



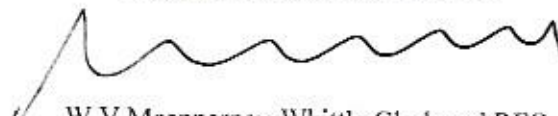
# HALE PARISH COUNCIL

of the Halton Borough in the County of  
Cheshire



## NEXT MEETING

Members of the Council are summoned to the **ANNUAL PARISH COUNCIL MEETING** to be held on Thursday the 16<sup>th</sup> May 2019 at **HALE VILLAGE HALL, HIGH STREET, HALE VILLAGE, L24 4AE** COMMENCING AT 7.30PM



W V Mcennerney-Whittle Clerk and RFO

### Note to Councillors:

If you are unable to attend the meeting, please notify the clerk of your apologies either by e-mail [haleparishcouncilclerk@gmail.com](mailto:haleparishcouncilclerk@gmail.com) or telephone 01772 733829

### Note to Public:

*Members of the public wishing to address the Council should note that they must advise the clerk before 10am on the day of the meeting both of their wish to participate in the public forum and their topic. If residents fail to inform the clerk prior to the meeting, permission to speak at the meeting will be at the discretion of the Council. All participants are restricted to a maximum of three minutes. If the public wish to ask the Council questions, please note that the Council may not be able to answer the question if the council has not considered or resolved the question on an agenda item at a prior meeting. Should this be the case, the Council will advise correspondence with the clerk to request the item be discussed at a future parish council meeting. If the question is considered outside the remit of Hale Parish Council, residents will be referred to Halton Borough Council.*

## MEETING AGENDA

1. To elect a Chairman for the next 12 months who will then sign a 'Declaration of Acceptance of Office'
2. To elect a Vice Chairman for the next 12 months.
3. To receive Apologies
4. To consider and approve the Minutes of the Extra Ordinary Meeting held on the 1<sup>st</sup> May 2019 (enclosed)
5. To receive Declarations of Interest
6. To receive and note (if available) the police report on crime statistics
7. To adjourn the meeting for a period of public participation

8. To authorise payment of the following accounts:

*Please note that due to the lack of time between my appointment and this meeting and the fact that I have not yet obtained all records I have not been able to look at the accounts – any payments due may have to be paid between meetings and formally ratified at the June meeting*

9. To formally approve the enclosed Fixed Term Contract of Employment for W V Mcennerney-Whittle as Clerk and RFO

10. To consider the following planning applications and decide whether any representation should be made  
19/00194/FUL – Proposed two storey side extension at 11 Pepper Street Hale Liverpool L24 4BB

11. To receive an update with regard to the Village Hall.

*Please note that I understand that this report should be produced by the Village Hall Manager but is not available at the time of completion of this agenda.*

*Please also note that the report whether in writing or given verbally is FOR INFORMATION ONLY and no decisions can be made in respect of any of its content.*

12. To review Councillor membership and the need for the following Committees and appointments to Representative Bodies or Working Groups.

*Please note that each Committee must have a minimum of THREE members, that Terms of Reference must be provided to each Committee, that all meetings must have agenda produced and advertised in accordance with statutory regulations, minutes recorded, minutes provided to the full Council for information and that the meetings must be open public and press. Where under the Terms of Reference a Committee has not been given a decision-making power, they must not make any decisions and must place their recommendations back to the full Council for approval*

Parish Plan Committee

Village Hall Committee

Community Wellbeing Committee

Civic Service Committee

Staffing Committee

War Memorial Committee

Liverpool Airport Committee

Resources Executive Committee

Guildswomen Committee

Carnival Committee Representatives

Environmental Working Group

13. To consider holding future meetings in the main hall and providing tea and coffee for members of the public

14. To consider appointing a working group to research ideas and costs for Christmas street lighting.
15. To consider appointing a small working group to undertake compilation of a new and up to date Asset Register since it would appear that the present one is out of date and therefore is in breach of Audit Regulations.
16. To consider how this Council might promote the recently called by-election and note that the costs, if it is held, are £2854.70 to Halton Borough Council plus hall hire fee of £300.
17. To note that meetings have now been scheduled for Monday the 17<sup>th</sup> June and Thursday the 11<sup>th</sup> July 2019

*Please note that Members are required to provide agenda items to the Clerk 10 days prior to the meeting so that the agenda can be prepared and issued in accordance with statutory requirements.*

*It must also be noted that agenda items require the specific details of the 'Items of Business to be transacted' in accordance with LGA 1972 Schedule 12 paragraph 10 (2) (b) – therefore any vague headings cannot be accepted – in case of doubt please refer to the Clerk who can assist with appropriate wording*





# **HALE PARISH COUNCIL**

**Of the Halton Borough in the County of  
Cheshire**

**MINUTES OF EXTRA-ORDINARY MEETING OF HALE PARISH COUNCIL  
2018/19 HELD ON WEDNESDAY 1 MAY 2019 AT 7.30PM IN  
HALE VILLAGE HALL, HALE, HALTON, CHESHIRE, L24 4AE**

## **ATTENDANCE RECORD**

### **Members of Hale Parish Council:**

ClIrr Luke Trevaskis (Chair)  
ClIrr Catherine Williams  
ClIrr Ann Kierman  
ClIrr Gary Wright  
ClIrr Malcolm Spargo  
ClIrr Carol Mason

### **Member(s) of Halton Borough Council:**

No members in attendance.

### **Member(s) of Public:**

Bernardine (Bernie) Mitchell

Meeting commenced at 7.35pm.

### **HPC 18-19/XXX APOLOGIES**

Apologies for absence received from ClIrr Peter Healey and ClIrr Sheila Hunter. Absence of ClIrr Bernie Cleary was noted without apology.

### **HPC 18-19/XXX DECLARATIONS OF INTEREST**

No reported declarations of interest.

### **HPC 18-19/XXX EXCLUSION**

The Council resolved, in pursuance of the confidential matters to be discussed forthwith, to excuse members of the public and press, on the ground of likely disclosure of information as defined in Part 1 of Schedule 12A of the Local Government Act 1972.

Bernardine (Bernie) Mitchell withdrew from the meeting.

## HPC 18-19/XXX STAFFING

The Council noted the resignation of Tracey Bellis.

Disappointment was expressed by Councillors who had hoped the new Clerk would remain with the Council for many years.

The Clerk advised regret that her tenure had been short. Reasons cited for the resignation included an overburdening workload for the contracted hours, a lack of training, a large amount of stress, some inappropriate correspondence from a Councillor relating to pay, and a relentless amount of emails from resident Bernardine (Bernie) Mitchell - some of which could be interpreted as passive aggressive and containing veiled threats.

Councillors tried to reassure the Clerk that the situation would improve, but the Clerk advised she was not in a position to remain in office.

The Council was informed of items of a sensitive and confidential nature that were being shared with residents in the village – compromising the work of the Clerk. Councillors were reminded that it is their responsibility to uphold the reputation of the Council and that it is not possible to share all information that is presented to them with the wider community. It was recommended that this also be passed to Councillors not in attendance – Cllr Sheila Hunter, Cllr Bernie Cleary and Cllr Peter Healey. It was believed some Councillors may be speaking with members of the public to exacerbate ill feeling. Frustration was noted regarding members who appear very vocal during meetings but who do very little from meeting to meeting to actually help improve the directives of the Parish Council.

Councillors suggested some residents should be reminded that there is limited time and resources available to a part-time Clerk and that the Council is there to serve close to two thousand residents as opposed to just one. If a particular resident is exhausting the resources of the Clerk, at a substantial cost to other residents, then this needs to be dealt with in an appropriate manner. Each email and phone call made to the Clerk comes at a cost of approximately £15.00 per hour, so residents who contact the Clerk on a daily basis, substantially reduce the time and resources available for other residents in the Parish.

**Section 14 of the Freedom of Information Act advises that vexatious requests can be refused if they are causing the Council a disproportionate and unjustified level of disruption, are a deliberate intent to cause annoyance, or the Council has expended considerable time and effort in responding to these requests.**

A social media feed was presented to the Council, that included the mention of the Chair. A resident, Bernardine (Bernie) Mitchell, had commenced the post earlier the same day, advising that she was unaware of the time of the meeting, later advising at 6pm that she had emailed the Chair at 4.15pm and still not received a response. The Council noted that Bernardine (Bernie) Mitchell had spoken to at least two different Councillors regarding the meeting, one of whom was present. The Councillor present advised they had indeed informed Bernardine (Bernie) Mitchell of the time of the meeting prior to her sending her



email to the Chair at 4.15pm. There had also been a notice of the meeting placed on the noticeboard the previous week, so the Council was perplexed why Bernardine (Bernie) Mitchell had begun to cause such public confusion.

Surprise was also expressed that Bernardine (Bernie) Mitchell had attended the meeting, as apologies had been sent by herself a few days earlier to the Clerk advising that she would have to withdraw her support for the Memory Makers group set up to help sufferers of Dementia in Hale as she would not be available on Wednesday evenings for some time and therefore unable to attend. As it was indeed a Wednesday and the meeting was held at the same time as the scheduled Memory Makers group, it was unclear why one could be attended but not the other.

The Council agreed that residents should not be in a position to abuse employees of the Council without repercussions and this was a matter that needed to be revisited at a future date.

A sample weekly clerk timesheet was presented to the Council. Councillors noted the time it took to respond to residents and the increased pressure this was placing on the role of the Clerk, in addition to their other responsibilities.

**It was resolved that when the vacancy be advertised, the role be publicised for at least 16 hours per week. This motion was proposed by Cllr Catherine Williams, seconded by Cllr Ann Kierman, and approved with one abstention.**

**It was resolved that when the vacancy be advertised, the remuneration for the role be set at SCP 25 (£14.96 per hour for 2019/2020). This motion was proposed by Cllr Malcolm Spargo, seconded by Cllr Carol Mason, and approved unanimously.**

**The above resolutions provided an annual salary of approximately £12,446.72 for the new Clerk.**

The difficulties of previous months were noted, especially in relation to recruitment. It was noted that had the Council continued with the salary approved in October 2019, the chain of events that had unfolded since may not have occurred. Lessons have been learned and Councillors were reminded that the position the Council has faced is due to the collective decisions of members. The Council recollected the proposal made by Cllr Bernie Cleary in January to reduce the staffing budget to an amount far below the agreed contractual responsibilities of the Council. The Clerk at the time, Craig Wyna, subsequently resigned following this proposal and the Council, and Parish, has suffered ever since.

Disappointment was expressed that Cllr Bernie Cleary has seemingly made proposals without any understanding of their consequences – potentially risking bringing the Council into disrepute and on the wrong side of the law by not fulfilling commitments to employees. Despite being a Councillor for twelve months, there has been no training attended or any effort made to understand the legal frame work the Council must adhere to. It was suggested that Councillors are all trained to get a better understanding of decisions made in meetings and their responsibility to act in the best interest of the Parish.

It was noted that recently Cllr Bernie Cleary had resigned as Chair of the Staffing Committee and as it was no longer quorate, the Council would not be able to pass the responsibility of employing the new Clerk to the Committee. As such, the Council continued to consider a proposal tabled to resolve the immediate issues faced.

**It was resolved to employ the services of William Whittle for the interim period (from May-July and September-November), a Clerk endorsed by NALC as a trainer for Lancashire Association of Local Councils and a consultant who can assist the Council in the coming months with the recruitment of the new permanent Clerk. The Council approved a rate of £30.00 per hour, for ten hours per week, with a mobile phone allowance of £10.00 per month and mileage expenses of £00.60 per mile.**

The Council noted this seemed a relatively large fee but it was felt that the Council needed much help and support in the coming months and that the short-term hire of an expert would provide the best outcome for the Parish in the long-term. Councillors discussed the extra expense had come as a result of poor decisions made in the past and it is hoped that short-sighted and counterproductive proposals relating to pay will not be made by Councillors moving forward. The Council needs a strong Clerk to deliver the best results for the Parish and it is hoped under the direction of William Whittle, the Council will be in a more cohesive position in future. The Council has explored many routes in recent months, and this was the only last resort open to explore.

Cllr Malcolm Spargo advised he could assist with July surgery.

Meeting closed at 8.45pm

Signed:

Date:

## CONTRACT OF EMPLOYMENT

This contract of employment ("the contract") contains the main terms and conditions of your employment with Hale Parish Council ("the Council").

**THE EMPLOYER:** HALE PARISH COUNCIL

**THE EMPLOYEE:** WILLIAM V MCENNERNEY-WHITTLE

**DATE OF ISSUE:** 1<sup>ST</sup> MAY 2019



## **1. COMMENCEMENT DATE**

- 1.1 Your fixed term employment with Hale Parish Council began on 1<sup>st</sup> May 2019 (the commencement date) and ends on the 30<sup>th</sup> November 2019 (the end date) excepting the month of August 2019.

## **2. CONDITIONS OF SERVICE**

- 2.1 The National Agreement on Pay and Conditions of Service of the National Joint Council ("the NJC") for Local Government Services ("the Green Book") applies to your employment save as amended by this contract.

### **3. JOB TITLE**

3.1 You are employed as Clerk and Responsible Financial Officer

### **4. JOB DUTIES**

4.1 You are expected to perform all duties which may be required of you relating to the production of agenda, minutes and the management of the accounts of the Parish Council excluding committee meetings. In addition, you will advise the Council on procedural and matters related to its operation.

### **5. PLACE OF WORK**

5.1 Your usual place of work is 7 Bilsborough Meadow Preston PR2 1YY

### **6. SALARY**

6.1 Your remuneration is based on £300.00 per week (10 hours per week for 26 weeks) being a total remuneration of £7800.00

6.2 Your remuneration will be paid to you by cheque or bank transfer to your bank or Building Society on the last day of each of the months of May, June, July, September, October and November at £1300 each month.

## **7. EXPENSES**

7.1 The Council shall reimburse you at 60p per mile for mileage incurred in the performance of Council business ("mileage expenses") provided that mileage expenses have been approved by the Council.

7.2 The Council shall reimburse you for other expenses which may include overnight accommodation, meals and fares incurred in the performance of Council business ("other expenses") provided that the other expenses have been receipted and approved by the Council.

7.3 The Council will reimburse you £10 per month in lieu of telephone usage

## **8. WORKING AT HOME – INSURANCE**

8.1 You shall notify your insurers that your home is your main place of work and that in the course of your employment members of the public may attend at your home.

8.2. You shall provide the Council with evidence that you have the correct insurance cover for the circumstances set out

## **9. HOURS OF WORK**

9.1 You are required to work 10 hours per week on average on a flexible basis over the said 26 week period.



**Signed:**

**Dated:**

\_\_\_\_\_

\_\_\_\_\_

**Name:**

\_\_\_\_\_

**Signed for and on behalf of Hale Parish Council**

**Signed:**

**Dated:**

\_\_\_\_\_

\_\_\_\_\_

**Name:** W V MCENNERNEY-WHITTLE