

BROOMFIELD PARISH COUNCIL

A meeting of Broomfield Parish Council was held on Wednesday 17th August 2016 in Broomfield Village Hall, Main Road, Broomfield at 7.30pm

Members' Present:	Chairman Councillor Blake Vice Chairs Councillors Garwood & Mercer Councillors Barnes Daden Howell Thomson Tranquada; and Matthews (from item 149a)
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Also Present:	Mrs K Hurrell (Clerk) Mrs W Martin (Deputy Clerk) Councillor Aldridge & 3 members of public
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PUBLIC QUESTION TIME: The Chairman welcome three members of public to the meeting – there were no questions.

The Chairman advised all present at the meeting that Councillor Daden would be recording the meeting and consequently he had instructed the Clerk to record the meeting too. This will be fully discussed under item 149 b).

141. Apologies for absence
Apologies were received from Councillors Hubble and Jones.

142. To receive any Declaration of Interest from Councillors
No Members declared an interest.

143. To note vacancy to be filled by co-option
The Clerk advised that Chelmsford City Council had confirmed the Parish Council can co-opt a new Councillor onto the Parish Council after the vacancy caused by Councillor Carter's resignation. There are currently three vacancies on the Council.

144. To Co-opt new Councillors – if applicable
The Chairman was pleased to advise that Selina Matthews (Editor of Broomfield Times) had agreed to stand as a Parish Councillor. Therefore the Chairman proposed and Councillor Garwood seconded that Selina be co-opted as a new Councillor – all members were in agreement.
Councillor Matthews duly signed the Declaration of Acceptance of Office when she arrived at the meeting and was provided with a Register of Members' Interest to complete.

145. To approve the minutes of Broomfield Parish Council's Meeting 15th June 2016
It was suggested a sentence be removed from minute number 63 – four members voted in favour – one against – 3 abstained – therefore it was agreed to remove this sentence.
It was suggested to remove item 67 (f) from the public minutes as a resolution to that effect should have been made due to the nature of the information provided. All members voted in favour and therefore it was agreed to remove this minute (apart from the Actions) from the public minutes.
It was suggested to remove the first sentence of minute number 70 – five members voted in favour – one against – two abstained – therefore it was agreed to remove this sentence.
With these changes, it was resolved to approve the minutes and they were duly signed by the Chairman.

146. To receive report from County Councillor Aldridge for items not on agenda (max 10 minutes)
Councillor Aldridge noted that recording of public meetings, whilst excessive for parish councils, has not caused disruption at the Essex County Council. He provided an update on the following:
Erick Avenue zebra crossing – he had met with Jon Simmons (ECC Local Highways Panel) and Sonia Church regarding design details – a meeting with Members of the Parish Council and specific concerned members of the public will be arranged shortly on site to discuss the improvements planned for the zebra crossing.
Councillor Daden has provided him with sample costings of installing signalised crossings by other County/District Councils. He has asked that these Councils be provided with the specification for the Erick Avenue crossing so that a like-by-like comparison can truly be made.
Broomfield Primary School –
He is still trying to arrange a meeting with ECC, School and the Parish Council.
Allotment site – Councillor Tranquada provided an update on the flooding issue near the allotment site – he reported that Essex County Council are replacing the drainage pipe leading from Broomfield Place Car Park to the allotment site ditch which is currently being dug out by himself and a local volunteer group.
Angel Pavilion – he reported that he had an email from the owner advising him of her plans for the venue and had provided information on the Community Initiatives Fund which she can apply for.
Village Gateway signs – Councillor Mercer requested Councillor Aldridge report that the signs have not been

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	secured properly and are at varying heights on the gateways.												
147.	To receive report from City Councillors for items not on the agenda (max 10 minutes) Councillor Knight had sent his apologies – no reports were forthcoming.												
148.	Financial Matters:												
a.	To approve Financial Reports & Bank Reconciliations for Broomfield Parish Council & Broomfield Village Hall Charity Accounts against relevant Bank Statements Councillor Barnes had verified the Financial Reports to the Bank Statements which shows the following balances as at 29 th July 2016: <table><tr><td>Broomfield PC</td><td>Current Account Balance</td><td>£ 49,372.66</td></tr><tr><td></td><td>NSB Earmarked Reserves</td><td>£183,329.54</td></tr><tr><td>Broomfield Village Hall</td><td>Current Account Balance</td><td>£ 9,481.34</td></tr><tr><td></td><td>Deposit Account Balance</td><td>£ 2,769.48</td></tr></table> Councillor Barnes duly signed the reports.	Broomfield PC	Current Account Balance	£ 49,372.66		NSB Earmarked Reserves	£183,329.54	Broomfield Village Hall	Current Account Balance	£ 9,481.34		Deposit Account Balance	£ 2,769.48
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	Deposit Account Balance	£ 2,769.48											
b.	To approve/ratify invoices/bill payments/direct debits/standing orders for payment up until date of meeting It was resolved to approve/ratify the invoices, bill payments and direct debits until 29 th July totalling £36,449.14.												
c.	To approve any virements between budgets headings (if applicable) No virements were required at present.												
d.	To approve expenditure from Earmarked Reserves It was resolved to approve the transfer to Current Account of £895 (new photo copier) and £16,728.33 (Public Works Board Loan direct debit) from the National Savings Bank Earmarked Reserve Account. It was resolved to approve the transfer from the Current Account of £6,031 (funds from 2016/17 Precept to Earmarked Reserve Funds) to the National Savings Bank Earmarked Reserve Account. All agreed.												
e.	To receive draft end of year accounts from Broomfield Village Hall Charity The draft Accounts were received from the Charity and Councillor Barnes reported that the Charity had seen approximately a £3,000 loss but had reserves in the region of £16,000. There were some slight administration alterations to be made. The Chairman signed the Accounts as Chairman of the Trustees.												
f.	To note upgrade of IT and website The Clerk provided a report to Members which reminded councillors of their decision at the last meeting to take over sole ownership and administration of the emails/website/server and for the website to be administered by the Parish Council's staff using word press. The website and emails have been placed onto a new server and full training had been provided by Ghost Enterprises at a cost of £150 plus £9.99 for a new domain name: www.broomfieldessex.co.uk - they will also provide full 24 hours back up and support. The Clerk had reported this to the Chairman of Financial and General Purposes and it was agreed that this expenditure came from the Computer/IT 2016/17 Budget. The Clerk advised that Councillors will shortly receive instructions on how to change their 'Parish Council' email addresses to Cllr***@broomfieldessex.co.uk . ACTION: J Blake to correspond with Peter Carter re reasons for decision taken at the previous meeting												
149.	Policy Matters:												
a.	Communication & Transparency – to consider a draft Set of Principles from the Chairman The Chairman had previously circulated a discussion paper to all Members proposing a draft set of principles for communication and transparency (attached at Annex A). Suggestions were forthcoming from Members including additions to follow the guidance of the Clerk; a question and answer article to regularly be printed in Broomfield Times; Press releases to be channelled through to the Clerk for approval (where possible); Each Committee to have an agenda item to discuss what items they would like the Parish Office to publicise on facebook/website. <i>Councillor Aldridge joined the meeting</i> <i>Councillor Matthews joined the meeting</i>												

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	<p>It was agreed that two Councillors/or Councillor and Parish Clerk/member of staff attend all external meetings held and that notes of meetings are included as appendices to the relevant Committee meeting's minutes where possible.</p> <p>Councillor Daden suggested information for Councillors could be placed into Dropbox to allow councillors to see documents as soon as they available rather than waiting for the next Council or Committee agenda; though it was also noted that workload issues (rather than the specific means of dissemination) were often the obstacle to early distribution of paperwork.</p> <p>In conclusion, it was agreed that this document set out the right Principles for Communication and Transparency; and that, with the changes agreed, would form a good basis for a code of practice on these issues. The Chairman agreed to re-word the document accordingly and present an amended version to the next meeting for formal approval and adoption as a formal code of practice.</p> <p>ACTION: Chairman to revise document</p>
b.	<p>Recording of Meetings – to consider policy for recording by members of the public and press; to receive advice on the recording of meetings by Councillors and consider appropriate action</p> <p>The Chairman had previously circulated a paper and a draft policy on recording & use of social media at Council Meetings advising of the new Government regulations which gives members of public and the press the right to record Parish Council meetings (audio and visually) (attached at Annex B)</p> <p>The Clerk had also circulated an advice paper (attached at Annex C). This noted that Public Question Time is not part of a Parish Council Meeting and should not be recorded; recording must cease when it has been resolved to exclude public from the meeting due to the nature of the business to be transacted; Working Parties do not have delegated powers and do not need public notice, therefore should not be recorded; minutes are not records of speeches made by Councillors but are of decisions and actions to be taken; and the Clerk's minutes are the only legal record of the Parish Council's meetings (whether it is recorded or not) until these are agreed (with amendments if agreed) at the next meeting.</p> <p>Councillor Barnes had circulated an email addressed to Councillor Daden (attached at Annex D) enquiring why she felt the need to record meetings and invited Councillor Daden to respond to the points he had raised. Cllr Daden felt she had been misunderstood and misrepresented in past minutes and she felt that minutes are too brief to be understood. She apologised for a soundcheck recording of part of a previous meeting without informing the councillors present at the time. Cllr Barnes felt that Cllr Daden had not answered his questions.</p> <p>After discussion it was agreed (6 in favour, none against) that, while the Council has no option but to conform with the new regulations), that these are a retrograde step, unlikely to improve communication, and therefore the Council objects to them. A further councillor did not object to being recorded but did object to having been recorded with notice.</p> <p>Regarding the draft policy, it was suggested that the Clerk should record meeting and that the recording be kept only until the minutes of the meeting had been agreed. Due to time, it was agreed to consider the draft policy further at the next meeting. As an interim measure, the Chairman proposed that tonight's meeting continue to be recorded by the Clerk and she will keep the current recording for internal purposes only. All Members agreed.</p> <p>ACTION: Draft Policy to be considered further at the next meeting</p>
c.	<p>Overarching Strategy Document (OSD)</p> <p>To receive regular report (Cllr Mercer)</p> <p>The latest version of the Document was circulated (attached at Annex E) and presented by Councillor Mercer. No recent changes had been made as she was awaiting feedback from the Communications Committee about comments made at the Annual Parish Meeting – Clerk to place this item on the next Communications Committee Agenda.</p> <p>ACTION: APM comments to be supplied</p>

	<p>To agree any changes to the current version of the Strategy</p> <p>It was noted that the Strategy is a working document (not a fully developed plan) and that councillors can suggest additions/deletions at every meeting.</p> <p>The following changes were suggested :</p> <ul style="list-style-type: none"> • Remove the purchase of Broomfield Football Clubhouse (no longer relevant as site has been sold) • Investigate installing a bus shelter on the north bound bus stop next to Felsted Field • Upgraded security around Broomfield Village Hall (it was reported the BVH Charity Committee are looking into this – Clerk to request a report) • Bridge over Essex Regiment Way for pedestrians/cyclists to access schools/hospital in Broomfield (this will be pursued through the Property and Planning Committee as it was raised during the consultation for the North Chelmsford Area Action Plan) <p>ACTION: RM to update OSD document to be updated as appropriate Clerk to request report from BVH Charity Clerk to place crossing over Essex Regiment Way to Property & Planning Committee</p>
	<p>To consider how best to publicise current version of the Strategy for Parishioners</p> <p>It was noted that the Document is currently written in a way that makes sense to councillors and for council meetings where a verbal commentary can be added. However, it could easily be misunderstood if shared more widely, particularly in regard to potential funding streams.</p> <p>It was agreed that it would be beneficial to be make the document accessible to a wider audience. Councillor Barnes and the Chairman meet and produce a format of the OSD that is clear and presentable to parishioners on the website/facebook/Broomfield Times and to include where the funding is coming from for each project. Also, to show the complete picture, another section to be added for items which require lobbying to other authorities but are not envisaged to need the Parish Council developer funding.</p> <p>ACTION: JB & JB to meet re presentation of OSD including funding</p>
150.	Parish Council Committees:
a.	<p>To receive updates & to receive minutes for information from the following Committees:</p> <p>Property & Planning Committee - including update on Erick Ave/Main Road Zebra Crossing Minutes were noted. The update on Erick Avenue crossing was reported under minute number 146.</p> <p>Broomfield Village Hall Charity Management Committee Minutes and report were noted.</p> <p>Civic Amenities Committee Minutes were noted. In addition, the Committee Chairman Councillor Tranquada noted that Angel Meadow forms a large part of the land that the Council can use for parishioners' recreation and we will need to consider this in the future as the Strategy develops and in the light of possible developments with Angel Pavilion. Councillor Daden was advised that a tree was not planted for the Queen's 90th birthday celebrations as trees had only recently been planted for jubilee celebrations.</p> <p>Communications Committee It was agreed that feedback from the Annual Parish Meeting be discussed at the next meeting.</p> <p>Personnel Committee Nothing to report.</p> <p>Financial & General Purposes Committee Nothing to report.</p>
b.	<p>To approve Terms of Reference for the following Committees</p> <p>Communications Committee</p>

Signed: 

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	<p>It was resolved to approve the Terms of Reference.</p> <p>In addition it was noted that the Principles for Communication paper agreed under item 149a above would have implications for the Committee's terms of reference, as ordinary committees would take more responsibility for communicating their own work via the website, social media and the Broomfield Times; and that this would need consideration in the future.</p>
151.	Parish Councillors Information:
a.	<p>To receive reports from Parish Councillors' responsibilities with respect to Village Life (<i>reports to be taken as read</i>)</p> <p>It was approved that Councillor Daden purchase banners to place on Village Greens to advertise the new term of Broomfield Teens.</p>
b.	<p>To receive reports from outside bodies/meetings/courses attended (<i>reports to be taken as read</i>)</p> <p>Councillor Thomson advised that there is a bus consultation taking place by Essex County Council – Councillor Thomson will fill in a questionnaire on behalf of the Parish Council.</p>
c.	<p>To receive information on social housing and whether Parish Council can help – Cllr Daden</p> <p>There was nothing to report on this item.</p>
152.	General Information & Correspondence:
	To receive any correspondence:
	- To note parking enforcement figures for June/July 2016 - noted
	- EALC Annual General Meeting 22.9.16 12.30 pm - Councillor Howell may be able to attend – he will advise the Clerk.
b.	To note any risk assessments undertaken:
	The Clerk reported that monthly Fire Safety & Office Risk assessments/Angel Meadow Play Area Annual Inspections had been undertaken and action was being carried out on any items highlighted.
153.	Any other business for discussion purposes only & referral to next agenda
	The meetings with Mahira Marchant (Angel Pavilion) were referred to the next agenda.
	<i>The Chairman thanked all for attending and closed the meeting at 9.55 p.m.</i>

ANNEX A

Please note this annex contains the document presented to the meeting & does not include amendments agreed at the meeting. A revised version will be circulated later.

Communication & Transparency – to consider a draft Set of Principles from the Chairman

1. Introduction

During my brief time as Chair, I have been reflecting on how we can communicate better, mainly with parishioners but also amongst ourselves. The following are my thoughts for discussion (only), on Wednesday.

These thought are not meant to be detailed or definitive at this stage, rather about principles. If you feel they are heading in the right direction, I can develop them further into a draft communications code or similar and re-submit them at the following meeting. All comments are welcome.

I have included a couple of 'transparency' issues which have been raised recently, about external meetings and press releases. I think these things are connected – real communication requires trust, and openness is one way of encouraging trust.

2. Starting Points

2.1 Parish councils exist to support the well-being of their parishes and parishioners. In particular, they have specific responsibilities defined by law which they must follow in the course of pursuing the well-being of their parish.

2.2 The various activities often referred to as 'Communication' are an important way of helping a parish council to work towards its aim of supporting the well-being of the parish. Communication with parishioners helps to plan the right direction of travel and to monitor if plans are being achieved effectively. Communication between councillors helps to ensure that a council works as a cohesive body, not as a group of semi-connected individuals. However, communication is not an end in itself and should not become a separate activity disconnected from the council's main work and focus. It is one means to achieving the overall end of well-being.

2.3 Good, effective communication cannot be measured by the volume of information shared. It cannot be 'inflicted' on people by rules or protocols. Rather it is about the quality of communication. The end point of good communication is understanding, which can in turn help to inform action. Speaking, listening, questioning and explaining are steps to achieving understanding. Communication is a two way process.

3. Communication with Parishioners

As a two way process, communication with parishioners involves both listening and speaking, the former being the most important.

Signed:..... 64 Dated:.....

3.1 How can/do we listen to parishioners?

- Parishioners raise concerns with the Parish Office week by week, either in person or by electronic messages (such as phone, e-mail, social media etc.)
- They also raise concerns with individual parish councillors
- They come to parish council and committee meetings to speak about specific issues (e.g. planning applications)
- We hold specific events and invite parishioners to come and give us their views. The Annual Meeting for Parishioners is the most obvious example but one-off events are also held when required (e.g. the Save Broomfield Open Day in January 2016)
- Questionnaires and surveys. Although very time-consuming and therefore necessarily occasional, these represent the best form of statistical information about parishioners' views, because every parishioner or household has an equal opportunity to express their view. Questionnaires can be used in conjunction with open days in order to raise issues and feedback survey results (e.g. the Parish Plan and Village Design Statement).

3.2 How can/do we speak with parishioners?

- Through articles in the Broomfield Times, published quarterly
- Through articles, bulletins and blogs on the Parish website
- Through shorter posts on social media
- Through agendas and minutes of council and committee meetings. However, minutes are formal legal records of meetings, highlighting just key facts (particularly action agreed). They therefore have limited value in publicising a full understanding of meetings in a populist way.

3.3 When speaking with parishioners, it is important that we:

- Present information in an open way, which leaves the reader able to come to more than one conclusion, unless the council/committee has already agreed a view on the matter (though even then the tone should still be positive and constructive). This can be difficult when writing about something important to us personally or in which we have invested a lot of effort or where we personally feel there is only one obvious conclusion.
- Avoid legal and professional jargon and 'local government speak' or explain it where it has to be used
- Provide context and background as necessary, rather than 'hitting' people with information that cannot be understood or digested

- Avoid statements that are illegal, abusive or defamatory or would bring the council into disrepute. To this end, information should be disseminated through the Clerk as far as possible. This is to protect individual councillors as much as the Council as a body.

4. Internal Communication between members/staff of the Council

Communication within the Council is also a two way process and needs to be conducted in a way that shows tolerance and respect to other councillors/staff, emphasises listening as much as speaking and provides clear context for information given.

While information can be **transmitted** in any circumstances, real communication (i.e. genuine sharing, listening and understanding) cannot be achieved by regulation. It will only exist where there is trust and a shared sense of purpose that is strong enough to survive disagreements about particular matters.

4.1 How can trust and a shared sense of purpose be maintained?

In meetings, they can be maintained by:

- Listening to each other with respect, bearing in mind that no one is right all the time and that everyone has insights to offer
- The chair of the meeting ensuring that all councillors have a chance to speak, especially when significant decisions are taken.

At all times (in and out of meetings), it is necessary to have a clear understanding of how a council operates as a body, not just a meeting of individuals. Councillors should be able to demonstrate when they are acting as councillors and when as individual citizens. This can be supported by:

- Councillors keeping their personal and council e-mail and social media accounts separate and distinct
- Wherever possible, making any press statements through the parish office. If this is not possible (e.g. due to the urgency of making a statement), the text should be sent to the Clerk as soon as possible afterwards and circulated to other councillors
- When attending external meetings, doing so with at least one other councillor. If this is not possible (e.g. due to the urgency of the meeting or difficulty of finding a companion), a summary should be sent to the Clerk as soon as possible afterwards and circulated to other councillors or committee members (as appropriate)

4.2 What information should be communicated?

4.2.1 There will often be an element of judgement here, but the principle should be that councillors receive all information necessary for them to make fully-informed decisions about their responsibilities. Some information should never be shared generally, for instance details about individual staff matters.

4.2.2 Where decisions are reserved to the full Council, necessary information should be received by all councillors; where powers have been delegated to committees, it should be received by those on the relevant committee. However, committee agendas and minutes should be sent to all councillors, as all have the right to attend committee meetings. In addition to presenting their minutes to the following full council meeting, committees should answer any questions or provide clarification for other councillors. From time to time, committees should give a fuller presentation to the full Council, so that other councillors can maintain an overview of the committee's work.

5. How can our committee structures be better used to improve communication with parishioners?

5.1 Since becoming chair of the council, I have attended both meetings of the communications committee and reflected on these matters more widely. My sense is that there is some disconnect between the work of the general committees (planning and property, civic amenities, village hall, finance and general purposes) and the more specialist communications function. As a result, there has been some confusion about who was supposed to take responsibility for the last AGM; and a lack for information coming through from general committees about their activities to go on the website and social media.

5.2 I can see benefits in a system that better integrates communication at the heart of the work of committees, along the following lines:

- Each general committee designates someone as their communications co-ordinator
- This person is responsible for producing short updates/articles/posts etc. from time to time, agreeing them with other committee members and sending them to the Clerk (for website/social media) or Editor of the Broomfield Times (print articles/notices); also for preparing the committee's contribution to the AGM.
- Each Committee could decide how much or little to make of this – depending on how much publicity they want to achieve. As a general rule, I think each committee should aim to produce a short update after each of their meetings (a kind of user-friendly version of the minutes for the public)
- The Clerk would no longer need to come up with all the updates/articles/posts etc. herself and could concentrate on checking that material supplied was appropriate for publication.

5.3 The arrangements for producing the Broomfield Times seem to be working well. I think it might be useful though to add a final sign-off stage (broad content only, not

detail of text) by the full Council or F&GP Committee – depending on how meeting dates fit with publishing schedules (further thought needed here). This would prevent the need for the Clerk or Chair to have to adjudicate in any last minute disputes.

ANNEX B

Recording of Meetings – to consider policy for recording by members of the public and press; to receive advice on the recording of meetings by councillors and consider appropriate action

Background and Thoughts from the Chairman

New government regulations give members of the public and the press the right to record parish council meetings (audio and visually). The regulations are called 'Open and accountable local government; a guide for the press and public on attending and reporting meetings of local government' August 2014. Sections 1 and 4 apply to parish councils. Here is the link to the explanatory circular:

<https://www.gov.uk/government/publications/open-and-accountable-local-government-plain-english-guide>

I'm not aware of any members of the public or press have wanted to record our meetings in the past, though of course it is good when parishioners do attend. Though it is usually a sign of a problem (no news is normally good news!), it is always good to have a conversation with our residents to find out what their concerns are and how we can help.

Regarding recording, we need a policy, though I think this section can be brief as we don't have any decision to make really! Eventually it would include more detail, e.g. how any area of the hall might be provided where any members of the public who don't want to be filmed, but I don't think that is an urgent matter.

Please note the right to record only relates to meetings of the Council and its Committees (possibly working groups too – a slightly grey area). It does not include the normal 10 minutes public question time slot before the meeting, as the meeting has not started at this point, or 'Part 2' Confidential items. Also the regulations about minutes are not affected.

I have drafted a short policy which I attach as Annex A (first section) of this note. If you are happy with it, I suggest we adopt this section at Wednesday night's meeting.

Recording by Councillors

The arguably more controversial aspect of these regulations is that they also apparently apply to councillors. There has been some confusion about this and there is a variety of practice in our area. We have also received rather conflicting advice but Karen has done a sterling job in getting through this and has obtained the attached advice from NALC. This seems to settle the matter.

Signed:..... 68 Dated:.....

I also found it helpful to look at the actual regulations (as opposed to the circular), which you can see at:

<http://www.legislation.gov.uk/ukdsi/2014/9780111113554/regulation/3> .

Para. 3.3. refers to 'any person attending'. According to the advice we have received, this means not just those 'in attendance' (i.e. non-councillors) but anyone at the meeting.

The new regulations overrule the provisions of the Data Protection Act, which would normally require anyone wishing to record a meeting to declare their purpose and secure the consent of everyone present. Also, while the Council can request people recording to report in full and not use selective quotes, it is entirely up to them how they use the material they have recorded. To put it crudely, a councillor making a well-intentioned but rather woolly comment at a PC meeting might find themselves quoted out of context in social media the next morning and going viral! Normally, of course, we associate this kind of reception with government ministers and MPs, but it now it applies to us as well. In my brief spell as Chair, I have tried to make business brisk but as interesting as possible, with a good helping of humour. Clearly, we need to be very careful how we express ourselves in future.

Personally, I have grave reservations about this policy for the following reasons:

1. Parish councils don't have departments of officers to advise them and normally don't have the party political machinery that would enable a party line to be agreed outside of meetings. We tend to think aloud at meetings – we (or I anyway!) often say things that are a bit stupid or misguided in the course of thinking aloud, but other councillors help us to see this and mostly we get there in the end! I think this kind of thinking aloud and open honest debate will be more problematic with recording, particularly for new or less confident councillors.
2. Although the status, role and arrangements for agreeing minutes remains unchanged, I'm concerned that people's expectations about minutes will be changed and expanded by the new regulations.
3. We need to guard against thinking that recording and broadcasting meetings (if we chose to do that) would automatically engage the public. Sadly, I think listening to parish council meetings (whether in person or remotely) will always remain a minority sport!

I have included at Annex A what I think a section on the Recording Meetings by Persons Other than the Public/Press might look like, though it needs further work and discussion. Please be aware that it cannot prohibit anyone from recording/filming; and that Cllr Daden has indicated that she will do this on Wednesday.

I think the key things to decide are:

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Dated:.....

- Should the Clerk be asked to record the meeting on behalf of the Council? I feel that if any individual is recording a meeting, the Clerk should also do so (if not, I would want to take a recording myself for my own protection)
- If so, how long should such a recording be kept? I suggest at least a year – 6 years is a figures that is referred to a lot in regulations
- And, should the recording the available for people to hear – e.g. on demand, or on the Parish Council's website.

My view, for what it's worth, is there's no point in protesting at this stage. We can't change the regulations and our critics would have the pleasure of saying 'Typical parish council. Proves they've got something to hide!' Rather, I suggest we record meetings (and possibly broadcast them too) for a period of 6 months and then evaluate the effects. If the effects have been positive, all well and good; if not, we can make a reasoned case for objecting and seeking to limit the damage as much possible for our own council in the future.

Finally, I assume Cllr Daden is intending to record Wednesday's meeting from the beginning. I will therefore ask the Clerk to record the meeting from the beginning, but of course this recording will be deleted if that is the decision when we get to this item (9b).

John Blake

BROOMFIELD PARISH COUNCIL RECORDING & USE OF SOCIAL MEDIA AT COUNCIL MEETINGS

The right to record, film and to broadcast meetings of the Council and its Committees is established under the Openness of Local Government Regulations 2014. This is in addition to the rights of the press and public to attend such meetings.

For the purpose of this policy the term 'record' means any form of audio, visual or electronic recording (including social media). Such recording is permitted under the lawful direction of the Council meeting.

The Council welcomes parishioners and other members of the public and press at its meetings. It seeks to maintain and develop a genuine conversation with all its electors through a variety of media. It supports the principles of openness and transparency in its decision making. It supports the video or audio recording by the public and press of meetings that are open to the public, for either live or subsequent broadcast.

While those attending the meeting are deemed to have consented to the recording and broadcasting of meetings, the Parish Council recognises that some members of the public attending their meetings may not wish to be recorded and their rights under the Data Protection Act and the Human Rights Act must be respected. It will be the responsibility of the individual who is making the recording to ensure that they have received permission from members of the public present, or their guardians.

The right to film or record is limited to the duration of the meeting. Recording must not start until the meeting is called to order and must cease when the Chairman closes the meeting. Public Question Time is not part of the formal meeting and recorders should take advice on their rights under the Data Protection Act and other legislation to make any recording during that period.

Signed:..... 70 Dated:.....

The Parish Council ask those recording proceedings not to edit the film or recording in a way that could lead to misinterpretation of the proceedings. The person making the recording will remain responsible for any subsequent use or misuse to which the material is put.

The Parish Council is not responsible for any views expressed by the public at meetings and the public should be aware that the opinion of an individual Councillor may not represent the views of the Council and cannot be used to bind the Council.

Recording Meetings by Persons Other than the Public/Press

Persons other than the Public and Press have the same rights to record meetings.

Again, the Parish Council ask those recording proceedings not to edit the film or recording in a way that could lead to misinterpretation of the proceedings. The person making the recording will remain responsible for any subsequent use or misuse to which the material is put.

**An official audio record of all meetings where these rights apply (which does not include Part 2 Confidential items) will be made by the Clerk on behalf of the Council and will be retained for a period of (1,2,3..6 years. *)*

**An audio copy of the record will normally be made available (on request* on the Council's website*) for a period of (1 .. 6 months* until the following meeting*). The Council reserves the right not to make this available in certain circumstances (e.g. failure of recording equipment, where any legal proceedings have arisen from the meeting).*

This policy will be reviewed approximately 6 months after adoption i.e. around 17th February 2017 in the light of factors such as:

- *Workload on office staff*
- *Effectiveness in encouraging public attendance at meetings and communication between the Council and parishioners at other times*
- *Quality of recording*
- *Cost of dealing with any technical issues identified.*

Section in italics requires particular discussion, especially where indicated *
17th August 2016

ANNEX C

Information received from EALC /NALC - Recording of meetings/Minutes

Recording of meetings:

Councillors have the same rights and obligations as a Member of the Public to record meetings but should note:

- All Parish Council including Committee Meetings are public meetings and therefore can be recorded
- Public Question Time is not part of a Parish Council Meeting and therefore cannot be recorded
- Anybody wishing to record a meeting must advise the Clerk and/or the meeting of his/her intention
- No Councillors can refuse to be recorded
- Recording must cease when it has been resolved to exclude public from the meeting due to the nature of business to be transacted or for other special reason for a specific agenda item – recording can resume after discussion of this item has been completed.
- Working Party Groups do not have delegated powers & do not need public notice & are generally not held in public & as they are not official Council Meetings and therefore cannot be recorded

(See exert from NALC Legal Topic Note 5 below)

Recording of minutes:

- Minutes are not records of speeches made by Councillors but are of decisions made and actions to be taken
- Minutes are the Clerk's minutes until such time as they are approved by the majority of the Council/Committee and approved to be signed
- Minutes of a meeting are the only legal recording of the Parish Council's meetings
- The Parish Council can approve a policy to publish recordings/filming onto a website if it so wishes – but the written minutes remain the only legal recording

Rights of Public and Press

1. *The press are entitled, on payment, to copies of the agenda and necessary supporting papers for a meeting (s.1 (4) (b) of the 1960 Act). They must be given reasonable facilities for reporting at a meeting (e.g. sufficient space, a table and a chair) and (unless the meeting place does not belong to the council or has no telephone) for telephoning their report at their own expense.*
2. *In England only, the Openness of Local Government Bodies Regulations 2014 ("the 2014 Regulations"), amended s.1 of the 1960 Act with effect from 6 August 2014. Subject to the exceptions explained in paragraphs 4 and 6 below or if the meeting has resolved to exclude the public, the 1960 Act permits any person (including the press) who attends a council (or committee) meeting to report on the proceedings of the meeting. The new provisions of the 1960 Act*

address the existence of different means of reporting which include the use of social media. "Reporting" is defined in s. 1(9) of the 1960 Act to include:

- filming, photographing or making an audio recording of proceedings at a meeting (e.g. using a mobile phone, tablet such as an iPad, filming for a TV broadcast, recording for a radio broadcast);
- using any other means for enabling people not present at a meeting to see or hear proceedings as they take place or later (e.g. live streaming);
- written reporting or commentary on the proceedings during or after a meeting or oral reporting or commentary after the meeting. Examples of written reporting or commentary include, blogging, posting comments on Facebook or tweeting.

3. The Department for Communities and Local Government has published a guide for the public (including the press) about the new provisions of the 1960 Act. This can be accessed via <https://www.gov.uk/government/publications/open-and-accountable-local-government-plain-english-guide>. Part 1 of the guide confirms that the new statutory powers of a person to report on the proceedings of a meeting are not without some boundaries. Some of the issues highlighted in the Government's guide are not directly related to the provisions of the 1960 Act. These are explained below.
4. S.1 (4A) of the 1960 Act confirms that a person present at the meeting does not have a right to give an oral report or commentary during a meeting e.g. a journalist present at and filming the meeting or a local resident blogger at the meeting could not provide a running verbal commentary. This is because such oral commentary could be disruptive to the meeting. Oral commentary or reporting of a council (or committee) meeting by a person present at the meeting can be provided after the meeting. A person will need to ensure that his oral or written reporting of a meeting does not give rise to a libel claim. For more information see Legal Topic Note 30 - Defamation.
5. As explained in paragraph 34 above, the right to 'report' on a meeting as defined in s.1(9) of the 1960 Act is limited to reporting on the **proceedings** of a meeting, which includes a reference to people who simply attend the meeting and those who participate in the meeting. Whilst the 1960 Act does not prohibit the filming, recording, photographing or other reporting of anyone in attendance of the meeting (unless it is in private session or the circumstances in paragraphs 36 or 38 apply), there is an expectation that any reporting will focus on the proceedings of a meeting and those who participate in it, rather than those who are simply attending. Those who participate in a meeting include councillors, members of the public who are permitted to speak during the meeting, those invited by councillors to speak at a meeting and officers.

6. *The guidance prepared by the DCLG (see paragraph 35 above) suggests that councils may wish to have a policy in place in respect of the filming, recording, photographing or other reporting of (i) persons who object to the same and (ii) children and vulnerable adults. NALC's primary position is that those who attend public meetings should expect to be filmed, recorded, photographed or otherwise reported about. However, councils may wish to consider adopting a policy which allows the filming, recording, photographing or other reporting of children and the vulnerable only with the consent of a responsible adult, which in the case of a vulnerable adult is a medical professional, his carer or legal guardian and, in the case of a child, is his parent, legal guardian or teacher. At the start of a meeting, it is recommended that the chairman reminds those who wish to film, record, photograph or otherwise report on the proceedings of a meeting about the restrictions which apply in respect of a vulnerable adult or child.*
7. *At the start of a meeting, it is recommended that the chairman reminds everyone in attendance and who will be participating on the meeting that, subject to paragraphs 36 and 38 above, they may be filmed, recorded, photographed or otherwise reported about. A council should designate a separate area in the meeting venue to accommodate (i) members of the public who are present at the meeting and do not wish to participate in the meeting but who object to being filmed, recorded, photographed or otherwise reported about and (ii) children and vulnerable adults where the relevant responsible adult has not given consent for them to be filmed, recorded, photographed or otherwise reported about. The chairman of a meeting should remind those who wish to film, record, photograph or otherwise report on the proceedings to avoid those who are sitting in a separate area. Even where individuals sit in a designated area they should be reminded that those filming or taking photographs may wish to record the entirety of the public in a "panning" or panoramic shot which could, inevitably, include members of the public sitting in any designated area. Councils may take the view that such shots are unobjectionable as long as they do not zoom in or focus on those where consent has not been given. If a meeting includes a public participation session then, subject to paragraphs 36 and 38 above, a person is free to film, record, photograph or otherwise report about individuals participating in such a session whether they are sitting in a designated section or not.*
8. *A council's standing orders can be relied on to control behaviour or activities arising from a person's filming, recording, photographing or other reporting of the proceedings of a meeting if this disrupts the meeting or obstructs the transaction of business. See paragraphs 48 to 50 below.*

9. *A person's filming, recording, photographing or other reporting of a meeting is likely to include the personal data of individuals. That person must take care to ensure that personal data is used in accordance with the Data Protection Act 1998 (see Legal Topic Note 38 – Data Protection).*
10. *A council in England cannot have standing orders which undermine or restrict a person's statutory rights to film, record, photograph or otherwise report on the proceedings of a meeting. Additional information about the impact of the 2014 Regulations on the standing orders of a council is available in a Legal Briefing issued in August 2014."*

ANNEX D

Wendy

I understand that the taping of meetings is something you wish to do.

I have a great number of questions and in fairness I would like to give you an opportunity to prepare your answers in advance of our meeting.

I no particular order my questions are as follows:

If we are to do this can I ask if you would like me to address you in the future as Councillor Daden or Wendy?

The regulations as I have read them gives right record to a member of the public. Are you as an elected councillor "a member of the public"

I accept that you may be legally entitled to do this but I would like to ask you why you wish to. After all as a freeman of the city of London I am legally entitled to drive sheep across London Bridge but I don't do it very often.

Can you please explain why we should not view your wish to do this as a lack of respect for your fellow councillors who like you are all giving up their time as volunteers?

Do you think there is a risk that recorded meetings will put off some potential new councillors?

Can you explain to us whether you think this action will enhance the quality and range of debate or will it restrict or hamper councillors confidence to comment?

Will it restrict humour and banter? If so is that a good or bad thing.

What do you intend to do with the recordings?

If we have to do this would it not be better that the clerk is responsible for this and she keeps the recordings.

How do we manage confidential matters do you want to record these?

Can you explain how my human rights are protected, will you be free to publish something I have said without reference to me first? If so how do I ensure that you are not publishing something that I consider you are unfairly editing or you using out of its full context?

Will you incur the full cost of equipment and consumables or do you expect to make claims for costs against the council?

If we are to do this then can we dispense with minutes?

If any of us wish to speak should we start by introducing ourselves?

I think that we should listen to test recordings to ensure that all corners of the room

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and therefore all councillors and be clearly picked up.

What is the legal position regarding making the recordings public?

I was not aware that you recorded the last meeting. I realise that you could legally do that without our knowledge but I would like to have it minuted that in my opinion your action was very disrespectful of your colleagues. The guidelines do recommend that notice of recording be given.

Are you suggesting that you do not trust the clerk to take the minutes accurately?

In the short time that we have both been councillors we have shared humour, asides and private conversations between us. May be we should not but either way I regret that must now stop.

I would like to hear your response to all of these points on Wednesday.

John Barnes

Councillor

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Annex E

Please note this annex contains the document presented to the meeting & does not include amendments agreed at the meeting. A revised version will be circulated later.

Broomfield Parish Council – Overarching Strategy Document for Improving the Parish at April 2016

Section 1: Sports and 'Formal' Leisure Activities (i.e. those requiring equipment or groundworks)		
Activity	Possible Location	Update on progress
Move the kickwall to a tarmac/grass matted area (BVHC Strategy Report for 2016 – 'Report')	DS Field – exact location TBC	Est. cost (as per Report) £1.5k
Resurface car park (Report)	Village Hall car park	Est. cost (as per Report) £20k (include £1.5k from Earmarked reserve for car park maintenance)
Potential purchase of current BFC clubhouse site and possibly other benefits, depending on negotiation	Angel Meadow and surrounding area	Est. cost (as per correspondence with BFC) £30k VOA valuation of clubhouse site: £12k
Cycle/walking track with seating and picnic tables (BVHC Business Plan April 2015/ Report 2016, accompanying plan)	DS Field	Est. cost (as per Report and 2015 Business Plan): £92k (i.e. total estimated cost of £150k less potential funding from external bodies, estimated at £58k)
Section 2: Purchase of land for informal 'open space', to promote public access and protect from development		
Location/Land	Purpose/Aim	Update on Progress
Night Pasture & Broom Pightle	Protect meadowland adjacent to Church Green Conservation Area; improve meadowland as a wildlife area with full public access; create seating and small picnic area in area next to Church Green; re-establish village pond.	Prudent to defer action at this stage, as recent Chelmsford Call for potential development Sites suggests this location is not currently being promoted – defer until after agreement of Chelmsford Local Plan or Broomfield Neighbourhood Plan. External funding can be sought – extent of support from BPC funds unclear at this stage. Writtle College willing to advise.
Felsted Field	Enhance visual impact of this strategic gap by tidying up and lowering bank on Main Road (as per VDS) – also to reduce movement of bank onto pavement. Longer term: secure field as 'Green Belt' and protect countryside and rural aspect between Chelmsford and Broomfield settlement areas.	Allow £2k at this stage. Persimmon plans for housing and pumping station seem to be on hold, so suggest direct approach to landowner for this short term action. Address this through negotiations with Persimmon and the Neighbourhood Plan. At this stage, seems unlikely to require BPC funding.
Anglo-Saxon Burial site adjacent	Create open space with public	Commit £2.5k in Earmarked

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to (east of) Day's Garage	access. Mark the significance of the site (e.g. monument and/or heritage information board)	Reserve for History and Heritage. Aim to meet all other costs from developer funding.
Section 3: Improving the Village Environment (excluding sport/formal leisure facilities in Section1)		
Location/Project	Details	Update on Progress
Village Gateways on Main Road on northern and southern parish boundaries. Incorporating separate item on 'Land outside Auberry Close'.	As per Parish Plan and VDS, gateways are needed to reduce traffic speed/increase driver care; also enhance sense of place.	Southern gateways now in place. Allocate £2k for raised beds and planting around gateways to enhance effect.
Angel Green	Enhance area with seating/planting etc	Wait until junction improvement works have been undertaken as part of the Broomfield Place development. Allocate funding from development income from Broomfield Place development.
Church Green	CCC Conservation Officer has drawn up plans for improvements to roadways, seating etc.	Need to contact conservation officer to check current status of plans and get provisional costs. Suggest BPC contribution of £10k but other funding streams would need to be identified.
Various locations	Create heritage information boards to increase sense of community, awareness of historic buildings	Use £2.5k in Earmarked Reserve for History and Heritage if this has not been required for Anglo-Saxon Burial site (see above).
Cycle path network (as per Annex 2 of Village Design Statement)	See map in Annex 2 of VDS – broadly 2 cycle paths one to east and one to west of village.	West cycle path is in theory being funded through ECC City Centre/Great Waltham cycle route (assuming it happens), though some BPC funding may be useful to influence design issues. East cycle path is currently unfunded.
Vellacotts Open Space Area (JW JB)	Enhance area	At present this area is maintained by CCC. In practice, it is already open space with public access. Not a priority.

