

Please note that Council meetings are recorded  
Willington Parish Council  
Email: [clerk@willingtonpc.org.uk](mailto:clerk@willingtonpc.org.uk)

Date: 17<sup>th</sup> July 2020

**To: The Chairman and Members of Willington Parish Council**

Dear Councillor

You are summoned to attend a Council Meeting of Willington Parish Council, which will be held under the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 at 7pm on **Thursday 23<sup>rd</sup> July 2020**.

Join Zoom Meeting;

Topic: Clerk Willington PC's Zoom Meeting  
Time: Jul 23, 2020 7:00 PM London

Join Zoom Meeting

<https://us02web.zoom.us/j/8995257757?pwd=cmlIWU5NaU1mUWIWTW40OUNhVHd2dz09>

Meeting ID: 899 525 7757

Password: 0vG1qg

One tap mobile

+442034815240,,8995257757#,,,,0#,,008531# United Kingdom

+442039017895,,8995257757#,,,,0#,,008531# United Kingdom

Dial by your location

+44 203 481 5240 United Kingdom

+44 203 901 7895 United Kingdom

+44 131 460 1196 United Kingdom

+44 203 051 2874 United Kingdom

+44 203 481 5237 United Kingdom

Meeting ID: 899 525 7757

Password: 008531

Find your local number: <https://us02web.zoom.us/j/kcGP5bULvw>

Yours sincerely

*Debra Townsend*

Debra Townsend  
Locum Clerk

## AGENDA

### 1. To Receive Apologies for Absence

### 2. Variation of Order of Business (if required).

### 3. Declaration of Members' Interests

- a) Members must ensure that they advise the Clerk of any Declaration of Members Interests by email prior to the start of the meeting and must indicate the action to be taken (ie to stay in the meeting, to leave the meeting or to stay in the meeting to make representations and then leave the meeting prior to any consideration or determination of the item).
- b) Where a member indicates that they have a prejudicial interest but wish to make representation regarding the item before leaving the meeting, those representations must be made under item (c) of Public Speaking.

### 4. Public Speaking, including County, District and Police Representation. Total 15 minutes.

- a) At the start of the meeting a period of not more than three minutes will be made available for members of the public to comment on **any matter already on the agenda** (Standing Order 3g). While members of the public are welcome to observe the full meeting, they **may not** take an active role once the question period has closed.
- b) If the Police Liaison Officer, a County Council or District Council Member is in attendance they will be given the opportunity to raise any relevant matter. Members of the Council however will restrict Police matters they raise to those relating to their Council Ward.
- c) Members declaring a prejudicial interest who wish to make representation or give evidence under the Code of Conduct relating to Agenda items shall do so at this stage.

### 5. To confirm and agree as a true record the non-confidential Minutes of the Ordinary Willington Parish Council Meeting held on 14<sup>th</sup> July 2020 (please see Annexe – Item 5 to follow).

### 6. To consider a resolution to close the meeting for public participation under the Public Bodies (admission to meetings) Act 1960.

*“In view of the confidential nature of item..... to consider a resolution to exclude the press and public from the meeting in accordance with the Public Bodies (Admission to Meetings) Act 1960, S1, in order to discuss the item”*

### 7. Appointment of Chairman to Existing Committees

- Staffing Committee
- Finance Committee

This matter was outstanding from the Council Meeting held on 14<sup>th</sup> July 2020.

Following a challenge to my advice during the consideration of Item 16 (Appointment of a Chairman to the Staffing Committee), it was agreed to reconsider this following consultation with Derbyshire Association of Local Councils (DALC). It has been confirmed that the advice provided at the meeting was correct;

If a vote is tied at 5 – 5, it is declared a tie, and the matter may be settled by the casting vote exercisable by the Chairman of the Meeting. Please see Standing Order 8 (a) below. *There is no consideration taken of votes against or abstentions.*

*Standing order 8 (a)*

*Where more than two persons have been nominated for a position to be filled by the Council and **none of those persons has received an absolute majority of votes in their favour**, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. **A tie in votes may be settled by the casting vote exercisable by the Chairman of the meeting.***

This item will therefore be reconsidered, with the votes carried forward from this Meeting, which were;

Cllr Carter – 5 in favour

Cllr Blanksby – 5 in favour

The Chairman will be given the opportunity to use his casting vote.

**To avoid any further delay at the meeting, if Councillors still disagree with this advice, please contact DALC directly in advance of the Meeting. Contact details have been provided separately.**

In addition, consideration will also be given to the position of Chairman of the Finance Committee.

**8. Confirmation of Arrangements for Insurance Cover**

To note that a long-term insurance policy is in place with Zurich which ends in October 2022.

**9. Review of the Councils and/or Staff Subscriptions to other bodies**

To note that the Council subscribes to Derbyshire Association of Local Councils which was renewed April 2020.

**10. Review of the Council's Expenditure (2019/20) under Section 137 of the Local Govt Act 1972**

(Please see Annexe – Item 10).

**11. Review of the Council's Complaints Procedure (Please see Annexe – Item 11)**

**12. Review of the Council's Policy for dealing with the Press/Media (Please see Annexe – Item 12)**

**13. Review of the Council's Grievance Procedure (Please see Annexe – Item 13)**

**14. Transfer of Land Adjacent to Allotments from Peveril Homes to Willington Parish Council**

The following was agreed in July 2018;

**150/18 Peacehaven land offer.** Clerk reported that Peveril Homes have asked if the Parish Council would like the spare land running adjacent to the Cemetery. Cllr Houghton proposed the PC accept the offer, seconded by Cllr Finney and all in agreement. Clerk to contact Terry from Peveril.

Council are now requested to agree the appointment of a Solicitor and authorise payment to complete the legal arrangements for this land transfer. (Please see Annexe – Item 14).

**15. Safer Neighbourhood Funding Grants**

To report the availability of the SN Fund for South Derbyshire.

**16. Statement of Licensing Policy**

Under the above Act, the Licensing Authority (SDDC) is required to prepare and publish a Statement of Licensing Policy every 5 years. The Licensing Authority is currently undertaking a

review of their Statement of Licensing Policy. Any comments on the proposed Policy must be emailed to [licensing@southderbyshire.gov.uk](mailto:licensing@southderbyshire.gov.uk) or in writing to the Licensing Department before 28<sup>th</sup> August 2020. (Please see Annexe – Item 16).

#### **17. Amendment of Standing Orders in relation to Public Speaking**

To discuss a proposal to consider the arrangements for public speaking.

Please note that there can be no resolution on this matter, at the Meeting. Please see the following;

*Standing Order 26 (b);*

*A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least 6 councillors to be given to the Proper Officer in accordance with standing order 9.*

#### **18. Items for Information**

All items of interest have been circulated by email.

#### **19. Exclusion of the Press and Public**

**Pursuant to Section 1(2) of the Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded from the Meeting due to the confidential nature of the business to be transacted.**

#### **20. Councillor Communications**

To note a difficulty of communication between a Member and Locum Clerk.

#### **21. To Discuss the Maintenance Contract for the Parish (Exempt as this relates to an individuals business affairs). Cllr J. Cullen**

#### **22. To Consider Extending the Role of the Locum Clerk to include the position of RFO and Burials Clerk. (Exempt as this relates to personnel matters). Cllr J. Cullen.**

#### **23. To Report an Alleged GDPR Breach (Exempt as this matter is confidential). (Please see Annexe – Item 23).**

#### **24. To Report an FOI Request, and request a response from Full Council. (Exempt as this matter is confidential). (Please see Annexe – Item 24).**

#### **25. To Report a Complaint to be actioned as per Willington Parish Council's Complaints Procedure.**

In line with Stage 1 of the Complaints Procedure

a) The validity of the complaint will be considered and determined by the Chairman or Vice Chairman and any two further Councillors (to be agreed).

b) The complaint may be deemed invalid and therefore, rejected. Reasons of which may include, but may not be limited to: the complaint being vexatious, relating to a matter outside the powers or control of the Council or being better heard by a third party.

c) In the event that the complaint is rejected at this stage, then the Complainant will be informed and all members of the Council will be notified of the decision.

d) The decision at this stage is final, and Stages 2/3 should be followed if necessary.

**Councillors are reminded that if the Complainant is known to them they shouldn't partake in the Panel to maintain impartiality.**

Please note that Agenda Item 33 (14.7.20) has been withdrawn.

**26. Meeting close**