/Boules Project	BC	2500	60000	62500	213			62287		
08 Other											
							125007				813
08-1	Healthy Streets		0	1129	1129	313	0		817		
08-2	Ransnap Brook		0	279	279	0			279		
08-3	BT Wayleave/Available		0	788	788	0			788		
08-4	Green Partnership Grant (Mgreen)					500		500	0		
			115312	138157	253469	107403	131481		152540		107403

VAT total on purchases

£7,322.00

exl vat

*1 part library grant unclaimed yet

*2 £500 GP Grant earmarked to 8-4

6.2 Confirm the bank signatories names for the banks

Following Council's decision to open bank accounts with the Co-op, TSB and Santander, one of the banks has asked for the signatory names to be confirmed in minutes of the Council so, in case the others ask for the same thing, can Council confirm for all three.

Recommendation

Council resolves that the bank signatories for the following banks are:

Co-operative Bank

Bank signatories are: Councillors Katrina Reed, Eric Jones, Anne Caughey, Marilyn Bamber and the Clerk Debra Platt.

TSB Savings Bank

Bank signatories are: Councillors Katrina Reed, Eric Jones, Anne Caughey, Marilyn Bamber and the Clerk Debra Platt.

Santander Bank

Bank signatories are: Councillors Katrina Reed, Eric Jones and the Clerk Debra Platt.

CERTIFICATE OF INTERNAL FINANCIAL CONTROL

EXAMPLE OF CHECKS WHICH COULD BE CARRIED OUT

Choose a month to audit, within the current Financial Year

Month audited: JUNE 2015

- Check several Expenditures against payments made:
Invoice voucher/Bank Statement/Report No 2
- Check an employee salary payment:
Voucher/Bank Statement/Report No 2
- Check corresponding Tax & NI paid for employees that month
Voucher/Bank Statement/Report No 2
- Check some Income items/Receipts:
Voucher/Bank Statement/Report No 1
- Check a Petty Cash record:
Voucher/Petty Cash Summary sheet/Report No 2
- Check Authority to Pay acknowledged in Minutes for that month

Any further checks you carried out besides the ones above/or referred to you:

INCOME FOR WASTE MONTH FEB 2016.

.....
.....
.....

Carried out by:

John Paterson
Councillor Auditor

Date:

07/03/16

CERTIFICATE OF INTERNAL FINANCIAL CONTROL

EXAMPLE OF CHECKS WHICH COULD BE CARRIED OUT

Choose a month to audit, within the current Financial Year

Month audited: ... JANUARY 2016 ...

- Check several Expenditures against payments made:
Invoice voucher/Bank Statement/Report No 2
- Check an employee salary payment:
Voucher/Bank Statement/Report No 2
- Check corresponding Tax & NI paid for employees that month
Voucher/Bank Statement/Report No 2
- Check some Income items/Receipts:
Voucher/Bank Statement/Report No 1
- Check a Petty Cash record:
Voucher/Petty Cash Summary sheet/Report No 2
- Check Authority to Pay acknowledged in Minutes for that month

Any further checks you carried out besides the ones above/or referred to you:

I signed a total on the month (LIST OF CHEQUES & MINUTES)

.....
.....
.....

Carried out by: E Jones Date: 10/3/16
Councillor Auditor

7.1 All Purposes Committee

As there is not going being an All Purposes Committee in the very near future, could Council consider the two suggested positions for new wayside seats, from the All Purposes budget:

Position 1 – suggested by a resident via Cllr M Bamber

I took a phone call yesterday from A RESIDENT. Her husband John sadly passed away in June last year (aged 96) and as they used to enjoy walking together around Pear Tree Lane/Whinney Lane, she has made the very kind offer to fund a bench somewhere close to those areas if possible (**she would not be wanting a memorial plaque on it**). Her first thought had been to pay to replace the damaged one near the lay by in Pear Tree Lane, but I informed her that it has been replaced in the last week by Chorley Council.

She is happy to leave the location up to the Council to decide on - I did explain that a bench somewhere along either lane might not be acceptable for safety reasons (narrow lanes/traffic) as recent requests to have waste bins were not approved. My thought as a good, safe location is just on to the piece of land leading from Pear Tree Lane (at the Washington Lane end) to behind the houses at Empressway which Chorley Council own. (Photos attached taken last year when checking sites for possible Bowling Green - the bench could be well away from passing traffic and have a pleasant vista). Mrs Wallis did also mention perhaps somewhere close to the kickabout area behind Princessway but I'm not sure that nearby residents would approve.

Position 2 – suggested through the Neighbourhood Working Group

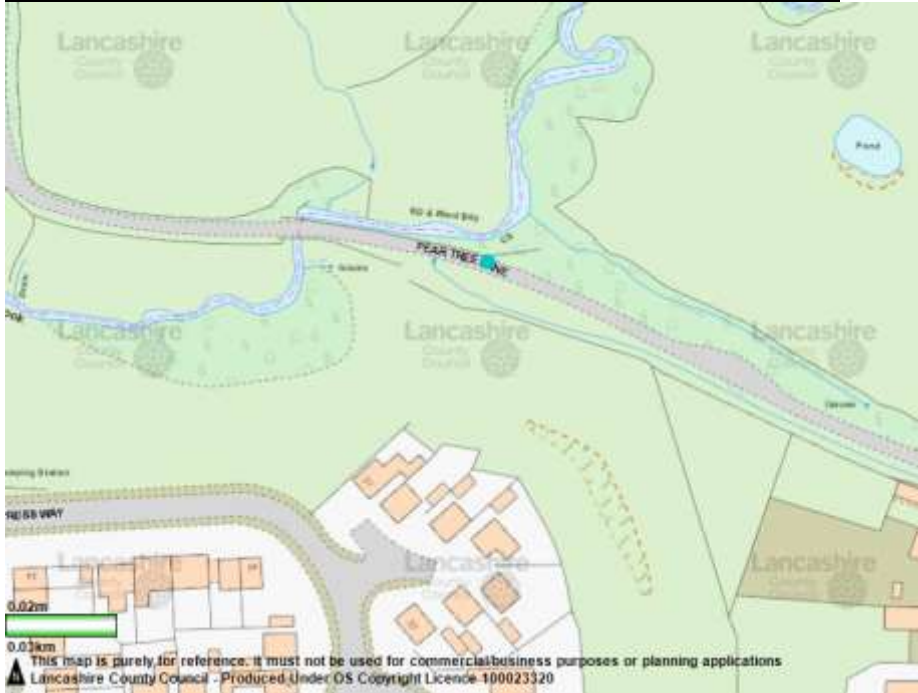
On the junction of Central Avenue and Buckshaw – see plan map.

Costing

Two seats with fixings would cost £1044

Permission for siting would be required from the prospective land owners.

Position 1 – suggested by a resident via Cllr M Bamber



Position 2 – suggested through the Neighbourhood Working Group

Central Drive junction roundabout with Buckshaw Avenue

From the Neighbourhood Working group meetings it has been suggested Euxton PC may look at providing a seat somewhere in this location.

Below are indicated three positions, 1, 2, 3 as suggested locations. Position 3 would mean that you could look out at the pond and not have your back to the road.



7.2 Personnel Committee – Recommendation

Council agree to apply for a debit card

To enable the Council to purchase items costing more than is carried in petty cash and/or from establishments which are unwilling/unable to accept a cheque in payment.

Recommendations for Council approval:

- Open an additional current account at the Royal Bank of Scotland (RBS)
- Signatories on this account to be the same as the main account:
Councillors Katrina Reed, Eric Jones, Anne Caughey, Marilyn Bamber and Clerk, Debra Platt.
- Mandate for the new additional account will be one to sign, to allow to apply for a debit card
- Apply for a debit card on the new additional current account at the RBS, and agree to the terms of the debit card (copied below)
- Debit card will be issued to the Clerk, Debra Platt

Terms of the debit card

- the Cardholders (who are also Authorised Signatories to the bank account listed in Section 1) are authorised to request and be issued with Debit Card(s) and/or Debit Card details (including replacement cards, card details and security details) for use in relation to the operation and the giving instructions in relation to the bank account
- the Signing Rules contained in the mandate provided to operate the bank account listed in Section 1 above be supplemented (but not replaced) by the additional Card Transaction Authorisation Rules which will apply to the operation of the bank account using a Debit Card or Debit Card details. The current mandate to operate the bank account shall accordingly continue as supplemented and amended
- the Customer agrees to be bound by the Debit Card Terms contained in this Application Form and any amendments made to them from time to time. These terms apply in addition to the terms and conditions for the bank account, which shall not be prejudiced or affected by the Debit Card Terms
- the Customer agrees that all transactions authorised by a duly authorised Debit Card should be debited to the bank account in Section 1 and that the Customer accepts liability for any unarranged overdraft resulting from any such transactions that Cardholders may use their Debit Card to order cheque books and statements and to obtain details of the balance on an account
- the Bank may continue to rely upon this Resolution until it is revoked in writing by a suitably authorised notice to the Bank.

Millennium Green**Report by Cllr. Vyn Thornhill****1) Introduction**

1.1 Members will recall that the Leisure Committee appointed a small sub- committee to procure a Plan advising on the future management and improvement of the Millennium Green . A brief was prepared for issue to professional landscape architects and Council has allocated a sum of £4000 for this work in 2016/7.

1.2 However, in course of reviewing the brief the sub -committee decided that they had a clear objective for the green in the coming years and also about the range of measures that could be undertaken to secure that objective. Conversation with other members and with residents has revealed much common ground. The sub- committee therefore considers that, rather than commission advice, the £4000 could be better spent as a contribution to the cost of works.

1.3 The role of the Millennium Green is to provide a source of casual relaxation and exercise for residents of Euxton. The sub-committee does not suggest any change in that role(indeed, the terms of the Council's lease would probably preclude any significant alternative). However, the sub-committee felt that that the green is not well used and that, especially outside of the summer months, those enjoying its attractions are primarily, if not wholly dog owners and their pets. These users are very welcome but the sub- committee would like to see increased usage by others and is sure that the Council would take the same view.

1.4 The Green is a peaceful and attractive place and is a great asset to the Euxton community, although obviously of greatest advantage for those living closest to it. However it is an asset that is not working to its full potential and the sub- committee has a number of recommendations to make for changes that it considers will fit the Green to play a much larger part in the life of the community. The objective of these changes is simple and clear - to increase usage of the Millennium Green for the benefit of residents.

2) The existing Millennium Green

2.1 The Millennium Green is held by the Parish Council on a long term lease from Chorley BC who, in turn, lease it from a private landowner. The conditions of the lease limit the way in which the Green can be used and the works that the Council can undertake on the Green. For example it cannot be used for trade, for camping and caravans, for storage or for keeping animals. No buildings are permitted and so it could not be provided with changing rooms or toilets.

2.2 The Green was used for informal public access prior to the Parish Council taking responsibility for it. Following works such as tree planting and the provision of paths and picnic tables it has now been in use as Public Open Space for about 15 years, although it has only been formally designated as such in the recently approved Chorley Local Plan.

2.3 It is an undoubtedly attractive area of semi natural-maintained grassland and trees. It is readily accessible from much of Euxton even though it is on the edge of, rather than central to the developed area of Euxton, but it is not readily visible from the nearby main road network . It is more or less level and has woodland around two sides. Pleasant though the Green and its surroundings may be, there are few obvious features of interest that invite users to do anything more than take one or, rarely, more circuits around it. A commemorative stone wall and seat is located on the south side of the green and offers some interest but a piece of wood sculpture that was once located in the small car park was removed when it became badly infected with fungus. The former village stocks (which are very easily overlooked) and the buildings to the east and north sides of the Green do offer some variety and interest. Although existing fences have been broken in places, the Green has no right of way connection to the woodland footpath to the west and north. Large parts of the Green tend to be very soft underfoot in and after wet weather

2.4 It is particularly relevant here that the natural pond in the east centre of the Green does not provide such a feature of interest. In summer it is small and round and has willow trees in its banks and has no great impact. Indeed, the Council's most recent intervention, in 2015, was to cut down the rather weary trees and layer them around the pond such that, when they grow, as they quickly are doing, the pond will be more or less hidden from view and generally inaccessible. Indeed, in summer the pond may become a "boggy" area rather than a pond and, conversely, at times of high water levels, especially in the winter, the pond spreads to cover a much larger area of grassland under shallow water.

2.5 To some extent visual interest in the Green will be increased if biodiversity is increased by the creation or improvement of natural habitats and there have been some attempts to enrich the biodiversity in this way which have been only partially successful. The areas of young trees, planted about 15 years ago have recently been thinned and woodpiles left within them which should have some impact in future. Natural scrub has been allowed to grow around much of the external borders of the Green and bird boxes have been placed in the trees. Previous wildflower plantings have had only limited success. The pond does have remnants of natural waterside vegetation but the maintenance regime does not assist them and they have no great impact. Little is known of the pond's ecology.

2.6 A major weakness of the Green is its footpath network. It consists of a single footpath around the perimeter of the Green with connections to the small car park and the entrance close to Wigan Road. The only alternative is to reverse direction or walk into the grassland- which needs wellingtons for much of the year. The footpath is comprised of rolled, crushed stone set into the Green. Like the grassland around it the footpath is wet and for much of its length holds the water, because it cannot escape. The nature of the crushed stone containing material from about 2 inches across down to dust is such that, when it is wet, it turns into a "slurry" and when it is dry the fine material forms a cement- like dust. Especially in wet weather but also in dry the material tends to stick to and stain footwear and paws and "tread" into cars or even into houses. It is frequently unpleasant underfoot.

3 Proposed improvements to the Millennium Green

3.1 Prior to making any improvements to the Green it is proposed to undertake a survey to assess the number of users and their reasons for using it. A simple survey can be designed and hopefully a local community group, such as a scout troop, could undertake the survey (A donation could be made to group funds). This survey would be useful even if Council does not support the proposed improvement and could be undertaken during the Easter and/or half term and/or summer holidays. It would be essential to include some weekend and some fine weather survey to ensure that the survey includes an assessment of the maximum usage of the green. The survey can be used in future to assess the impact of any improvement works undertaken.

3.2 The following series of improvements is proposed. Without expert advice it is not possible to give estimates for the works:

a) Improvements to the existing footpath to improve drainage and comfort of use. In para 2.6 above I have given what I consider to be the cause of problems with the paths. However, advice would be required from a landscape gardener or other contractor to offer a solution, which may involve raising the paths slightly above the surrounding ground.

b) Additional footpaths across the green from the car park to the commemorative seat (or thereabouts). A suggestion is shown on the attached "plan" modified from Google Earth. Again a professional landscape gardener may be able to suggest better alternatives.

c) The existing "pond" to be converted into a true permanent pond with less seasonal level changes (which probably infers complete removal of the existing willow trees and installation of a liner). The pond works should incorporate an access between the footpath network and an area of decking overlooking the pond. The pond could have a surface area of up to 1000m².

Most of the pond should be accessible from the surrounding grassland and the decking and connecting footpath should be wheelchair accessible. However some parts of the bank side could be planted with suitable trees and other waterside vegetation offering interest and habitat variety. Once again professional advice is necessary here to produce a design and cost estimate. The attached plan shows an outline design at small scale.

d) A series of relatively small projects, professionally advised, could implement areas of wildflower and tree planting and habitat creation.

4 Programme and procurement

4.1 Item 3.2a) would probably not attract grant funding and the Council would need to fund it from existing allocations. Noting that the £4000 allocated for the Millennium Green Masterplan would not be used if the recommendations of this report are adopted, there is some scope for commencing, if not completing this work in the current financial year. Selected contractors could be asked to submit quotations and to explain how they propose to secure the improvement required.

The contractor could then be selected on the basis of the lowest cost quotation provided that the supervising Council Committee is satisfied that his proposals are sound.

4.2 The proposed works on the pond and the new paths etc represent a significant project and could not be achieved until 2017/18. There is a difficulty in that works to an existing pond (if this can truly be considered a pond) inevitably disrupt its existing wildlife. We have no knowledge of this and may need to undertake some survey work and seek approvals etc before works commence. I understand that September is considered the best time to undertake works of this nature although this needs exploring further with a suitable professional advisor. The works may also require planning approvals and approvals from the leaseholders. It would also be advisable to discuss the proposals with local stakeholders (eg Hospital, Care Home, residents) to see if they have any issues or suggestions.

4.2 Items b),c) and d) could be taken forward as a single project looking towards a start of work in late summer of 2017. The project may attract grants and these would have to be applied for and awarded, a process that requires a more detailed design and a better cost estimate than is currently available or than could be made available without professional advice.

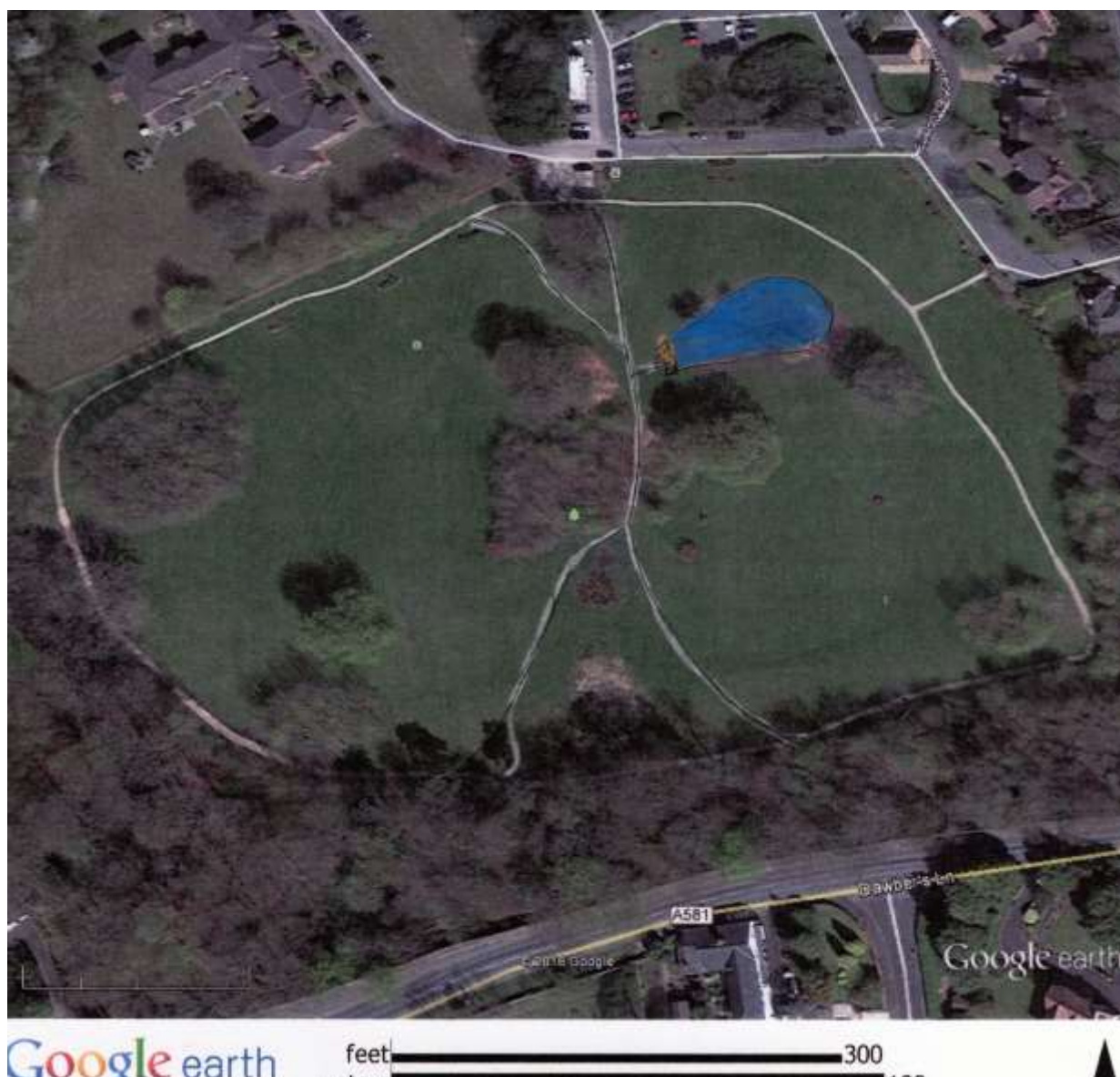
4.3 In general terms there are two approaches and the Finance Committee is asked to decide which method to use or suggest a preferred alternative:

- a) Either 3 or more landscape gardeners can be asked to submit both a design and a cost for the works, working to an outline specification prepared by the Council, and the preferred contractor be selected on a weighted score taking into account both design and cost. Or:
- b) The Council appoints (by means of some competition) a landscape gardener to prepare a design which the Council approves and then offers to contractors (not necessarily landscape gardeners) to price. The preferred contractor would be selected on the basis of the lowest tender (provided there are no complicating issues). In this case the landscape gardener could also supervise the works and act as project manager.

5 Recommendations

5.1 Council should:

- a) abandon the Millennium Green Masterplan
- b) make a survey of usage of the Green in spring/summer 2016, using a local community group and donating to Group funds
- c) obtain method statements and cost estimates for the upgrading of the existing footpath network and seek to commence this work in 2016 using the funding from the Masterplan and other current allocations
- d) establish a major project for 2017/8 for the improvement of the Millennium Green as described above arrange funding and seek grant assistance
- e) the Finance Committee should advise on the procurement of this project.



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HM QUEEN ELIZABETH II 90TH BIRTHDAY COMMEMORATIVE MEDAL FOR SCHOOLS AND COUNCILS

On Thursday 21st April 2016 Her Majesty Queen Elizabeth II will celebrate her 90th birthday. To commemorate this historic royal event Tower Mint are proud to present the latest in our 2016 collector medal range for schools and councils. Please accept our free sample medal of the Queen's 90th Birthday with our compliments.



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Medal Specification

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VAT 20%			£
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Date

9. Agendas and Papers

Clarification on the legislation for the Summons/Agenda and a discussion regarding the associated papers for meetings.

This item responds to the statement that an agenda item/paper was illegal (because it had been corrected), which was raised at a previous meeting.

The Legislation for a Summons of a meeting is contained in the Local Government Act 1972, Schedule 12, point 10 (2).

The Act says:

(2) Three clear days at least before a meeting of a parish council—

(a) notice of the time and place of the intended meeting shall be fixed in some conspicuous place in the parish and, where the meeting is called by members of the council, the notice shall be signed by those members and shall specify the business proposed to be transacted at the meeting; and

(b) a summons to attend the meeting, specifying the business proposed to be transacted at the meeting and signed by the proper officer of the council, shall be left at or sent by post to the usual place of residence of every member of the council.

The legislation above refers to the Summons of a meeting and in b) goes on to describe the agenda (underlined) '**specifying the business proposed to be transacted**' - which are the agenda listed items on the Agenda sheet.

The legislation does not refer to supporting papers, reports, information etc being issued with the agenda. This is a practice which has become a 'good practice' to inform Councillors as much as possible of the background information, before a meeting. The supporting papers are not part of the legislation.

Practices have lead, more so in recent years, to send out as much information as possible in reports and papers along with the agenda, so Councillors can read more before arriving at the meeting. For example: Not too long ago Euxton received finance reports on the night but now they are issued in advance.

Receiving information or reports on the night (or in less than the 3 days notice) does not make the Agenda item "illegal", nor the information unacceptable or illegal, because the 'business to be transacted' is what is specified on the agenda (as in the legislation above) and was legally issued. An example was, it was common practice at Euxton to have papers presented at the meeting for the finance items (before changing the system) and in years gone by the Finance Ledger would be brought to the meeting and read out. So, if the agenda stated: "**Approve requests for payment made to the Council and receive financial monitoring reports**" and the agenda was legally served to Councillors and displayed for the public via noticeboards etc. everyone is aware of the business to be transacted at the meeting.

It is only in recent times that the papers have been issued in advance with more improved technology such as photocopiers etc – so whilst our practices have moved on – the legislation remains consistent.

Papers (or reports) for every item in advance

If, for example, the Council was to follow a route of ONLY deciding on papers, reports and recommendations which had been received with the agenda – and reject anything introduced at meetings or corrected – this might make it difficult for Councillors, and members of the public, to introduce suggestions, or developments on the theme of an agenda item within meetings. Someone's expert knowledge or update on the latest situation brought to a meeting would not have been issued in advance. Any discussions, debate or adjustments of the paper proposals/recommendations on issues could also not have been issued in advance (ie, a counter proposal to the proposal which had been issued in a report).

Other examples might be if photos, a letter, representations from groups or Borough Councillors were introduced at a meeting as evidence or background information or a solution to a problem - these good ideas or solutions may be missed or not incorporated into the overall solution.

Suggested 'New Information' procedure - if presented outside of the 3 clear days notice period and/or on the meeting night - it is for the Chairman of the meeting to ask the Council if they are happy to accept it.

This would need a common sense approach - if the information presented is so complex or long and couldn't possibly be read there and then – it is most likely that information, or agenda item, might be deferred by the Chair/members. But, if it is new information from members or the public, a correction in a document or update news since the document was published - it might make common sense to allow these.

Standing Orders Euxton's standing orders states that reports should accompany the agenda 'where possible'.

Attached are examples of best practice advice from various organisations, if you wish to have the full copy, please request and I will forward to you:

NALC 'Local Topic Notice' LTN 5

The Good Councillor's Guide published by The National Training Strategy (NALC/SLCC)

Governance Toolkit for Parish & Town Councils. Published by SLCC, NALC, Association of Council Secretaries and Solicitors (ACSeS), LGA, Standards Board for England

SLCC Advisor's advice

Euxton Parish Council's standing order extract

NALC Legal Topic Notice 5. Relevant paragraphs are below:

Notice of Meeting

11 Three clear days before a meeting, notice of its date, time and place must be posted in a conspicuous place in the parish or community (paragraph 10 in respect of parish councils and paragraph 26 in respect of community councils). The meaning of "clear days" is that the day on which notice was issued and the day of the meeting are not included. Additionally, s.243 of the 1972 Act provides that the following days do not count when computing the three days:

- Sundays;
- a day of the Christmas break;
- a day of the Easter break;
- Bank holidays; and
- days appointed for public thanksgiving or mourning.

The three clear days rule for notice of a meeting is confirmed in paragraph 8(c) on page 52 and in model standing order 1(b) on page 85 of NALC's publication "Standing Orders for Local Councils" (2010).

14 A summons specifying the business proposed to be transacted at the meeting must be signed by the proper officer (usually the clerk) and posted or delivered to the usual residence of each councillor. NALC is aware that some councillors receive the summons to a meeting of the council by email. As the legislation specifies that the summons must be signed by the appropriate officer, service of the summons via email would arguably not be possible because, at best, a mere copy of the summons with an electronic signature would be received by the councillor. An emailed summons could be sent from anyone who has access to the officer's computer or who had the means to intercept the transmission or to produce a fake email. Emailed summonses are potentially more difficult to authenticate. The validity of the meeting would not be affected for want of the prescribed method of service of the summons on a member but service of a summons by email alone and without a resolution by the council that this method of service is approved, creates a risk of legal challenge to the validity of the meeting (paragraph 10(3) in respect of parish councils and paragraph 26(3) in respect of community councils). Model standing order 3(b) (i) on page 91 of NALC's publication "Standing Orders for Local Councils" (2010) may be adopted by a council that decides that service of summons on councillors shall be by email. Please also see paragraph 53 below.

Agenda

16 The summons to each councillor must include the agenda for the business to be transacted at the meeting and the agenda should set out the order in which the items will be transacted. A council cannot lawfully transact any business which is not included on the agenda. In particular, the common item 'any other business' should not appear at all, or should simply be used as a peg on which to hang the exchange of urgent information. Additionally, the item could be used to allow genuinely urgent issues to be raised but no decisions should be taken in respect of issues so raised (other than to ensure that it is dealt with properly at a forthcoming meeting, with due notice having been given) and no expenditure should be incurred as a result of issues raised under 'any other business'.

17 The preparation of the agenda is usually the responsibility of the clerk to the council. Subject to any procedural requirements in standing orders, a councillor is entitled to have placed on the agenda any matter of relevance to the powers, responsibilities and functions of the forthcoming meeting. If there is a dispute as to the items to be included in the agenda, the final decision should be made by the clerk, having first consulted the chairman or, if relevant, by councillors. The proper officer (clerk) is responsible for the agenda for a meeting to fill the vacancy in the office of the chairman (s.88(2) of the 1972 Act). Please also see paragraphs 9(i) and (j) on page 66 and model standing order 4 on page 93 in "Standing Orders for Local Councils" (2010).

The Good Councillors Guide, Essential guidance for local councillors

Extract, part 3, 8. Meetings, page 34

At least **three clear days** before each council or committee meeting, you should receive a summons and **agenda**. The three clear days is established in law because it is important to be notified of issues to be discussed. Topics requiring a decision cannot be added to the agenda after the deadline has passed; they must wait for another meeting.

Each agenda item should make it very clear what you as a councillor are expected to do and be precise about the subject under discussion. For example, an agenda item saying "footpaths" gives you no idea what to expect. It is more helpful to know that your task at the meeting is:

To receive a report from Cllr Gorie on the condition of footpaths in the parish and to agree action in response to proposals for repairs (copy of report attached).

It is actually unlawful to make a decision, especially a decision to spend money, without sufficient (three clear days) warning. Vague agenda items that don't specify exact business (such as Matters Arising, Correspondence and Any Other Business) are dangerous and should be avoided, because the council **cannot** make unexpected decisions.

Putting the agenda together is the clerk's responsibility. The clerk must sign the agenda and can decide how it will be set out. This process is often undertaken in consultation with the chairman. You may ask the clerk to add items to the agenda if you feel a relevant subject should be discussed.

The 5 Ws help councillors prepare for a meeting.

- What is the meeting for?
- What part should I play?
- What papers must I read?
- Which people do I need to consult?
- What did I promise to do before this meeting?

The **agenda** is the list of items to be covered during a meeting. It identifies the "business to be transacted" and forms part of the summons.

Three clear days is a term in law. It does not include the day on which the agenda was sent out, or the day of the meeting. It also excludes Sundays, bank holidays and the days of the Christmas and Easter breaks. It is good practice to exclude Saturdays too.

SLCC Advisor's advice to the question of items being introduced/corrected:

"Papers are usually issued with the agenda, however it is at the Chairman's discretion as to whether they will allow any extra information received between the issue of the agenda and the meeting to be considered.

With regards to payments, as long as members have the full list before the meeting and all payments are made and detailed in the minutes and become a public record there is not a problem with an amended list being placed before members.

I agree with you that the agenda if it has the subject matters detailed and is issues within 3 clear working days is legal, and if any further information is received under the agenda headings it is a matter for the Chairman to ask the Council if they are happy to accept it."

Governance Toolkit for Parish & Town Councils.

Published by SLCC, NALC, Association of Council Secretaries and Solicitors (ACSeS), LGA, Standards Board for England

Referring to the agenda item, page 27:

Business Items

Business items on the agenda will be determined by the activities of the council or the terms of reference of a committee and its functions. Some items will recur from previous agenda. In such cases it is good practice to provide a reference to the previous minutes on the agenda. Each matter should be given a clear heading that indicates what the agenda item is about and a brief indication of what the council or committee is going to consider. For example;

“Fencing at Smith Street allotment gardens

Minute 27 (Allotments Committee meeting 14 January 2005) refers.

The Clerk will submit an estimate for repairs to the fencing for consideration by the Committee.”

More complicated items may require a written report from the Clerk, in which case the agenda item should refer to the report by its title and the report should show the agenda item number clearly at the top for identification.

Euxton Parish Council’s Standing Orders extract

1.8 Agenda Items

Items being requested for inclusion on a meeting agenda, which require a decision, shall be notified to the Clerk at the soonest, but not less than seven clear days before the meeting.

For an item to get on an agenda for a decision it should, where possible, be accompanied by a written report setting out information to enable Councillors to make a decision ie, facts, background, figures, alternatives etc or, the papers supplied by others containing such information.