



Kingshurst Parish Council

c/o The Library, Marston Drive, Kingshurst, Birmingham B37 6BA

☎ 07865294345

Email kingshurstparishcouncil@gmail.com

Clerk to the Council: Paula Coyle

Minutes of the meeting of

Full Parish Council

on Thursday 14th November 2024 at 6.00pm,

at the Seeds of Hope, Overgreen Drive, Kingshurst, B37 6EY

Council Members: Cllr D Cole (chair), Cllr B Donnelly (Vice-Chair) Cllr L Cole, Cllr S Daly, Cllr M Frampton, Cllr J Edwards, Cllr M Asante, Cllr J Kimberley, Cllr L Baillie, Cllr L Browning, Cllr M Brain, Cllr S Golby.

Council Members Present: D Cole (chair), B Donnelly, L Cole, S Daly, M Frampton, M Asante, J Kimberley, Cllr L Baillie, Cllr L Browning

In Attendance: 2 Members of the public

Paula Coyle

Paula Coyle
Clerk to Kingshurst Parish Council

Minutes

<u>Item</u>		<u>Action</u>
1.	Welcome and Housekeeping: Chair Cllr. D. Cole welcomed everyone to the meeting of Kingshurst Parish Council and outlined the housekeeping rules	
2.	Apologies: Apologies were received from Cllr. Brain and Cllr. Edwards. Resolved: That the above absences are approved	
3.	Declarations of disclosable (pecuniary and other) interests: None	

4.	Dispensation requests: None	
5.	To approve the minutes of the last meeting 11th July 2024 Resolved: That minutes of the last Full Council meeting held on 11 th July 2024, were approved, and signed by the Chair as a true record.	
6.	Finance.	
6.1	Finance Report Councillor Browning updated the Full Council on finance totals for the month of September and October. Resolved: Members have received Reconciliation Report and Bank Statements for September 24 and October 24 Resolved: The payments for September 24 and October 24, have been approved.	
6.2.	<u>External Audit certificate to be noted.</u> - End of Year 2022/23. Members have received the completed, long awaited External AGAR for the fiscal year 2022/23. This report and certificate is now available online for reference. Council have met the statutory deadlines for the publication of documents on a publicly accessible website Resolved: All members have received the external audit report for 2022/23 and have confirmed that it has been published on the Parish Council's website. <hr/> The Chairman invoked <u>Standing Order 2(a)</u> regarding disorderly conduct at meetings due to inappropriate behavior exhibited by councillor JK. <i>The councillor in question was asked to refrain from further disruptive actions. Despite this, he repeatedly shouted baseless points of order over 27 times and left his seat to approach the clerk and the chairman,</i>	

	<p><i>disregarding the authority of the Chair and causing unnecessary disruption to proceedings.</i></p> <p>After repeated warnings and to maintain order, the Chairman suspended the meeting briefly under the provisions of Standing Order 2(a) to allow the situation to be addressed appropriately.</p> <p>Resolved: The meeting resumed after order was restored, with a note in the minutes recording the incident and the Chairman's actions to uphold Standing Orders.</p> <p><i>The Chair had to remind the councillor of the Code of Conduct and Standing Orders.</i></p> <p><i>To ensure future meetings proceed in an orderly manner, this incident will be reported to SMBC Monitoring officer .</i></p> <hr/>	Clerk
6.3.	<p>New Budget and Precept Meeting Date.</p> <p>A new date needs to be arranged for the Budget and Precept meeting. This is due to unforeseen costs related to a ACAS agreement and two Employment Tribunal claims raised by a Parish Councillor claiming employee status.</p> <p><u>Each claim was not upheld</u>, but these proceedings have nonetheless impacted the budget.</p> <p>Resolved: A new date for the Parish Council budget/precept meeting will be arranged with the delegated members. Unfortunately, the impact of the objection and the 3 employment tribunal cases will necessitate revisions to the draft budget fiscal year, which will be presented at the next Full Council</p> <p>“The employment tribunal cases raised are open to public discussion as the Cllrs status was confirmed by the tribunal’s judgment not to be that of an employee”.</p> <p><i>Before the clerk read the employment tribunal cases raised, the Clerk proposed that the name be withheld during discussions to prevent any potential consequences from its disclosure at this meeting.</i></p>	Clerk.

<p>6.4.</p>	<p><i>This approach was intended to ensure fairness and maintain discretion unless the member referenced in the report voluntarily chose to identify himself.</i></p> <p><i>An opportunity to respond at the conclusion of the report was explicitly offered; however, the member in question did not reveal himself, thereby forfeiting their right to provide a response.</i></p> <p><i>The full Employment Tribunal bundle is available for review by appointment. Appointments can be arranged with either the Clerk or the Chairman, the documentation will be accessible at Kingshurst Library. Public access to employment tribunal decisions Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employmenttribunal-decisions</i></p> <p>Before discussing the next item of business Chairman D.Cole reiterated the importance of:</p> <p><i>"Parish Councilors are reminded that Councillors do not have any authority as individuals. No Councillor can act alone or speak on behalf of the council without first being formally granted the authority to do so by that council."</i></p> <p>External Audit Objections: Cost Impact on Residents. To discuss the cost of the objections raised by a parish councillor during the 2022/23 external audit, <u>which were not upheld</u>, yet have resulted in a substantial bill for the parish. Additionally, objections for the 2023/24 external audit were also filed, leading to further costs and impacting the budget (24/25).</p> <p>Resolved: Members discussed the financial implications of the objections raised by a councillor during the 2022/23 external audit, which were <u>not upheld</u> but resulted in a significant cost of £5,888.</p> <p>Additionally, further objections raised for the 2023/24 external audit have incurred additional costs of £3,816.</p> <p>The cost of the objections, which were <u>not upheld</u>, has exceeded £11,000, the Employment tribunal cases have cost over £4,000, significantly contributing to the precept increase</p> <p>Regrettably, the Parish Council must pay these bills, which will impact</p>	
-------------	--	--

<p>6.5.</p> <p>6.5(a)</p> <p>6.6.</p> <p>6.6(a)</p> <p>6.6(b)</p>	<p>the budget.</p> <p>Statement Finance chairman Cllr LB</p> <p><i>“unnecessary costs. - The (RFO) and finance committee have worked diligently to respond to all enquiries promptly and professionally. As a member of the finance committee, the cllr had access to all financial information and has been part of discussions and decisions. We have repeatedly provided information and evidence to clarify these matters, and given the extensive efforts made to address the cllr concerns.</i></p> <p><i>“Members respectfully ask the councillor that any further financial enquiries be raised with the Chair and RFO,</i></p> <p>Motion Request - Regarding Members Allowances, Standing Orders 9 (a, b). The following resolution was passed on May 9th, 2024. -</p> <p>Resolution: Members agreed not to adopt the Members Allowance for the year 2023/24. Instead, members opted to adopt Councillors Expenses Policy, and chose not to implement a monthly payment allowance.</p> <p>KPC Standing Orders 7: Previous Resolutions (7a) "A resolution shall not be reversed within six months."</p> <p>Motion Request. In line with KPC Standing Orders 7 (a), A parish councillor has submitted a motion to revisit the implementation of Councillors Allowances in the form of a monthly payment.</p> <p>Resolved: Motion withdrawn.</p> <hr/> <p>Two Grant Applications for Decision</p> <p>Support Lily’s Tea Parlour in responding to the growing demand for food assistance in our community. The need for help has significantly increased - Grant application £500. Members emailed all information 02/09/24.</p> <p>Resolved: The grant application has been reviewed and approved.</p>	
---	---	--

	<p>Support for Seeds of Hope, meals for the elderly. The need for help has significantly increased - Grant application £500. <i>Members emailed all information 02/11/24.</i></p> <p>Resolved: The grant application has been reviewed and approved.</p>	
<p>7.</p>	<p>Public Participation. To adjourn to allow public participation for 15 minutes. Members of the Public are invited to speak in Public forum for a maximum of 5 minutes on any subject covered by the agenda and should give their name and subject to the Clerk before the meeting commences. Councillors will not comment on agenda items in the Public forum any items brought to Council not on the agenda may be considered for future meetings on written application to the Clerk or Chairman. Total time allocated to Public forum will not exceed 15 minutes in accordance with Standing Orders).</p> <p>Members of the public are welcome to stay for some or all of the meeting. Members of the public may not take part in the Full Council Meeting.</p>	
<p>8.</p> <p>8.1.</p> <p>8.2.</p> <p>8.3.</p>	<p>Parish Council and Committee Reports Consideration of the recommendations made by a committee.</p> <p><u>Committee minutes to be noted.</u></p> <ul style="list-style-type: none"> A. Allotment Minutes Emailed to all members 1st november. B. Environment Minutes, Emailed to members 1st November. C. Events Minutes, Emailed to all members 1st November. <p>It was noted that: Committee Minutes have been received</p> <p>Allotment Minutes Environment Minutes Events Minutes</p> <p>Cllr Frampton to discuss and highlight the recent Kingshurst Community Garden Halloween event.</p> <p><i>Cllr. Frampton provided a discussion and highlighted the recent Kingshurst Community Gardens successful Halloween event which saw a large turn out from the community.</i></p> <p>Note for Committee Members.</p>	

<p>8.4.</p> <p>8.5.</p>	<p>All committee members are encouraged to take an active role in regularly reporting issues to Kingshurst Parish Council (KPC) and the "Do it Online/Fix My Street" app, members are asked to promote this tool among residents to increase community participation in reporting local issues directly to SMBC.</p> <p>It was noted that: To promote this tool among residents to increase community participation in reporting local issues directly to SMBC.</p> <p>Clerk to give update on the shipping container hub placed at the community garden - National grid new power connection update.</p> <p>The Clerk informed the Council that discussions are ongoing with Solihull Council regarding the installation of a meter box at Endeavour House. Cllr Donnelly is actively working with Solihull Metropolitan Borough Council (SMBC) to assist in progressing the power connection for the hub.</p> <p>The Council noted the updates.</p> <p>Remembrance Sunday Service (10th November, start time 10.45am) St Barnabas church, Overgreen drive Kingshurst Parish council supports St Barnabas church on Remembrance Sunday, Councillors are requested if possible to attend this service.</p> <p>Kingshurst Parish Council expressed its support for St Barnabas Church on Remembrance Sunday. The event saw a great turnout from the community, reflecting strong local engagement.</p> <p>Cllr Donnelly represented the Parish Council at the event. A special thank you was extended to Cllr Browning for holding the standard flag during the ceremony.</p> <p>The Council formally acknowledged the community's participation and the contributions of Cllrs Donnelly, Browning, and the other Cllrs that attended</p>	
<p>9.</p>	<p>Date of the next meeting Thursday 9th January 2025, 6pm at the Seeds of Hope.</p>	

<p>10.</p>	<p>Exclusion of public and press. To consider the exclusion of the public and press from the discussion of confidential items under section 1 Public Bodies (Admission to Meetings) Act 1960</p> <p>External Audit Report 2023/24.</p> <p>Despite the completion of the audit report, a Cllr, has continued with an additional objection on 22nd October 2024.</p> <p>This action has resulted in further questions raised by the auditor.</p> <p>Response to External Audit:</p> <p>Background</p> <ul style="list-style-type: none"> • In August 2023, Cllr, raised concerns with the chairman about councillors allowance payments. • To address these concerns, he was appointed to the working party in September 2023 (minuted) tasked with reviewing councillors' allowances and resolving any discrepancies. • Despite numerous invitations for him to attend working party meetings, Cllr, has not attended any sessions. • This non attendance has delayed progress in resolving the matter, leaving the issue unresolved. <p>Evidence</p> <ul style="list-style-type: none"> • An email evidence trail and minutes are available, documenting repeated attempts to engage the Cllr in the working party discussions. <p>Despite numerous invitations for him to attend working party meetings, Cllr. has not participated in any sessions</p> <p>Instead, he continued to raise an extra Objection (Councillors allowance payments) with the external auditor in November 2023, <u>bypassing the parish council</u></p> <ul style="list-style-type: none"> • The pattern of non attendance and lack of direct engagement suggests an intentional delay in addressing these concerns. • This behavior appears to have hindered the Council's ability to resolve the matter efficiently and has the potential to undermine the Council <p><i>"It appears that these objections and patterns of non cooperation were intertwined with the Cllr. personal pursuit of three Employment Tribunal cases against the Parish Council. The monthly payments, which he raised objections about, were essential for him to claim employee status</i></p>	
------------	---	--

	<p><i>in these Employment tribunal cases. This pattern suggests an intentional strategy to validate his claims, despite prior confirmation that councillors were not employees.</i></p> <p>For clarity, the Parish Council has since discontinued any councillor allowances. In May 2024, members formally resolved not to adopt the Members Allowance for the 2024/25 fiscal year. <u>opting not to introduce a monthly payment allowance.</u></p> <p>The Members' Allowance for the 2024/25 fiscal year was not adopted, reflecting the new Parish council's proactive approach to financial governance.</p>	
11.	Meeting closed at 7:30pm	

Signed (Chair)

Date: