

COUNCILLORS BRIEFING NOTES:

Parish Council meeting 18 August 2011.

Items 7 - 14

Item 7 Access to Information

Resolutions a) and b)

Given the recent uncertainties over issues of confidentiality, and taking into account the unevenness of the Council's current Standing Orders, it is being recommended that they are reviewed as a matter of urgency. Some of the current Standing Orders (e.g. those relating to resolutions moved on notice and to rules of debate) have never, in my experience, ever been implemented/enforced. Others (e.g., relating to confidentiality) need to be clearer. In the case of confidentiality the broad categories of information that can be deemed exempt from public disclosure could be explained and approved, and procedures agreed so that information that is exempt from disclosure can be easily identified. This could then be inserted into the Standing Orders or attached as a policy. In the meantime, it seems appropriate to adopt a non-confidential strategy with regard to council documents unless they can properly be regarded as exempt from disclosure. I suggest that employment issues are the one regular category of information that can properly be regarded as 'confidential'.

Correspondence with Mary Braithwaite

Mary wrote and asked for the questions she asked verbally at the July PC meeting to be answered and the Chairman has written back to her.

I am attaching her letter and Terry's response. These letters are not an agenda item. I am not able to declare the correspondence confidential but, given the sensitivity of the issues, I would suggest that it would be helpful if councillors raise any queries they may have directly with Terry and not discuss the letters with non-councillors for the time being, as the matter may or may not yet be closed

Freedom of Information Act request

Errol Roberts 10 August

Dear Wye with Hinxhill Parish Council,
Please could you supply all Briefing Papers, Reports, Communications (especially emails), in PC business, Council Meetings, Sub-Committees and Working Groups that make mention and deliberations on wyeweb.org since the Local Elections of May 3rd 2007.

Yours faithfully,
E F I Roberts

Parish Council Response 11 August - Acknowledgement

Dear Dr Roberts

This is to acknowledge receipt of your request below, made under the Freedom of Information Act. As you may know, the Parish Council must respond to your request within twenty working days, and sooner if possible. The Council will contact you again in due course.

Kind regards

Jenny Oram
Parish Clerk
Wye with Hinxhill Parish Council

Further Parish Council response 15 August - Request for clarification

Dear Dr Roberts

Please could you clarify the exact wording of your request? Is it correct to assume that the phrase `... that make mention and deliberations on wyeweb.org ...' should read `...that make mention of deliberations on wyeweb.org...'?

If so, please could you further clarify whether you are referring to

. Any mention in Parish Council communications and documents of any Parish Council deliberations about wyeweb.org since May 2007, or

. Any mention in Parish Council communications and documents of any deliberations on any subject whatever that have appeared on wyeweb.org since May 2007?

Kind regards
Jenny Oram
Parish Clerk
Wye with Hinxhill Parish Council
01227 700204

Dr Errol Roberts 15 August - provision of further details

Dear Wye Parish Clerk,

The exact meaning is "that make mention of and any deliberations on wyeweb.org". That is, it may include deliberations on matters that WwHPC has considered from posts/pages/comments on wyeweb, but not exclusively.

It does also mean " Any mention in Parish Council communications and documents of any Parish Council deliberations about wyeweb.org since May 2007." Clearly WwHPC discussions of matters arising on wyeweb are included since they may form part of the context of the deliberations and comments.

Yours sincerely,
E F I Roberts

NOTE

The Clerk is continuing to seek advice on this matter from KALC, ABC's Monitoring Officer and the Information Commissioner's Office (ICO). Depending on the outcome, the request may be met relatively easily, or it may not. Until I have further advice there is not much more I can say about it. If anyone wants more information about it I suggest they ring me.

If it turns out that the request is likely to take more than 18 hours of officer time, it can be refused or the applicant can be asked to pay the cost of the extra time needed to meet the request. The problem is that with only one part-time officer, a request like this either has to be met by putting aside normal duties or in overtime. This problem is fully understood by the ICO and a parish council in this position will not be penalised if it takes more than the statutory 20 days to meet the request, provided it keeps the applicant informed of progress. It may, at some point, be possible for a volunteer to help extract and collate information but the first priority is to obtain legal clarification of what exactly are considered to be parish council documents, communications or deliberations. Once this is clear, the task ahead will be easier to quantify.

Parish councillors will be updated on a regular basis. Cllr Donovan is suggesting that I am paid overtime if I have to work on the request outside normal office hours (4 hours a day Mon-Fri). This comes up under Item 14 a) Finance and Item 22 Personnel.

Item 8 Kentish Express Article - p44, Thursday August 11 2011.

I attach a scanned copy of the report. It appears to have been taken direct from wyeweb.org without permission from the editors of wyeweb and ex-Cllr Braithwaite (see disclaimer on wyeweb).

The Parish Council may wish to correct the confusion in the article between a planning proposal and a planning application. Parishioners may be concerned that they have not been made aware of any planning application. In fact, there is no application in existence and Mary Braithwaite did not say that she had taken the briefing document to the applicant (as stated in the KE article).

A simple statement on the Parish Council website could say:

The report that appeared on p 44 of the Kentish Express on Thursday 11 August 2011 referred to a planning report, a planning proposal and to an applicant. The Parish Council wishes to make clear that no planning application exists in relation to the proposal referred to in the newspaper article and therefore there is, as yet, no applicant. This appears to be an inaccuracy on the part of the newspaper.

Alternatively, the Parish Council may feel it is not worth correcting this mistake as the article is of a general nature and does not identify the site concerned.

Item 10 Kent Village of the Year 2011 Competition.

Action with Communities in Rural Kent is seeking applications for its Kent Village of the Year 2011 Competition. It is now a very simple application process and they are particularly interested in achievements in Economic Development, Environment, Social including Recreational Action and Transport between Sept 2010 and Sept 2011. There will be an overall winner and cash prizes offered in the above four categories.

The Play Trail project would qualify within one category and it would not be difficult or time-consuming to make out an extremely good case for it. The opening up of more allotment land would also qualify in the Environmental category. Wye Community Farm may also have achievements that could be put forward.

Action: I am asking the PC to decide if it would like to enter the village for the competition. It would not take me a lot of time to produce an application as I have all the material on the play trail and the allotments easily to hand. The deadline is 5 September. An entry could raise the profile of the village and would certainly draw attention to the Play Trail project which might even win a cash prize.

Item 11 Lease of land for Youth Shelter

The Youth Shelter is situated on a small portion of Churchfield Green which is leased at no cost by ABC to the Parish Council. The lease was originally agreed in 2003 and ran for 3 years. It was then renewed in 2006 for 5 years so it expires on 30 September 2011. ABC is happy to renew the lease on the same terms as before.

Action: To approve the renewal of the lease. If the lease is not renewed then the Youth Shelter will have to be dismantled and its base removed as it is a condition of the lease that the land must be returned to ABC in its original condition.

Item 12 Strategic Issues relating to Wye's future

12a) Imperial College's marketing strategy for its Wye Campus - update

ABC emailed last Friday to say

'All representatives of the WYE3 Steering Group have agreed to formally sign-off both the Marketing Strategy and the Independent Advice Report by DTZ. May I request that Savills amalgamate all the appendices into one Marketing Strategy document and circulate this composite version (alongside the final version of the DTZ report) to all names on this email [members of ABC's WYE3 Steering Group]. These will be the final versions of the reports, which can enter the public domain via your web pages.

We are waiting for the final composite version of the Strategy document so it can be put in the public domain. ABC has promised to chase Savills if it is not forthcoming soon.

12b) Parish Council Strategy Group

Cllr Tony Shoults has produced a paper which has been circulated.

Item 13 Planning Issues

13a) Planning Applications – Cllr Bartley will give an update on the Wolfson House full planning application.

ABC is likely to go back to Savills at the end of the consultation period (22 August) to discuss various issues, including highways. Kent Highway Services have put in a strong objection. ABC will also consider asking for a street scene plan to show the levels of buildings in the area.

ABC would like the Parish Council to provide an outline response to the application by 22 August so this can be used in any discussions with Savills.

The application is expected to be referred to the ABC Planning Committee on Wed 19 October – for which the case officer would have to write a report by about 3 October. Any additional comments from the Parish Council must therefore be submitted by late September.

13b) & c) Planning decisions and discharge of conditions.

See separate annex.

13d) Jacobean statues

There is nothing further to report. Imperial are still investigating how the situation arose and ABC is waiting for legal advice from a QC. I speak to the Conservation Officer on a regular basis and she has promised to let the Parish Council know as soon as ABC receives a legal opinion.

If the QC deems that the statues were part of the fittings and fixtures of the Grade 1 listed building in which they were once attached, then Imperial College has committed a criminal offence by removing them from the building (let alone selling them) without Listed Building Consent.

Item 14 Financial matters

14a) Parish Council's financial position.

I will bring a computer print out to the meeting showing income and expenditure up to 31 July.

Special expenditure is likely to cover

- any quotation obtained for producing an electronic 3D model of the Wolfson House redevelopment scheme
- the cost of one or two days' planning advice from Baker Associates @ **£600 per day**
- Overtime for the Clerk to enable her to deal with the Freedom of Information Act request – up to 18 hours at an hourly rate (to be determined by the Parish Council in closed session). Depending on the amount of work involved and the amount of volunteer help that is appropriate and available, the request may possibly be dealt with very quickly. A decision is therefore required in principal only.

The Parish Council can ask the applicant to pay for any work beyond 18 hours.

14b) Grant application from Wye Heritage Centre.

Information attached.