



6 September 2016

Dear Councillor

Notice is hereby given that the next **Bratton Parish Council Meeting** will be held **in the Pavilion on the Village Green on Tuesday 13 September at 7.15pm** to which you are summoned.

Yours sincerely

Amanda Callard, Chair of the Parish Council

Open Forum to hear from Members of the Public

Please note that matters raised under Open Forum will be subject to a limit of three minutes and should be notified to the clerk by 7.00pm on the night of the meeting.

Agenda

176/16 Apologies

177/16 Declaration of Interest Councillors to declare any interest in the items to be discussed

178/16 Recreation Ground report including working group update

179/16 To approve the minutes of the Parish Council meeting held on the 8 August 2016.
Amendment to be forwarded by Steve Ridley

To bring to the attention of the Council that the minutes of the meeting on 6 September 2016 will be circulated in time for the October meeting.

180/16 Matters arising from the minutes

Undergrowth on the footpaths at the Ball, and Emms Lane to Stradbrook
Parish Council information published on the village website

181/16 Planning Applications

Applications for discussion

Application Ref: 16/07967/TCA Application for Work to Trees in a Cons Area. Proposal:- (1) (2) (3) (6) (8) (11) coppice 12 Hazel trees. (4) - Prunus tree - reduce overall to prevent falling into stream, (5) (7) (10) - fell 4 Sycamore trees, (9) - Willow tree – pollard
At: Brook Cottage, 7 Lower Road, Bratton, Westbury, Wiltshire BA13 4RG

Application Ref: 16/0678/FUL

Proposed two storey rear extension at 44 Manor Fields, Bratton BA13 4ST

182/16 Wiltshire Council and Westbury Area Board Report – Cllr Wickham

183/16 Highways issues and Parish Steward Tasks

Set a date for walk around the village to establish five key tasks

184/16 Pavilion on the Village Green

185/16 Jubilee Hall Report

186/16 Police Report

187/16 WALC Training evening

To confirm a date for training.

188/16 To receive a verbal update from the Chair regarding Clerk Staffing issues.

189/16 Establishment of Staffing Committee - To agree terms of reference of the staffing committee and delegate powers to the staffing committee to deal with any staffing matters.

190/16 Establishment of Staffing Committee - To agree which Councillors will form the Staffing Committee

191/16 To consider the report (circulated) from Cllr Ligo - The purpose of this report is to identify the benefits, the costs and the work required to achieve the Local Council Foundation Award administered by the National Association of Local Councils.

192/16 To consider the report (circulated) from Cllr Ligo - The purpose of this report is to draw to Councillors' attention the principal provisions of the Act relating to Parish Councils and to put forward some suggestions for consideration.

193/16 To consider Action Plan (circulated) from Cllr Ligo

194/16 To review comments received regarding closure of the footpath off Imber Road and consider actions required by the Council.

195/16 Matters Outstanding

Gales Ground barn project

196/16 Correspondence

197/16 To receive reports from Members

Next Parish Council meetings

11th October 2016, 8th November 2016

All at 7.15pm in the Pavilion.

Annual Parish Meeting

Note: Agendas and reports available on www.brattonvillage.org/council

Monday 17th April 2017 - At 7.30pm in the Jubilee Hall

Bratton Parish Council Staffing Committee

Terms of Reference

The Committee is delegated the following responsibilities:

Personnel and Staffing

To draft and keep under review the staffing structure of the Council and make recommendations as appropriate

To keep under review staff work/life balance, working conditions and well-being, including the monitoring of absence.

To keep under review all staff contracts of employment, terms and conditions and make recommendations to full council.

To monitor the Council's employment policies and procedures in respect of changes to legislation and make recommendations to Council where appropriate.

Performance

To carry out staff appraisals

To identify performance issues and take action accordingly

To make recommendations on personnel related expenditure to the Council

To identify training requirements through appraisal and agree staff training programmes

Complaints

To receive and consider any complaints made under the Council's Grievance and Disciplinary Procedure

To investigate and, where appropriate, hear complaints made under the Council's Grievance and Disciplinary Procedure and take whatever action necessary.

**Report to Bratton Parish Council by Cllr Jeff Ligo
13 September 2016**

Applying for the Local Council Foundation Award

Purpose

1. The purpose of this report is to identify the benefits, the costs and the work required to achieve the Local Council Foundation Award administered by the National Association of Local Councils.

Background

2. The Council at the August meeting asked me to investigate the cost of applying for Foundation status. As well as identifying this cost I have described in more detail the process.
3. My two previous reports to the Council on 12 July and 9 August highlighted a range of weaknesses in the Council's practices and procedures. Action is necessary to address these failings.

The Foundation Award

4. To achieve a Foundation Award the Council must demonstrate that it has the documentation and information in place for operating lawfully and also has policies in place for training for its councillors and officer. Once achieved the basis will be established to build a foundation for improvement and development. Councillors interested in learning more should access <http://www.nalc.gov.uk/our-work/improvement-and-development/local-council-award-scheme>
5. To achieve the Award the Council must prove to the satisfaction of a local accreditation panel that the Council can satisfy a range of criteria. Katie Fielding from WALC very kindly provided me with a form that sets out these criteria and this is attached in the Appendix. I have completed some of the columns with my interpretation of the situation.

Costs

6. The cost of applying for the Award amount to £100 of which £50 is payable to NALC and £50 to WALC who act as the accreditation panel..

Conclusions

7. A significant amount of work needs to be done before the Council can meet these requirements but the list in the Appendix should focus the Council on its priorities.
8. Once the Council has everything in place. The Council can decide if it wishes to move forward with the Foundation application. It does this by notifying the accreditation panel co-ordinator when the resolution has been agreed and provides a completed application form, including webpage addresses to where the information can be found online.
9. The process demonstrates that a key priority for the Council must be to develop the website.

Recommendation

10. The Council agree, in principle, that it wishes to achieve the Foundation Award and it will prioritise complying with the 22 criteria below. The Clerk to report monthly on the progress made in complying with each of the criteria.
11. The Council work with Steve Ridley, whose kind offer to assist in developing the website was taken up at the last meeting, to ensure that the design of the site will accommodate the requirements of the criteria set out in the appendix.

Jeff Ligo
28 August 2016

Appendix

The Foundation Award criteria

A helpful guide to starting your improvement plan

Mark on the line: Where is our council now? And place a separate mark for where we want to be.

The Council is here The Council wnts to be here

How much time can we commit to spend on improving?

How difficult does it feel?

The Council is here

The criteria which must be satisfied in order to achieve Foundation status

The criteria 1 – 10 have been chosen to demonstrate **good governance** in managing the business and finances of a council.

The criteria 11 - 15 have been chosen to represent a council's role in the community. This includes community engagement, activities that serve the community, **community leadership** and promotion of the democratic process.

The criteria 20 – 22 have been chosen to represent **council improvement** through the management and development of staff and councillors.

To achieve the Foundation level the Council confirms by resolution at a full council meeting that it publishes online:

Criteria	Does the council meet these criteria?	Do you know how to meet these criteria?	How long will it take you?	Do you need help?	Do decisions need to be made by the Councillors?	Can the Councillors help with these criteria?
1 Its standing orders and financial regulations	No	Yes adopt model forms			Yes	No
2 Its Code of Conduct and a link to councillors' registers of interests	Yes but not linked to register	Yes			No	No
3 Its publication scheme	No	Yes adopt Model Publication Scheme				
4 Its last annual return	No	Yes appoint internal auditor				
5 Transparent information about council payments	No	Yes publish reports with agenda and include content of reports in Minutes			No	No
6 A calendar of all meetings including the annual meeting of electors	Yes					

7	Minutes for at least one year of full council meetings and (if relevant) all committee and sub-committee meetings	Yes but December 2015 minutes not on current website	Yes				
8	Current agendas	No Agendas not published in accordance with the Good Councillor's Guide	Yes			No	No
9	The budget and precept information for the current or next financial year	Yes				No	No
10	Its complaints procedure	No	Yes Find model complaints procedure			Yes	Yes
11	Council contact details and councillor information in line with the Transparency Code	Yes not sure it complies with Code					
12	Its action plan for the current year	No	Yes Develop Action Plan			Yes	Yes
13	Evidence of consulting the community	Only APM	Yes need to develop a consultation plan			Yes	Yes
14	Publicity advertising council activities	No	Need website developed				
15	Evidence of participating in town and country planning	Only applications No strategic input	Yes Consider developing Neighbourhood Plan			Yes	Yes

16	A risk management scheme	No	Yes find model risk assessment scheme and carry out assessment			Yes	Yes
17	A register of assets	Not sure	Review whether register of assets exists and is up to date			Yes	No
18	Contracts for all members of staff	Yes but needs review	Yes			Yes	Yes
19	Disciplinary and grievance procedures	Not sure	Adopt ACAS models			Yes	Yes
20	A policy for training new staff and councillors	No	Develop policy		Yes from WALC		
21	A record of all training undertaken by staff and councillors in the last year	No	Develop policy		Yes from WALC		

22	A clerk who has achieved 12 CPD points in the last year	Not sure	Yes review Clerk's terms of employment		Yes from WALC	Yes	Yes
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Bratton Parish Council

Action Plan

September 2016 until April 2017

Project	Actions	Meeting	Who takes the lead	Priority
Audit	Satisfy requirements of internal and external audit reports	Depends on when reports are available	Chair	Urgent
Foundation Criteria to ensure Council is acting lawfully	Implement the criteria	Council to receive monthly reports on progress towards implementing each criterion	Proper Officer	Some urgent e.g Standing Orders, Financial Regulations. All criteria to be satisfied by April 2017
Website	Approve website design and potential content	November	Cllr Bartram, Steve Ridley	Urgent Council needs a website to comply with legal publication requirements
Budget	Invite community to meeting to hear their requests for funding including the volunteers managing the Council's assets	November	Proper Officer	To comply with budget timetable
	Set budget	January	Proper Officer	To comply with budget timetable
Training	To organise a training evening	Asap	Chair	Urgent – Initially agreed in July meeting
Assets of Community Value	Consider report on Assets of Community Value depending on decision in September meeting	October	Proper Officer	
Neighbourhood Plan	To receive a report on the potential for developing a Neighbourhood Plan	April	??	
Gales Ground barn project	Update report required on this long outstanding matter	October	Cllr Goode	

Report to Bratton Parish Council by Cllr Jeff Ligo 13 September 2016

Localism Act 2011

Purpose

1. The purpose of this report is to draw to Councillors' attention the principal provisions of the Act relating to Parish Councils and to put forward some suggestions for consideration.

Background

2. In the June meeting the Council' Minute 127/16 reads as follows:-
A letter had been received asking for the council to consider requesting an Asset of Community Value order be placed on the village shop and the Duke Public House to protect them in the future.

The clerk was asked to place this on the July agenda for further information and discussion.

The matter did not appear on the agenda of the July meeting.

3. In my report to the July meeting I drew attention to the fact that the Council had never received a report on the provisions of the Localism Act. This was discussed at the August meeting and the Minute 171/16 read as follows:-
Paragraph 21 (of the report to the July meeting) considers a working group to be added to next Agenda. Cllr Ligo to email requesting ideas for consideration.

Summary of the main provisions of the Localism Act 2011 as regards Parish Councils

4. I have not taken steps to consult with my fellow councillors because it is, in my view, essential for the whole Council to appreciate the opportunities that the Act provides.
5. There are four provisions in the Act that the Council needs to be aware of.

The General Power of Competence

6. The General Power of Competence gives eligible local councils, *the power to do anything that individuals generally may do* as long as they do not break other laws. It is intended to be a power of first, not last, resort. The council has to ask itself if an individual is allowed to do it, if the answer is yes then a council is normally permitted to act in the same way. A council could:
 - lend or invest money
 - set up a company or co-operative society to trade and engage in commercial activity

- run a community shop or post office or public house

To be an eligible Council at least two thirds of the members of the council must hold office as a result of being declared elected. The Clerk must be appropriately qualified and have completed training in the exercise of the power.

Neighbourhood Planning

7. The Parish Council may develop a 'neighbourhood plan'. Neighbourhood plans must be in broad conformity with the local structure plan. A neighbourhood plan may be developed in consultation with the community, and it must then be subjected to an examination in public. It is then subject to a local referendum, and if a 'yes' vote is obtained, it will become the land-use plan for the parish area.
8. In areas where there is a neighbourhood development plan in place, the parish council will be able receive 25% of the revenues from the Community Infrastructure Levy arising from the development that they have chosen to accept. Under the proposals the money would be paid directly to the parish council and could be used for community projects.

Right to challenge services being provided by Wiltshire Council

9. The Community Right to Challenge gives the parish council the right to submit an "expression of interest" in taking over and running a Wiltshire Council service. Wiltshire Council must consider and respond to the challenge. If Wiltshire accepts the challenge they must then run a procurement exercise in which organisations including those that challenged the delivery of the service but also private companies - can bid to

takeover the running of the service.

Right to nominate and bid for assets of community value

10. This new right means the Parish Council can ask the Wiltshire Council to list certain assets as being of value to the community. If an asset is listed and then comes up for sale, the new right will give communities that want it six months to put together a bid to buy it. This gives communities an increased chance to save much loved shops, pubs or other local facilities.

A building or land in Wiltshire Council's area must be listed as an asset of community value if:

- Current primary use of the building/land or use of the building/land in the recent past furthers the social well-being or social interests (cultural, recreational, or sporting interests) of the local community
- It is realistic to think that now or in the next five years there could continue to be primary use of the building/land which will further the social well-being or social interests of the local community (whether or not in the same way as before)

11. Owners of listed assets cannot dispose of them without letting Wiltshire Council know that they intend to sell the asset or grant a lease of more than 25 years and then must wait until the end of a six-month period if the local authority receives a request from the Parish Council or a community interest group to be treated as a potential bidder

Suggestions

I suggest the following

12. **General Power of Competence** – The Council note the power and consider including required qualifications in any future job description for the Proper Officer so that it can be adopted
13. **Neighbourhood Plan** – The Council recognise this opportunity as a way of having a major strategic input in the future of the village. The opportunity be re-examined once the Council has achieved compliance with the Foundation level criteria
14. **Right to Challenge** – The Council note the provision. It is unlikely that the Parish Council will ever wish to make use of this power
15. **Assets of Community Value** – The Council need to determine whether it wishes to identify any assets of community value which it feels need protecting. If so, the Clerk should be asked to produce a report setting out how the Council needs to proceed to secure their protection. The process is clearly spelt out on the Wiltshire Council website.
<http://www.wiltshire.gov.uk/planninganddevelopment/planningcommunityrighttobid.htm>

The Council's decision needs to be communicated to the writer of the letter referred to in para 2.

Jeff Ligo

28 August 2016