



## FULL PARISH COUNCIL MEETING

03 May 2021 - 7.30pm

### MINUTES

#### Present:

**Councillors:** Cllr. Ashton (Chair), Cllr. Murphy, Cllr. Hall, Cllr. Ward

**Clerk and RFO:** Mr S Baxter

**Members of the public (MOP):** Two

Meeting commenced at 7.30pm

### AGENDA ITEMS FOR DISCUSSION AND DECISION

#### 1. Welcome to all Councillors and any members of the public sitting in observation

The Chair welcomed all and checked all Councillors were able to see, hear and be heard as the meeting was held via a digital format.

#### 2. Members of the public (MOP) participation - this will be limited to 10 minutes and each member of the public will have a maximum time of three minutes. This is at the discretion of the Chair.

A MOP asked about three things:

i) *What the Council were doing in regard to the Windfarm grants available?*

The Clerk confirmed that this would be detailed further in an agenda point later in the meeting.

ii) *Could the Council encourage any mains gas being brought into the village?*

The Clerk confirmed that while the Council could ask various providers if they would consider the connection, the Council do not have any statutory powers to enforce this.

The Chair did confirm that there was a major gas line going near the village but this was unfortunately for larger areas near the village, not for the village.

iii) *Could the Council encourage the water companies to have the village connected to mains sewers?*

The Clerk confirmed that while the Council could ask various providers if they would consider the connection, the Council do not have any statutory powers to enforce this.

#### 3. Motion to exclude members of press and public from participation - but can observe

- *Motion to agree the motion was proposed, seconded and agreed unanimously. Motion carried.*



For the following agenda points members of the public can observe the meeting but cannot take part in any discussion or debate. Any persons not Councillors or the Clerk will be muted on Zoom.

#### 4. Apologies for absence from Councillors

There was an apology given to the Chair from Cllr Westin who unfortunately had taken ill. The reason for the absence was accepted by the Council and duly noted.

#### 5. Declarations of interest – for the Council to note including dispensations presented to the Clerk

The Clerk stated that he had not received any declarations of interest that was part of the agenda for the meeting.

Cllr Hall stated that he had a non-pecuniary interest in the planning application as the applicants were neighbours of his. He stated he had no financial interest in the application.

#### 6. Minutes of the last Full Meeting (03 April 2021) – to confirm that the minutes are accurate

The Clerk had previously sent a copy of the minutes to the Councillors.

- *Motion to agree the minutes of the Full Parish Meeting on the 03 April 2021 as a true and accurate was proposed, seconded and agreed unanimously. Motion carried.*

#### 7. Minutes of the Extraordinary Meeting of the Council (19 April 2021) – to confirm that the minutes are accurate

The Clerk had previously sent a copy of the minutes to the Councillors. He confirmed that as he meeting was a closed meeting, there were official minutes for publication as well as confidential minutes detailing the discussion but unless the Council and Staff member agreed, they would not be publicised.

- *Motion to agree the minutes of the Extraordinary Meeting on the 19 April 2021 as a true and accurate was proposed, seconded and agreed unanimously. Motion carried.*

#### 8. Issue on Spaldington Road – update from the Clerk

The Clerk stated that the he had received a reply from the Highways Team at ERYC. They stated the following:

*“All signage should be correct and in place now. Our works were completed 18th February which included adding a new post, new Give Way, new horse and rider sign and a not suitable for HGVs at the Water Tower end. The Traffic and Parking team are going to be in touch with you regarding your enquiry to make Spaldington Road a weight limited road...”.*

The Chair stated he agreed with the Clerk’s approach in that a continual dialogue with the Highways Team to ensure the various issues highlighted was constantly being reviewed.

**Actions: Clerk to continue to chase the ERYC Highways Team and to update Councillors at next meeting**



## 9. Off-road use of Featherbed Lane – update from the Clerk

The Clerk stated that he had received an update from the Public Rights of Way Team at ERYC. They had arranged a meeting with the Police to review what can be done but unfortunately the meeting had to be rearranged for the first week in May.

The Council discussed the issue and stated that while there did seem to be an increase in the Police presence which possibly did help to minimise the anti-social behaviour, some people were still able to use the motorbikes as they could get under the barriers. The Council did appreciate that as it was a bridal way the access way could not be completely blocked.

**Actions: Clerk to continue to chase the PRoW Team at ERYC and to update Councillors at next meeting**

## 10. Use of road near the water tower by HGVs – to discuss the accumulation of litter

The Clerk stated that he had a reply from the main contact at the Highways Team who stated that:

*“...I have also discussed the HGV's parking close to the junction in the layby, both Traffic and Parking and Highways are going to investigate this and look into options of how we can address this.*

*In terms of the increase in litter, there is a litter bin at the location but I will ask the Parish Liaison team if it would be possible to place a 'no littering' sign in the area to try and prevent this...”*

The Council stated the problem of HGVs parkin there was still happening and that the Chair had seen three vehicles with European licence plates parked there as of today.

The Council discussed the issue was now resulting large potholes being created – this problem was in addition to the safety issue the parking was causing.

The Chair did want to congratulate some members of the community who had been seen litter picking and clearing the area.

**Actions: The Clerk to continually chase the Highways Team at ERYC to for an update.**

## 11. Financial update from the Clerk – including bank reconciliations

The Clerk had previously sent the full financial update and bank reconciliations to the Councillors for their perusal – he confirmed this was in effect the end of the financial year figures for the Council.

He confirmed that his forecasting had been as intended and although was always a bit cautious it was shown to be accurate. The end of year showed that the financial resources had gone from a deficit at the start of the year of £5,124.78 but ended up with a surplus of £603.66. While there was some expenditure not incurred because of the pandemic issues, it was also because careful Council management.

The Clerk stated as at the 31 March 2021 there was £6,730.98 in the bank accounts which while it includes the £5,500 set aside for the External Auditor investigation costs, it still showed that there was the starting of a reserve for the Council as is best practice.



The Clerk also stated that in April the Council had received £220 in a VAT rebate as well as the donation from Cllr Murphy and SALCO to support the defib leasing for the village.

The Chair and the Council agreed that the financial position was greatly improved by the very careful management of the finance and the position at the end of the year was in a far more secure position than at the start of the year.

- *Motion to agree the financial update presented by the Clerk was proposed, seconded and unanimously agreed. Motion carried.*

## 12. General expenditure for approval

The Clerk had previously sent all the expenditure detail to the Councillors for their perusal.

- Salary and Expenses of Clerk – amount withheld due to confidentiality
- Peninsula Insurance direct debits for February 2021 - £138.62 / month
- Internal Audit Yorkshire Ltd - £300. \*

*\* Please note this was declared as part of the update of the agenda point detailing the Internal Audit Report*

- *Motion to agree the all the general expenditure schedule presented by the Clerk was proposed, seconded and unanimously agreed. Motion carried.*

**Actions:** The Clerk to send the payment of the expenditures through the online expenditure process at the Unity Trust Bank.

## 19. Banking transfer of the Parish Council

The Clerk stated that because of an accounting error, the transfer of the funds left in the HSBC account had not been actioned as requested. Thus, the Council would need to attempt to transfer the funds again through a cheque payment from HSBC account to the UNITY TRUST BANK.

- *Motion to agree the transfer of the funds from the HSBC Bank to the UNITY TRUST BANK was proposed, seconded and unanimously agreed. Motion carried.*

**Actions:** The Clerk to arrange the cheque payment from the HSBC Bank at the Unity Trust Bank.

## 20. Planning Applications for discussion and decision of support

Planning Application: 21/00828/PLF Columbine Cottage, Main Street, Spaldington.

The Clerk confirmed Cllr Hall had declared a non-pecuniary interest due the fact the applicant was a neighbour.



The Chair opened the discussion and stated that as far as he was aware the building was a side extension which was replacing a car port. The Council continued the discussion that it would be mostly out of sight of the road and that it was in keeping of the houses and properties near the house.

The Council felt that it as it was acceptable for the area, they would happily support the application.

- *Motion to agree the stance that the Council will SUPPORT the application was proposed, seconded and unanimously agreed. Motion carried.*

**Actions:** The Clerk to update the ERYC Planning Portal.

## 21. Correspondence to discuss

The Clerk went through the various pieces of urgent and important correspondence received from third parties. This included various communication from ERYC on the covid-19 restrictions as well as some update of consultations the ERYC.

The Clerk stated that there had been some communication from ERYC on the PRoW and highways issues (as detailed earlier). There was also communication from the Internal Auditor as well as a request from a member of the community about the report I sent to the External Auditor.

## 22. Telephone Box maintenance – update from Cllr Murphy

Cllr Murphy had confirmed that the telephone box was looking good but that it wouldn't be glazed until the phone box was sited. He was hoping that the siting would take place by the end of May but it may depend on personal commitments as well as getting the work done properly.

The Chair thanked Cllr Murphy again for his work on the phone box and appreciated that while it was hoped end of May was a good target, Cllr Murphy should not be beholden by it.

**Actions:** The Clerk to ensure that the issue is on the agenda and for it to be discussed at the next meeting.

## 23. Newsletter for Parishioners

The Clerk confirmed that the newsletter had been updated and sent to all Councillors – the newsletters had subsequently been distributed to the Community.

The Chair stated that he had received thanks from members of the community for the work and it was a worthwhile venture to ensure all the Community know what the Council are undertaking and achieving.

It was agreed that the next newsletter would be published in mid-summer – possibly around the end of July.

## 24. Update on the External Auditor investigation

The Clerk stated that unfortunately there had been no update from the External Auditor but that he would continue to be contact with them to gauge a timeframe of the conclusion of the investigation.





The Clerk did state that he had received a request from the complainant (that had made various objections to the External Auditor) for the Council to provide a copy of the response the Council had made. The clerk continued that he had written back and refused the request as he felt it was not appropriate to provide a copy of the report until such time the investigation by the External Auditor had concluded. This was to ensure that they had the appropriate timeframe and opportunity to digest the detail provided by the Council without any influence from 3<sup>rd</sup> parties.

The Council agreed that the position taken by the Clerk was very the right decision and followed good professional best practices.

## **25. Records of the Council and Trial Bundle of the Employment Tribunal**

The Clerk confirmed that some of the tribunal details had been passed to the Councillors for their perusal but that currently it would have remain confidential.

The Council and Clerk agreed that as long as it did not put the Council in any precarious legal jeopardy, the intention was to disclose as much as possible to the Community as it was their money that funded the result of the employment tribunal conclusion as well as the resultant external auditor investigation.

The Clerk stated that he hoped that the overview would be available in the summer.

## **26. Internal Audit - recommendation from Clerk**

The Clerk stated the Internal Auditor had sent the full internal audit report following a very comprehensive audit review.

The main points from the IA report was the following:

- The Clerk and the Council were rebuilding the reputation of the Parish Council and through their actions were bring in a sense of professionalism in the way the Council operated
- The new policies that had been introduced helped to introduce better procedures
- There had been some VAT errors in the accounting report - this was the minor over estimation of some invoices of the VAT claimable as well as two invoices that contained VAT but not recorded as such
- The Council needed to introduce a risk assessment approach across the Council operations
- The Council needed to ensure that the financial activities of the Council was better publicised
- The Council needs to review a few financial procedures to ensure that they met the NALC guidelines

The Clerks stated that it was a very thorough audit review and that the Community could be assured that the procedures introduced by the current administration and the Clerk was not only bringing in transparency but also proper professionalism.

The Chair wished to stated that there was an error in the report in regard to the timeframe when he was acting Clerk and RFO - the clerk agreed but stated that the Chair should in no way feel that any criticism was targeted at him as he undertook a hard role during a difficult time and had undertaken the work in good faith and integrity.



The Council discussed the report and agreed that while there was some work to do to meet the recommendations of the IA, it was felt that it was good that the work that had been done was recognised.

- ***Motion to accept the report from the Internal Auditor and act on the recommendations was proposed, seconded and unanimously agreed. Motion carried.***

**Actions:** The Clerk to ensure the IA report is published on the website and to start work on meeting the recommendations of the report.

## 27. AGAR Reports and Documents – to be discussed by the Council and agreed

The AGAR documents were previously sent to the Councillors for their perusal. Cllr Ward confirmed that due to an email access issue, she had unfortunately not seen the documents nor the Internal Auditor report.

The Clerk went through the details of the AGAR reports and documents, both from what the IA had completed and what the Clerk had updated. This included the financial details as well as declarations of financial propriety and proper management of resources.

The Council discussed the AGAR forms and what it entailed – asking the Clerk what each section meant and the details. Cllr Ward stated that due to email access issues, she had not been able to see the emailed AGAR or the Internal Audit report and thus felt she couldn't be sure of the accuracy of the details as she hadn't seen the forms. But she continued that as the other Councillors had confirmed they had seen the forms and accepted the detail, she felt confident that she could trust their viewpoint.

The Clerk stated that if the AGAR wasn't agreed at this meeting, then a face to face meeting would need to be convened as the agreeing of the AGAR was not covered by the Scheme of Delegation.

The Council agreed and felt they could agree the AGAR.

- ***Motion to agree the following:***
  - ***Annual Governance Statement in section 1 of the AGAR***
  - ***Accounting Statements in section 2 of the AGAR***
  - ***Certificate of Exemption because of the fact the Council was below the £25,000 threshold***

***The above three parts of the motion was proposed, seconded and unanimously agreed. Motion carried.***

The Chair of the Council then signed the applicable forms and would ensure these are delivered to the Clerk for his signature. Both were not signed at the same time due to the remote meeting format of the Council.

### **Actions:**

- The Clerk to ensure that the Certificate of Exemption is sent to the External Auditor by the deadline of the end of June 2021. The full audit documents to be published on the website by the 01 September 2021.**
- The RFO to ensure that the public and community have an opportunity to review the accounting records through the exercise of public rights.**



## 28. Signs on Pathways in the Parish

The Chair felt as Cllr Westin was not in attendance, it was appropriate that he agenda point would be moved to the next meeting to allow her to update the Council.

**Actions: The Clerk to ensure that the agenda point is added to the next meetings of the Council.**

## 29. Parked Cars on the pathway on Main Street, Spaldington

The Clerk confirmed he had written to the person who had parked on the pavement as was discussed by the Council in the last meeting. This was done a few days ago due to the delay in receiving the actual address details.

The Chair stated that he had seen that the person still parking on the pavement unfortunately. Cllr Hall stated that he had measured the road and there was room for the van to park on the road properly and not on the path.

The Council discussed that while the Council must take the complaint seriously, it must also be aware that the road was being used by very large farm vehicles and that owner of said vehicles was determined to get double yellow lines installed on Main Street to make the use of the road by his vehicles easier.

The Council felt that it was appropriate for the Clerk to write to the vehicle owner (of which the complaint was targeted) in a month's time if the problem was still occurring.

## 30. Wind Farm update

The Chair stated that the Councillors and members of the Spaldington CIC met informally on Thursday 29 April 2021 to discuss the best approach to applying for funds from the Windfarm Grants. He confirmed it was not an official Council meeting.

The approach that was agreed by the Councillors and the CIC was that they would both ensure they applied for funding for separate and different projects so ensure the best chance for success for the community.

The Council would apply for funding for:

- New noticeboard for the Community to replace the current one
- Benches in the community
- Phone box refurbishment completion
- Entrance gates for the village

The Clerk confirmed that he would write a proper business proposal and ensure it was submitted to the Windfarm funding team by the deadline of the 22 May 2021.

## 31. Delegation of powers in regard to Council actions to the Clerk - update by the Clerk

The Clerk had previously circulated the details of the Scheme of Delegation for the Clerk that was approved at the previous meeting of the Council. This detailed what the delegation covered and what it didn't. The main things (but not exclusive to) the Clerk couldn't decide on is the Precept, Budget, hiring and firing and a few rare Council actions.





The Clerk confirmed that as the Court had now rejected the application by various parties to allow remote meetings, it was unfortunately that the Scheme of Delegation was needed and would commence on the 07 May 2021. The meetings would now be 'Clerk Advisory Parish Council Meetings' and while technically the decisions would be the Clerk to make, it would after advice and guidance was given by the Councillors. The community would still have an opportunity to attend meetings and that the Advisory Meetings would run in a very similar way to the Full Parish Council Meetings.

The Clerk concluded that the Council would need to meet formally at least three times in the next 12 months to meet its legal obligations under the Local Government Act 1972.

**32. Parishioner concerns relayed to Councillors - any update from Councillors from Parishioners**

No concerns were relayed to Councillors.

**33. Motion to agree the Clerk Advisory Meeting of the Parish Council - 7.30pm on Mon 07 June 2021 by Zoom**

*Motion to agree that next meeting would be a Clerk Advisory Meeting was proposed, seconded and unanimously agreed. Motion carried.*

**MEETING WAS CLOSED BY THE CHAIR AT 8.55PM.**

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