

# Spaldington Parish Council

## Minutes – 3<sup>rd</sup> Aug 2020

### Zoom Video Conference Call Monday 3<sup>rd</sup> Aug 2020

Any members of the public attending a parish council meeting may be given at the start of the meeting (at the Chairman's discretion) a combined 20 minute slot to speak on any items of concern or interest. After this period the public are welcome to stay for the meeting but cannot speak or offer advice or an opinion.

### Minutes - Meeting 3

**Zoom meeting opened** - 19.35

**Present** - Councillors R Ashton (Chair), C Bradley, J Hall, D Murphy, M Lunn, E Ward, K Westin

**Public** - 6

**Ward Councillors** - 1

#### Public Discussion

Brian Brooks, the internal Auditor, was present and public and Cllrs were asked if they had any questions.

A number of questions were asked about procedures, accounts, audit challenges and Brian Brooks answered these.

Vote to extend the public discussion

Propose – Ashton, Seconded – Ward, Vote - Majority

**Meeting opened** – 20.02

### Agenda (Meeting 3)

#### 3.1 Declarations of interest

- a) Declarations of interests received by Cllr Murphy on 3.8
- b) No dispensations received

#### 3.2 Apologies for absence

Nigel Wilkinson - as attending another meeting

#### 3.3 2019/2020 Audit – Discuss and vote

- a) Receive the Internal Audit Report  
Working on implementing the recommendation from Brian Brooks.
  - GDPR came into affect on the 25<sup>th</sup> May 2018, needs looking into what the Council needs to do to ensure that PC are complaint
  - Its recommended to have a separate email address from the personal one
  - Not 'Good Practice' to have a Councillor serving as a Clerk and RFO on a permanent basisOnce all details are gathered the information on the recommendations, it will be brought to a meeting for discussion  
Proposed – Ashton, Seconded - Ward, Vote – all agreed

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- b) Annual Governance and Accountability Return 2019/20 Part 3 Guidance  
Pages 1 and 2 are just for information
- c) Annual Internal Audit Report 2019/20  
This is the page that the Internal Auditor, Brian Brooks, has completed
- d) To approve Section 1 - Annual Governance Statement 2019/20  
Cllrs were asked if they had read this.  
Proposed – Westin, Seconded - Ward, Vote – all agreed
- e) To approve Section 2 - Accounting Statements 2019/20  
Cllrs were asked if they had read this.  
Proposed – Ward, Seconded - Westin, Vote – all agreed
- f) To note Section 3 - External Auditor Report and Certificate 2019/20  
This will be returned to SPC once the External Auditor has certificated the audit.
- g) The Notice of Public Rights and Publication of Unaudited Return  
Cllrs were asked if they had read this.  
Proposed – Hall, Seconded - Westin, Vote – all agreed
- h) To approve Bank Reconciliation  
Cllrs were asked if they had read this.  
Proposed – Hall, Seconded - Ashton, Vote – all agreed
- i) To approve Variances and Explanation of Variances  
Data Protection cost is a bi-annual costs, the Explanation of Variances was updated.  
Cllrs were asked if they had read this.  
Proposed – Westin, Seconded - Ashton, Vote – all agreed
- j) To approve contact details  
Cllrs were asked if they had read this.  
Proposed – Ward, Seconded – Hall, Vote – all agreed

### **3.4 Voting clarification from meeting on the 6th July**

In the meeting on the 6<sup>th</sup> of July all items had a proposer and a seconder for each decision. It has been confirmed that a vote with a show of hands has to also be completed. The voting was then completed:

- a) Vote on agenda item being moved  
Vote – All agreed
- b) Vote on EOM 13<sup>th</sup> of Jan 2020  
Vote – All agreed
- c) Vote on EOM 20<sup>th</sup> Jan 2020  
Vote – All agreed
- d) Vote on 3<sup>rd</sup> Feb 2020  
Vote – All agreed
- e) Vote on EOM 3<sup>rd</sup> June 2020  
Vote – All agreed

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- f) Vote on amended Standing orders  
Vote – All agreed
- g) Vote on amended Complaint Procedure  
Vote – All agreed
- h) Vote on change bank account details for security  
Vote – All agreed
- i) Vote on new mandate completing  
Vote – All agreed
- j) Vote on Planning 'No Observation'  
Vote – All agreed
- k) Vote on Advertising for a Wind Farm rep  
Vote – All agreed
- l) Vote on RFO returning to Clerk role  
Vote – All agreed
- m) Vote on advertising for an unpaid clerk  
Vote – Majority

### **3.5 Minutes of the Council meetings to approve**

- a) 17<sup>th</sup> of June 2020  
Cllrs were asked their thoughts on the minutes and a Cllrs advised that they didn't think it was a true record of the meeting. The Clerk that took the minutes said that was how they had noted what happened in the meeting and the recording was muted so couldn't verify this.  
Proposed – Lunn, Seconded – Bradley, Vote – not satisfied
- b) 6<sup>th</sup> of July 2020  
Cllrs were asked if they had read this.  
Proposed – Hall, Seconded – Ashton, Vote – all agreed

### **3.6 Finances**

- a) Update on Bank account and signatories  
Cllrs Hall and Ashton have completed all the mandate documentation. Just waiting for the bank to confirm that it's gone live.
- b) 2020/2021 budget – review and discuss  
Cllrs had no comments or amends to the budget
- c) Invoices outstanding for payment  
Went through the invoices listed below, to agree payment. Once the bank confirms that the signatories are live, will get all the outstanding invoices paid.

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A question was raised regarding the ACS invoices, asking what this was for. There wasn't any cllrs that could update the website so it was outsourced. The acting clerk has been successfully in updating the website so there will not be any further invoices.

Payee	Decision
BK Brooks	Proposed – Ward, Seconded – Hall, Vote – all agreed
ERNLLCA	Vote – all agreed
C Bradley	Proposed – Lunn, Seconded - Westin, Vote – all agreed
ACS	Proposed – Westin, Seconded – Lunn, Vote – all agreed
ACS	Proposed – Westin, Seconded – Lunn, Vote – all agreed

### 3.7 Freedom of Information request – Discuss and vote

A resident sent a Freedom of Information request on the 12<sup>th</sup> of June. The Council have to respond to such requests within 20 working days. It was clarified in a previous meeting that the request hadn't been satisfied at that point.

Following an email exchange with the resident, an extension was granted, and the request now needs to be satisfied by the 7<sup>th</sup> Aug 2020.

A cllr advised that these are annual requests from the same resident and they lead to Audit Challenges and it was discussed in a meeting in 2019 that these requests were vexatious and would discuss this if another request was sent in.

Cllrs discussed this and decided that by not sending this it suggests there is something to hide. If we have the documents requested then they should just be sent.

The Standing Orders states that 'copy documents can be obtained at £5 per documents'. This was discussed and it was decided that as there is a Cllrs acting as clerk that a charge shouldn't be applied for the electronic documents.

It was proposed that the acting clerk was to satisfy the request by sending the electronic documents:

Seconded – Hall, Vote - Majority

### 3.8 Planning – Update

Item no	Ref no	Address	Detail	Status
a	20/00923/PLF	Oaklands Main Street DN14 7NJ	Change of use of office to additional domestic accommodation	Has been granted
b	APP/E2001/W/20/3249525	Oaklands Main Street DN14 7NJ	Appeal on conditions imposed	Planning Inspectorate have decided to allow the appeal

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### 3.9 Spaldington Windfarm Fund

- a) Return of Bus shelter grant monies – Discuss and vote  
Have received an email asking for the End of Grant form and photographic evidence to be supplied or we have to return the grant money.

The committee expected the project to be completed early 2019. An extension was given but now they can't extend this any further. Have been told that we could put in new application for another Bus Shelter, or other projects.

A discussion was held and it was felt that there wasn't the correct paper trail in place to get the bus shelter installed to be able to complete the End of Grant form.

Cllr Ashton proposed to return the money as soon as the bank confirms that the signatories are live.

Seconded – Ward, Vote - Majority

- b) Representative – Discuss applications and vote on appointing a resident  
There was only one applicant, Mr David Southworth. Two Cllrs were happy and supportive of Mr Southworth being Spaldington's representative.  
Proposed – Ashton, Seconded – Ward, Vote – all agreed

### 3.10 Clerk role

- a) Unpaid Clerk - Discuss applications and vote  
There hasn't been any applicants for the role of unpaid Clerk. Kath Westin withdraw her original application.
- b) Paid Clerk – Discuss and vote  
Cllr Ashton is acting Clerk but is not equipped or qualified for this role. The Internal Auditor and East Riding has advised that it isn't recommended that a Councillor serves as a Clerk on a long term basis.

A discussion took place and it was mentioned that ideally would like a qualified Clerk but there doesn't seem to be any available to apply for role. If an unqualified candidate applied then the Council could look to put them through training to qualify. On the hours required, skills and administration, rate of pay and expenses, where to advertise and when they closing date should be.

#### **Meeting closed at 20.54**

A resident asked if it was possible to share a Clerk with another parish Council.

Another resident suggested Steve Young.

#### **Meeting reopened at 20.55**

Steve Young has been asked previously but had recently left Holme of Spalding Moor so appears to be reducing his workload.

Was suggested to reduce back to 6 meetings a year, rather than monthly and if a planning application came through could just hold an EOM.

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Advertising will be Goole Times, who often put offers on for 2 weeks for 3 weeks and ERNLLCA.

Closing date for the advert will be end of September.

Proposed - Ashton, Seconded - Westin, Vote - all agreed

### **3.11 Tribunal Bundle – Discuss and vote**

SPC was advised by Peninsula's legal department that there is no requirement to keep court papers and can be destroyed. This is because all the documents were sent over email. Currently a Cllr still has this documentation as they were asked to be kept by another Cllr.

A number of Cllrs want to keep the bundle for the relevant number of years. The Cllrs involved in the Tribunal were told that these documents can not go to other Cllrs and there were a number of points that had to be done to reduce the risk of incorrect use of the Data. Peninsula have said that they will keep the electronic documents for 13 years, which is 7 years after the contract has finished.

A Cllr asked for written evidence that Peninsula have said that a risk assessment has to be completed. It was advised that it would be sent out the following day.

Ashton proposed that this matter was deferred until the written evidence is sent to all cllrs.

Seconded – Hall, Vote – All agreed

### **3.12 Asset list - update**

#### a) Update on the Reindeer and Lights location

Cllr Murphy has advised that he has these items and he was asked to send the address location over email

#### b) Update on the £10 Argos voucher

The Argos voucher was Christmas themed as they were purchased in December. This was swapped for an Easter voucher card but £10 note was put in instead of a voucher. This will be given to the Clerk to be deposited in the bank.

### **3.13 Having agendas posts on Spaldington Community Board – Discuss and vote**

This was putting the agenda on the facebook community board. Cllrs Ashton advised that the Parish website is being updated with the agenda.

Cllrs felt that residents took a picture and put it on the facebook page, that was up to them.

No cllrs wanted to proposed that they wanted the an official agenda to be sent to be put on the facebook page.

### **3.14 New content legislation for website – Discuss**

All public sector websites will need to meet accessibility standards by September 23<sup>rd</sup> 2020, so that people who use assistive technology or have additional needs can easily access services and information.

This is being looked into at present and quotes will be brought to the next meeting.

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### 3.15 Correspondence to receive

**Covid-19** – East Riding have developed a ‘Outbreak Management Plan’ and launched 3 Steps To Safety public health campaign. The plan and the campaign are aimed at preventing the spread of COVID-19, quickly controlling any local outbreaks which may occur and therefore helping to create a safe place to live, work, shop, learn, play, invest and visit. A poster has been put up on the notice board

**ERNLLCA Newsletter 6** has been sent out to all Cllrs for review

**Face to face meeting** – The legal position as from 3rd July is that gatherings of thirty or more persons are prohibited. So legally we can hold face to face meetings with members of the public in attendance however we would need to carry out a risk assessment. East Riding, NALC and the Society of Local Council Clerks are strongly advising local councils to continue to meet remotely, without the need for face-to-face contact.

**Humber Job Hub** - we are offering a free professional employment support service to all East Riding of Yorkshire residents who have been affected by the pandemic. Delivered remotely via telephone, email and Zoom the service is fully funded by the Coronavirus Community Support Fund distributed by the National Lottery Community Fund and the Government.

### 3.16 Vote to exclude the public due to confidentiality

Vote – all agreed

#### a) Vexation complaint review – Discuss and vote

XXXX 6 month review – Chair was happy for XXXX to stay as this is just a review.

Vote – all agreed.

Hopefully you have all read the email that XXXX sent to us regarding the vexatious emails. I also attached it to the summons email.

There has been no further emails and it was agreed that the ban was lifted.  
Proposed – Ashton, Seconded – Ward, Vote – all agreed.

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Vote to exclude XXXX and XXXXX regarding vexatious emails  
Propose – Hall, Seconded - Ward, Vote – all agreed

Have received 153 email from XXXXX and 56 emails from XXXXX which in the main had been sent to all Cllrs.

A discussion was held, it was felt that the volume of emails needed to be limited and the tone needed to be addressed. It was decided to send an email to both cllrs and asked to:

- All emails must include all councillors, regardless of topic, to be open and transparent
- Stop copying in Mr Buckley, Mr Whyley and the Ward Councillors
- Stop contacting and interfering with other Councils
- No emails over weekends, if it's an urgent matter then please call the Clerk or Chair
- When replying to emails, just send one email and not multiple as this is very confusing and sometime contradictory
- The written word can be misconstrued and some emails come across as threatening, bullying and belittling
- Shouldn't be contacting outside bodies about Council business, this is the Clerk and Chair's role

Will review at the next meeting.

Proposed – Westin, Seconded Ward, Vote – all agreed

### **3.17 Date of next meeting 7th Sept 2020**

**Meeting closed 21.44**