

**MINUTES OF THE MEETING OF THE CASTLE  
BROMWICH PARISH COUNCIL  
HELD IN ARDEN HALL, CASTLE BROMWICH  
ON WEDNESDAY 31ST OCTOBER 2012  
AT 7.30 PM**

**Those present:**

**Chairman:** Cllr M Hayes

**Councillors:** Cllr Mrs. P Allen                      Cllr I Hiley                      Cllr Mrs. L Smith  
                          Cllr R Amos    [Items 8-end only] Cllr A Terry  
                          Cllr Mrs. A Haywood                      Cllr M Rashid                      Cllr J Whelan  
                          Cllr E Hicks    Cllr J Riordan                      Cllr Mrs. B Wilkins

**Officers:** Mrs. C Tibbles, Clerk to the Council and RFO  
Mrs.T Kite, Hall Manager, [Items 16-end]

**Public:** 1 member of the public, [Items 7-part 16 only].

**1. Apologies.**

The apologies from Cllr J Horne-MacDonald, Cllr E Knibb and Cllr Miss J Ward were noted for the reasons given. Cllr Hiley would be unavoidably late arriving.

**2. Declarations of pecuniary or conflict of interests.**

None.

**3. Dispensations.**

Following consideration of changes brought in by recent legislation, **ON THE PROPOSITION OF** Cllr Riordan, **SECONDED** by Cllr Amos, **IT WAS UNANIMOUSLY RESOLVED** that under section 33(1) of the Localism Act 2011 and on the basis set out under section 33(2), the responsibility for granting dispensations should be delegated to the Clerk, as the Proper Officer, who could if she wished, for any reason, choose to refer a request to council. **ON THE PROPOSITION OF** the Chairman, **SECONDED** by Cllr Mrs. Haywood, **IT WAS UNANIMOUSLY RESOLVED** to adopt the guidance on dispensations and use the form circulated for members to request dispensations. In accordance with the newly delegated power and following advice received, the Clerk issued a blanket dispensation until 10th May 2015 to all parish councillors, their spouses, partners or person with whom they were living as spouses or civil partners, who held property interests within the parish of Castle Bromwich (including owning or renting a home in within the area) to allow them to participate and vote on budgets/setting the precept and members' allowances. **ON THE PROPOSITION OF** the Chairman, **SECONDED** by Cllr Mrs. Haywood, **IT WAS UNANIMOUSLY RESOLVED** to include consideration of dispensations as a standard agenda item at all future meetings, after declarations of interest.

**4. Minutes of the previous Meeting.**

**ON THE PROPOSITION OF** Cllr Rashid, **SECONDED** by Cllr Mrs. Smith, **IT WAS RESOLVED** that the Minutes of the Meeting held on Wednesday 26<sup>th</sup> September, 2012 be accepted as a true and correct record of the Meeting.

**5. Questions from Councillors.**

a) Cllr Whelan reported the U3A group had asked whether members would support the investigation by the Council to consider the purchase of two defibrillators (one for the Hall and one for the Pavilion) to safeguard our hirers and also users of the Pavilion/Park, which he believed cost around £1,000 each? **ON THE PROPOSITION OF** the Chairman, **SECONDED** by Cllr Rashid, **IT WAS UNANIMOUSLY**

**ACTION**

JTW  
01/13

**RESOLVED** that Cllr Whelan investigate further details and report in due course to the Finance and General Purposes Committee.

**ACTION**

b) Cllr Mrs. Allen, on behalf of the Events working party, asked members to give practical assistance with shopping and preparation of refreshments prior to the Remembrance Parade Reception on 11th November? Cllr Amos agreed to join the other volunteers and attend Arden Hall on Saturday 10<sup>th</sup> November at 9.30 a.m.

Members  
10/11

**6. Questions from the Public.**

In accordance with Standing Orders, the meeting was temporarily suspended so that members of the public could ask questions. There were no members of the public present but the Clerk reported feedback on recent questions. Sgt. Imran had agreed to the council's suggestion of holding 'Cuppa with a Copper' sessions in the foyer at Arden Hall and PCSO Emma Took was already liaising on possible dates. Steve Crook, Solihull MBC Neighbourhood Co-ordinator, had replied promptly to concerns about parking on grass verges at Park Hall Academy and confirmed that pupils would be putting in plants on 8<sup>th</sup> November (weather permitting); that some places had been identified as 20 mph areas and signs were already being installed in Smith's Wood; the youth offending team had been approached to cut back vegetation on the pathway from Chester Road to Newport Road and they would be asked to look at the Birmingham Road as well; motorcycle barriers were being installed on the alley from Old Croft Lane to Clayton Drive and the youth offending team could be asked to cut back vegetation there. Unfortunately the information requested on highways expenditure had not been received. The Clerk was asked to request Solihull MBC again to provide the link to the results of the Chester Road Smart Study that members had participated in 2009.

Asst.Clerk  
Dec '12

**7. Communications.**

Members noted the information listed and the additional press release from the MP regarding the Boundary Commission announcement. Additional communications had been received regarding HS2, Rough Sleepers Protocol and NALC advice on legislation affecting setting of precepts. Members were disappointed with the results of the Boundary Commission hearings and the new consultation would be referred to Finance and General Purposes Committee and discussed again at the November Council meeting. The Clerk would publicise the new consultation arrangements within Arden Hall.

Asst Clerk  
8/11

**8. Efficiency Savings.**

Members noted the Chairman's comments about Birmingham City Council's reported council tax position. He was concerned that some costs for the parish council would rise drastically, e.g. utility bills. The Chairman asked Committees to look at budgets carefully and be mindful of the tax base changes that localism was requiring Solihull MBC to make.

LSC 7/11  
FGP14/11

**9. New Road Name – development at 362-364 Chester Road.**

The Clerk reported that in addition to the document circulated suggesting Primrose Close, the developer had since forwarded two additional options of Broom Close and Harden Grove. Following careful consideration by members, **ON THE PROPOSITION** of the Cllr Mrs. Allen, **SECONDED** by Cllr Mrs. Haywood, **IT WAS RESOLVED** that the council's preferred road name would be Broom Close.

Clerk  
7/11

**10. Finance and Payments.**

After resolution of queries to the Clerk and confirmation of the credit note received, **ON THE PROPOSITION** of Cllr Riordan, **SECONDED** by Cllr Amos, **IT WAS UNANIMOUSLY RESOLVED** that the payments as listed and discussed be approved.

Clerk  
1/11

**11. Report of the Leisure Services Committee.**

**ON THE PROPOSITION** of Cllr Mrs. Allen, **SECONDED** by Cllr Amos, **IT WAS UNANIMOUSLY RESOLVED** that the Minutes of the Meeting of the Leisure Services Committee held on Wednesday, 3<sup>rd</sup> October 2012, having been circulated, be received and noted.

**12. Report of the Finance & General Purposes Committee.**

**ON THE PROPOSITION** of Cllr Terry, **SECONDED** by Cllr Rashid, **IT WAS UNANIMOUSLY RESOLVED** that the Minutes of the Meetings of the Finance and General Purposes Committee held on Wednesday, 26<sup>th</sup> September and 10<sup>th</sup> October 2012, having been circulated, be received and noted.

**13. Representatives to Outside Bodies.**

Cllr Mrs. Allen reported that Thursday, 27<sup>th</sup> September she had attended Castle Bromwich Hall Gardens AGM when it was reported that a new Head Gardener had been appointed, with salary funding from the Mount Trust. On Sunday, 7<sup>th</sup> October she had attended their Apple Weekend which had been well attended as the weather had been very good.

Cllr Mrs. Allen reported that on Monday 22<sup>nd</sup> October she had attended a Youth Council working party meeting to discuss purchases needed for their next funded project. She had researched information to discuss at their next meeting.

Cllr Rashid reported that earlier that day he had attended a meeting at Chelmsley Wood police station in preparation for the Halloween festivities that would be happening in the community. Also on the 24<sup>th</sup> October he had attended an interesting presentation by C2 on connecting the community to improve the quality of life within communities in three ways. A network was formed to link local residents with local service providers within local buildings. He had heard that when communities engaged with C2, they followed a 7 step programme that could improve children's educational attainment, improve areas, reduce childhood asthma, improve child protection, reduce post natal depression and teenage pregnancy rates and a carnival arranged to rejuvenate the community.

Cllr Mrs. Haywood reported that on Monday 8<sup>th</sup> October, she had attended her second full governors meeting at Castle Bromwich Junior School. The chair explained to new governors what pecuniary interests were and all governors present were given a form to complete and return. The Headteacher took us through his report confirming a change in numbers: Year 3 - 120, Year 4 - 115, Year 5 - 117, Year 6 - 118, making a total of 470 children, staffing arrangements for this year and then he invited governors to tour the school and meet the teachers. He then went through the School Improvement Plan, stating that there were two directions this term - English and Maths. In the first month of the new term 10 lesson observations had taken place looking at Maths. Support was being received from a Maths adviser through the Unity Collaborative to improve teaching, with development work being done on issues raised. With regard to Maths, they were looking at moving from single observations to group coaching. Reading - this had been subject to staff meeting prior to the governors meeting. The importance of listening to reading, topic work and science for example was being emphasised. Eric Knibb explained about Unity Collaborative and about his role with that. The collaborative was formed about 2 years ago and basically they discussed issues and programmes. A proposal would be put to all governors about forming a charitable trust of schools in the Unity Collaborative which would mean sharing resources etc. They wanted to bring standards in North Solihull up to those in the South and that any money paid in would be used to allocate resources where needed. Regarding Governor visits, it

was agreed to move to each governor being allocated a class. To start with a small group of governors would be allocated to a class and they would report back to the February governors' meeting. As a new governor Cllr Mrs. Haywood had been allocated a mentor, Jackie Sennett, which she was pleased about. Since becoming a governor, she had been pleased to take part in "Book Week" by reading to 3 classes various books which she thoroughly enjoyed. Being asked to sit on an interview panel and to accompany a class of year 6 children on their Day Out to Hams Hall were next on the list -now how exciting is that? Must remember my "packed lunch" and wear my walking shoes, I really can't wait. .... The next meeting would be in February 2013.

Cllr Riordan reported that on Thursday, 25<sup>th</sup> October Councillor Knibb, the Clerk and he had attended a WALC Solihull Area Committee meeting in the Spencer Lounge. The meeting opened with 2 SMBC guest speakers: - Alison McGrory, Income & Awards and Julie Cooper, Corporate Finance who spoke on Welfare Reform & the implications for Parish & Town Councils. The Welfare Reform Bill was given Royal Assent in March this year and it provided for the introduction of a 'Universal Credit' to replace a range of existing means-tested benefits and tax credits. The Bill aimed to improve work incentives, simplify the benefits system and tackle administrative complexity. Other key changes in the Bill were Housing Benefit reform and localised support for Council Tax to replace Council Tax Benefit. Members could request a copy of the presentation papers from the Clerk but he highlighted a few points from a comprehensive presentation. Housing Benefit levels for people living in Social Sector housing would be limited for the size of the accommodation needed by the household, not what they had. Housing Benefit would be reduced by 14% if they had one room more than they needed and 25% for two rooms. 900 Solihull residents were affected and SMBC were working with those people. Also a benefit cap of £500 per week is to be introduced, which would affect 15 Solihull families and once again SMBC were working with them. After the abolishing of Council Tax Benefit next April, Local Authorities had been tasked with setting up their own local scheme to replace it but with 10% - 15% less funding than the current Council Tax Benefit, this meant SMBC would have a shortfall of £1.5 million. They had decided that the 18,000 Solihull people receiving Council Tax Benefit would continue to receive it next year. This meant the shortfall would have to be found from other sources. SMBC will then consider what scheme they will adopt for the following year. Initially it was considered that a portion of the Council Tax benefit shortfall would have to be borne by Parish Councils by receiving a reduced precept amount but a recent revision meant that there would be no effect on the parish precept. However it has to be borne in mind that increases in the parish precept will increase the cost of SMBC's local scheme and those costs would need to be recovered by reducing the support through the scheme and this could impact the council tax support claimants in our parish. The next item on the agenda was a discussion about the high speed railway HS2. Recently announced safeguarding maps were discussed. These maps showed the safeguarding boundaries that would protect the land eventually needed to build and operate HS2 from the development of new construction projects. The meeting decided that SAC would again write to SMBC asking for information and answers to questions relating to HS2. A report was given by the SAC Standards Committee representative on the last meeting to be attended by any Parish Council representative. The new recently introduced SMBC Standards regime does not permit Parish council involvement. The next meeting is at Cheswick Green in January 2013.

#### **14. Report of the Officer of the Council.**

ACTION

The Clerk reported that on 16<sup>th</sup> October damage had been discovered to the roof at Arden Hall and been reported to the police. Unfortunately on the same day, a dangerous incident had occurred in the park when unauthorized items had been placed on the garage roof and blown onto the pathway during strong winds. Immediate measures were taken by staff to make the area safe and dispose of the debris, thankfully preventing injury to anyone in the park. A report of flytipping had been received at Whateley Green, which she had investigated and provisional arrangements were in hand for removal of the furniture tomorrow. Following changes to the Code of Conduct, the Clerk would ask the Finance and General Purposes Committee to consider the NALC legal topic note on handling complaints, and review the council's public complaints procedure at the December meeting. Publicity posters had been tabled for all members for the Remembrance Parade and the Carol Concert which, in line with Cllr Hiley's earlier suggestion, they may wish to display in their car or other conspicuous place. As the budget planning cycle was underway, copies of training notes on budget setting were available for any member on request. Copies had been tabled on research undertaken by Cllr Amos for the Grants working party which would be considered by the Finance and General Purposes Committee in November. Members were asked to consult with Cllr Amos in advance of the meeting if they required clarification. Following a recent meeting of the International Institute of Municipal Clerks hosted by the Society of Local Council Clerks, members noted that the Clerk had accepted an invitation to represent the Society at a conference held by the Association of Democratic Service Officers on Thursday 22<sup>nd</sup> November, where she would endeavour to further promote Castle Bromwich and its parish to other national delegates. A new resource handbook on Special Events had been purchased to assist with the many occasions that the parish council now organised and this could be loaned to members on request.

FGP  
12/12

FGP  
14/11

Events WP  
On request

### **15. Report of the Chairman.**

The Chairman reported that he had been pleased to attend the council's Macmillan Coffee Morning on Saturday which had raised £784.68. He had been 'allowed' to help with a little bit of washing up.

The Chairman also reported that in October he had been invited to draw the annual charity raffle at Dantana's Hair Salon and this had been a pleasure to do. The staff at the salon raised money for Breast Cancer Awareness and this was still ongoing.

On Friday 26<sup>th</sup> October the Council had held a quiz night to raise money for the Chairman's Charity Fund. Although there were slightly fewer teams entered, an enjoyable night was had by everyone there. The next quiz would be held on Friday 1<sup>st</sup> February and entries were already coming in. The total money raised would be announced later.

The Chairman asked for a five minute recess and the meeting was adjourned at 8.45 pm.

### **16. Castle Bromwich Cricket & Sports Club.**

The meeting was resumed at 8.54 pm. Although the public questions session had been held earlier in the meeting, the Chairman anticipated from the emails previously received, that Mr. Afzal, Chairman of Castle Bromwich Cricket & Sports Club was attending in order to speak to the Council. He therefore invited Mr. Afzal to address the meeting for a maximum of three minutes.

Mr. Afzal apologized for his late arrival and assured members that no discourtesy was intended. He had taken over the Club to repair the fractured relationship that had brought matters to a head earlier in the year. He had been inspired by the dedication of his membership under extremely hostile and challenging conditions, meaning not least

the wet weather and the recession. Early on he had assumed that there was a will on both sides to rebuild the relationship but from what he had since witnessed left him yet to be persuaded. Investment was an aim for the Club and he wanted to enhance services to the local community. He felt that direct contact with administrative officers was not the route for councillors to know and understand what the Club was doing for the community. He had taken steps, which he hoped members had seen, to contact them individually so they would only get the true message by using email direct to councillors and also invited members to contact him directly, but copying in the council administration. Investment in sports reaped dividends and attracted people to the area, reduced crime and the Club had made a direct investment into the Pavilion by modernizing it with thousands of pounds. Investment was important to the community so he warned members not to believe the sweeping assertion that nothing had changed within the Club. He asked them not to pre-judge the current committee because of the failure previously to get on together, urging members not to fall into the trap. Councillors who expressed their good intentions was not enough so members should be vigilant and not let bureaucratic obstacles get in their way. The delay in the licence agreement was depriving the Club of investment opportunities and he hoped people with bygone arguments would not be allowed to get in the way. He then handed out a press article from the Times (23/10/12) extolling the virtues of investing in sport to cut crime. The Chairman thanked Mr. Afzal for speaking and invited questions from members. There were none. The Chairman invited Mr. Afzal to leave so that discussion could take place and he did so.

The Chairman explained to members that he had circulated notes from a preparatory meeting when he, accompanied by another councillor, had given staff an opportunity to attend a drop-in session, in complete confidence, with any concerns or questions on hire issues. Councillors acknowledged that limited progress had been made and discussed at length the many longstanding and varied problems that the Club had consistently failed to address. Members considered the council's employment responsibilities to staff, the council's role in changing past decisions when appealed by the Club, contrary to council policy which undermined decisions made by staff, extending deadlines for replies from the Club and failing to impose effective sanctions. Unfortunately, members recognized that many underlying problems remained and compliance with building regulations, hire regulations, licence agreement conditions still had to be achieved by the Club and real sanctions would have to be applied to resolve the problems.

Members had listened with dismay to the Club Chairman's comments made in person at this meeting. The parish council and its staff had endeavoured to work with the Club for a considerable period of time but the Club had ignored requests for information, failed to follow instructions, regulations not been adhered to and public and staff had been exposed to unacceptable risk.

**ON THE PROPOSITION** of Cllr Amos, **SECONDED** by Cllr Terry, **IT WAS RESOLVED** that the items listed below must be resolved to the Hall Manager's satisfaction by 7.30 pm on 21<sup>st</sup> November, 2012 or unsafe/unauthorized installations would be disconnected by the Council in order to make the building safe. After that date, all bookings would be terminated if the hirer did not meet these conditions and supply the information requested and **IT WAS FURTHER RESOLVED** that the Council would only consider the Club's application for new licence agreements on the 28<sup>th</sup> November on the proviso that the above conditions were met by the hirer.

1. All future decisions relating to hire of facilities by the Club are to be decided by

staff, via the office at Arden Hall.

2. Any appeals against decisions made by staff must be made in accordance with the Public Complaints Policy (copy to be supplied to the Club).
3. That no individual councillor present was prepared to release personal email addresses to the Club for direct communication.
4. Emails sent by the Club to councillors should be processed in accordance with other council communications and made available at full Council meetings.
5. If the Club failed to respond in a satisfactory manner to the council deadline of 21<sup>st</sup> November, 2012 then all bookings would be suspended.
6. That communications from the Club for the Council would be printed once and put in the communications folder.
7. That penalties would be imposed for non-compliance by the Club of council instructions and regulations and that no consideration of a new licence agreement would take place if the outstanding matters had not been addressed by 21<sup>st</sup> November.
8. Repeated changes to bookings were not acceptable. If a cancelled booking was reinstated then the Club would have to pay in advance in accordance with the Hire Regulations for customers.
9. Supervision of hire sessions would require further consideration outside this meeting.

**ON THE PROPOSITION** of Cllr Amos, **IT WAS RESOLVED** that Standing Order 1a be suspended to allow agenda business to be concluded.

10. The use of the pavilion address on Club stationery and website must cease, as previously stipulated, and compliance accepted by 21<sup>st</sup> November or penalties would apply.
11. Duplication of enquiries regarding bookings must cease, as previously stipulated, and compliance accepted by 21<sup>st</sup> November or penalties would apply.
12. The Council refused to hear the email appeal of the Chairman regarding the £60 penalty applied for breaching hire booking times as this had previously been questioned and the charge confirmed, appealed by the Club, heard by the Leisure Services Committee and their decision notified to the Club. This penalty therefore stood unchanged.
13. The Club had not responded by 24<sup>th</sup> October to the committee's further questions regarding excrement on the toilet floor and this should be addressed by 21<sup>st</sup> November.
14. The Chairman of the Club, as their Liaison Officer had earlier stated his intention to communicate only with councillors directly. The Council would terminate the arrangement for staff to handle communications to/from the Club Chairman. In accordance with other hirers, the future point of general contact for staff would be with the Club Secretary, booking administration with the Booking Secretary and invoice queries with the Treasurer.
15. The direct request to the Council Chairman for a new installation at the Pavilion had been referred to the Hall Manager. This would be raised in her next report to the Leisure Services Committee.
16. The Club TV licence must be supplied to the Hall Manager by 21<sup>st</sup> November.

17. The Club had not responded to the Clerk's email regarding the dangerous storage of unauthorized items on the garage roof on 16<sup>th</sup> October. The Council required acknowledgment by 21<sup>st</sup> November that members have been instructed not to put anything of the roof in future.
18. Removal of unauthorized installations, repair to ceiling in furniture store, resolution of emergency access to Club bar, copy of Club insurance all to be agreed with the Hall Manager by 21<sup>st</sup> November.
19. Adherence to licensing regulations by using a visitor's book, which should be made available to the Council on request.
20. A reminder would be sent to all regular hirers regarding responsibility for removal of rubbish.
21. The Club to move the cricket covers and sight screens to inside the practice nets by 21<sup>st</sup> November. If not achieved, then the Council will make arrangements for a contractor to do so and charge the Club accordingly.
22. The Park Warden to turn off the water stop tap for the cricket square and if in future this was left unattended when being used, the Warden will turn off the supply at the stop tap.
23. The Council would support staff in using minor discretion on hirer access, as with existing hirers.

**17. Licence Steering Group.**

Under confidential terms, **ON THE PROPOSITION** of Cllr Mrs. Haywood, **SECONDED** by Cllr Amos, **IT WAS UNANIMOUSLY RESOLVED** that draft documents be forwarded to the solicitor for legal advice, prior to the council's formal consideration. At the November meeting, members may also consider the changes requested by the hirer, which would then be sent to the solicitor for inclusion if adopted.

Clerk  
Asap

**18. Parish Council Footloose Project.**

Under confidential terms, members were pleased to note the updated information that had been received by Cllr Amos.

Clerk  
Nov. '12