

# SEMINGTON PARISH COUNCIL DRAFT – UNAPPROVED MINUTES

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## Minutes of the meeting held on 11 September 2013 at 8.00pm in the Village Hall

### Present.

Councillor Robert Oglesby (Chairman) and Councillors P. Bowyer, K Lockwood, S. Rimmer, C Wade and the Clerk, Roger Coleman.

There were no parishioners present.

### **1. Declaration of Interests.**

There were no interests declared.

### **2. Apologies.**

Apologies for non-attendance were received from Parish Councillors R. Robinson, W Scott, B. Smyth, Wiltshire Councillor Cllr. J Seed and the Neighbourhood Policing Team, PC Emily Thomas and PCSO Rose Baldock.

### **3. Minutes of the Ordinary Parish Council Meeting held on 17 July 2013.**

The minutes were signed by the Chairman as a true and accurate record.

### **4. Adjournment.**

In the absence of any members of the public the meeting continued without an adjournment.

### **5. Neighbourhood Policing.**

In the absence of a representative from the Neighbourhood Policing Team no report was given. Prior to the meeting PC Thomas had advised the Clerk that there had been a burglary at the Brewery Inn, Seend and that there had been no reported incidents in Semington.

### **6. Wiltshire Council Report.**

In the absence of Cllr. Seed no report was given.

### **7. Planning.**

a. The Clerk reported the status of the following planning application:

W/13/00287/FUL	Land South of Little Marsh	Proposed Agricultural Store	Pending
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b. There were no planning applications received after 4 September 2013.

c. The Clerk reported that he had received correspondence from Hannick Homes (Connor Lee) who had expressed a wish to speak to the Parish Council about the development of the parcel of land south of St Georges Road. The Parish Council confirmed that it would be pleased to meet up with a representative from Hannick Homes and proposed that councillors would meet up with Hannick Homes at 7.30pm on 9 October for an informal discussion – the date of the next Parish Council meeting - and then invite the representative to stay for the Public Adjournment during the formal part of the PC Meeting; the Parish Council meeting starting, as usual, at 8pm.

### *Clerk's Note.*

*Subsequent to the meeting, Hannick Homes (Connor Lee) confirmed that a representative (or*

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Roger Coleman  
Clerk to Semington Parish Council

Chairman's Signature \_\_\_\_\_

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*representatives) would attend as proposed.*

d. The Council noted the change from Written Representations to a Hearing for the Appeal in relation to W/12/02050/FUL (Littleton Stables) and councillors commented that Cllr. Smyth will be invited to represent the Parish Council at that Hearing.

e. There were no other planning or planning related matters.

## 8. Highways/Environment.

a. The Council noted the First Round results of The Best Kept Village competition. The Clerk was asked to place a Semington Parish map on the noticeboard in response to one of the comments from the Best Kept Village judges.

b. Cllr. Wade reported that brambles were obstructing a footpath. Cllr. Rimmer was asked to place a notice in the Newsletter asking householders to ensure that vegetation on their property such as hedges and shrubs is cut back to ensure that the full width of a footway is available for use.

Cllr. Lockwood commented that there were weeds in the pavements and at the kerbsides along many roads in Semington that needed clearing. He was advised to inform Cllr. Smyth who was the Highways and Streetscene Coordinator for the Parish Council.

## 9. Semington War Memorial.

The Clerk stated that Ray Heard who had initiated the Semington War Memorial Renovation Project had offered his apologies for not being able to attend tonight's Parish Council meeting.

The Council **resolved** that the total sum to be raised for this project was to be £1500 and that this sum would comprise a Parish Council contribution of £500, Grant Aid of £500 and Donations from parishioners/local businesses of £500.

Cllr. Rimmer agreed to investigate the availability of Grant Aid from the Melksham Area Board by contacting Cllr. Seed.

The Clerk was asked to write a letter outlining the project and containing an invitation to parishioners and local businesses to make a donation and to pass a copy of this letter to Mr Heard.

## 10. Finance.

a. The Clerk reported that the current financial position at 11 September 2013 was as follows:

### Lloyds TSB A/C 2149025

Bank Statement 30-Jun-13	£	8,587.94
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Total:	£	<b>8,587.94</b>
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### **Credits (1 July 2013 to 31 July 2013):**

Jubilee Mugs Sale	£	25.00
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RP Coleman HMRC/PAYE (Month 4)	£	112.80
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Total:	£	<b>137.80</b>
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### **Debits (1 July 2013 to 31 July 2013):**

Clerk's Salary (June)	£	281.86
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Office Expenses (June)	£	14.05
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HMRC PAYE Month 4	£	112.80
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Total:	£	<b>408.71</b>
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Roger Coleman  
Clerk to Semington Parish Council

Chairman's Signature \_\_\_\_\_

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**Balance at 31 July 2013:**

£	8,317.03
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**Credits (1 August 2013 to 31 August 2013):**

RP Coleman HMRC/PAYE (Month 5)

£	112.80
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Total:	£	112.80
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**Debits (1 August 2013 to 31 August 2013):**

Clerk's Salary (July)

£	281.86
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HMRC PAYE Month 5

£	112.80
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Total:	£	394.66
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**Balance at 31 August 2013:**

£	8,035.17
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**Credits (1 September 2013 to 11 September 2013)**

None

£	-
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Total:	£	-
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**Debits (1 September 2013 to 11 September 2013):**

Clerk's Salary (August)

£	281.86
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Total:	£	281.86
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**Balance at 11 September 2013:**

£	7,753.31
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**Lloyds TSB A/C 7754288**

Bank Statement  
30-Jun-13

£	7,590.22
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**Credits**

Interest (Approx)

£	0.33
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Interest (Approx)

£	0.32
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Interest (Approx)

£	0.31
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£	0.96
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**Debits**

None

£	-
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£	-
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**Balance at 11 September 2013:**

£	7,591.18
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£	15,344.49
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## Payments to be authorised (11 September 2013).

Clerk's Salary (September)	£	281.86
Office Expenses (July)	£	5.60
Office Expenses (August)	£	-
Grant Thornton Audit Fee	£	120.00
HMRC PAYE (Month 6)	£	112.80
<b>TOTAL:</b>	<b>£</b>	<b>520.26</b>

## Donations/Subscriptions to be considered (11 September 2013).

None	£	-
<b>TOTAL:</b>	<b>£</b>	<b>-</b>

- b. The Clerk reported that he had received the Annual Return from the External Auditors (Grant Thornton) and that all matters were satisfactory with no comments arising. The Parish Council thanked the Clerk for ensuring that financial probity had been maintained.
- c. The Council **resolved** to adopt the 2013/2014 National Salary Awards for Local Council Clerks
- d. The Council **resolved** to make a donation of £500 to the St Georges Parochial Church Council.
- e. The Council **resolved** to make all the payments under 'Payments to be authorised' above including a payment of £40 to Les Hiscocks who had undertaken the grass cutting at Jubilee Wood on behalf of the Parish Council.

### **11. Indemnities for Members and Officers.**

The Parish Council **resolved** to adopt the SI 2004 No. 3082 - Local Authorities (Indemnities for Members and Officers) Order 2004 as specified in the document appended to these minutes.

### **12. Co-option of a New Member.**

- a. Councillors reported that there had been no applications to be a co-opted member of the Council.
- b. In the light of 12a above, there were no motions to co-opt a new member.

### **13. Wilts & Berks Canal.**

There was nothing to report.

### **14. Tennis Court.**

There was nothing to report.

### **15. Any Other Business.**

The Clerk stated that there was nothing further that he needed to draw to the attention of the Council.

The following matters were reported by councillors:

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Cllr. Lockwood – The children’s swing in the Wessex Close Play Area were a mess with bird droppings on them. He stated that he would investigate ways of deterring birds from settling on the swing supports.

Cllr. Rimmer – In the absence of Leigh Swinden placing an order for the Time Capsule rotunda he would now do so and councillors noted that authority had already been given for this expenditure.  
Cllr. Bowyer – He passed evidence to the Clerk that the Jubilee Mugs had been purchased. However, the Clerk explained that it was publicity material showing the success of the project that Wiltshire Council was seeking.

Cllr. Wade – He encouraged all councillors to register their interest with British Telecom for high-speed broadband and he requested Cllr. Rimmer to put a similar request in the Newsletter inviting parishioners to do the same.

## **16. Date of Next Meeting.**

The Council noted the dates for the next Ordinary Parish Council meetings:

9 October 2013  
20 November 2013  
8 January 2014  
19 February 2014  
19 March 2014  
16 April 2014

The Annual Parish Meeting is to be held on 26 March 2014.

The meeting concluded at 9.40 pm.

R Oglesby  
Chairman, Semington Parish Council

9 October 2013

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### TERMS OF INDEMNITY

1. The Council will, subject to the exceptions set out below, indemnify each of its members and employees against any loss or damage suffered by the member or employee arising from his/her action or failure to act in his/her capacity as a member or employee of the Council.

This indemnity will not extend to loss or damage directly or indirectly caused by or arising from:

1.1 any criminal offence, fraud or other deliberate wrongdoing or recklessness on the part of the member or employee;

1.2 subject to clause 3.2 below, any act or failure to act by the member or employee otherwise than in his/her capacity as a member or employee of the Council; or

1.3 failure by the member to comply with the Council's Code of Conduct for Members.

2. The Council will, subject to the exceptions set out below, indemnify each of its members and employees against the reasonable costs which he/she may incur in securing appropriate legal advice and representation in respect of any civil or criminal proceedings or proceedings relating to the Code of Conduct to which he/she is subject.

2.1 "Criminal proceedings" includes any interview or investigation by the police, and any proceedings before a criminal court, in the United Kingdom.

2.2 This indemnity will not extend to Part 3 proceedings where the allegation has been referred to the Monitoring Officer for local investigation and/or determination by the Standards Committee.

2.3 Subject to the agreement of the Council in any case and any conditions they may consider it appropriate to impose, this indemnity shall extend to any advice or representation in respect of any claim or threatened claim in defamation against the member or employee.

2.4 Where any member or employee avails him/herself of this indemnity in respect of defending him/herself against any criminal proceedings or Code of Conduct proceedings, the indemnity is subject to a condition that if, in respect of the matter in relation to which the member or employee has made use of this indemnity –

2.4.1 the member or employee is convicted of a criminal offence in consequence of such proceedings, or

2.4.2 a Case Tribunal or Standards Committee determine that the member has failed to comply with the Code of Conduct for Members and the conviction or determination is not overturned on appeal, the member or employee as the case may be, shall reimburse the Council for any sums expended by the Council pursuant to the indemnity.

2.6 Where the Council arranges insurance to cover its liability under this indemnity, the requirement to reimburse in Paragraph 2.5 shall apply as if references to the Council were references to the insurer.

3. For the purposes of these indemnities, a loss or damage shall be deemed to have arisen to the member or employee "in his/her capacity as a member or employee of the authority" where:

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3.1 The act or failure to act was outside the powers of the Council, or outside the powers of the member or employee, but the member or employee reasonably believed that the act or failure to act was within the powers of the Council or within the powers of the member or employee (as appropriate) at the time that he/she acted or failed to act, as the case may be;

3.2 The act or failure to act occurred not in the discharge of the functions of the member or employee as a member or employee of the Council but in their capacity as a member, director or representative of another organisation, where the member or employee is, at the time of the action or failure to act, a member, director or representative of that organisation either –

3.2.1 in consequence of his/her appointment as such member, director or representative of that organisation by the Council; or 3.2.2 in consequence of his/her nomination for appointment as such member, director or representative of that organisation by the Council; or

3.2.3 where the Council has specifically approved such appointment as such a member, director or representative of that organisation for the purpose of these indemnities.

4. The Council undertakes not to sue (or join in action as co-defendant) a member or employee of the Council in respect of any negligent act or failure to act by the member or employee in his/her capacity as a member or employee of the Council, subject to the following exceptions:

4.1 Any criminal offence, fraud or other deliberate wrongdoing or recklessness on the part of the member or employee; or

4.2 Any act or failure to act by the member or employee otherwise than in his/her capacity as a member or employee of the Council.

5. These indemnities and undertaking will not apply if a member or employee, without the express permission of the Council or of the appropriate employee of the Council, admits liability or negotiates or attempts to negotiate a settlement of any claim falling within the scope of the resolution.

6. These indemnities and undertaking are without prejudice to the rights of the Council to take disciplinary action against an employee in respect of any act or failure to act.

7. These indemnities and undertaking shall apply retrospectively to any act or failure to act which may have occurred before this date and shall continue to apply after the member or employee has ceased to be a member or employee of the Council as well as during his/her membership of or employment by the Council.