

Minutes of the Meeting of the Parton Parish Council.

Held on March 11th 2020 at Parton Village Hall Parton, CA28 6RJ

Starting at or around 8.30 pm

Welcome and introduction by the Chair. At around 7pm the Chair welcomed those to the interview process. This process occurred prior to the meeting proper and was conducted in private session and not part of the proper Council meeting.

Following the interviewing process and then discussion regarding the candidate/s, the Chair began the meeting proper. He went through the housekeeping regarding the public participation and time restraints.

Recording of the Meeting

The Chair requested for it to be noted that recording of the meeting is permitted but anyone doing so should notify the Chair. In the event that any recording is to be publicly transmitted then it would be necessary for the recorder to obtain the approval of the persons present. Filming of the meeting was permissible but not filming of the Public Participation part of this evening as that is not part of the Council Meeting. Before the meeting formally commenced the public were invited to raise questions on matters on the Agenda.

Public Participation

There was no questions raised by members of the public.

Meeting Proper

Attendance: Chairman Cllr R. Huck, and Mr. D.A. Garrett, Mrs. J.E. Miller, Mr W. Morton, Mr S. Tumelty,

1. To receive Apologies from Councillors –

Councillors M Rogan, S Rogan, J Williamson, K Barton, A Barton and J Huck all gave apologies. Borough Councillors Mr Banks, Mrs Bowman and County Councillor Mr Barbour were not present.

2. To approve the Minutes of the meeting of the 20th February 2020

Recommended: that the Minutes be approved.

Proposed Councillor J Miller
Seconded : Councillor D Garrett
Agreed

3. Matters arising from the approved minutes not otherwise on the Agenda.

No matters Arising

4. Declarations of Interest –

No declarations of Interest were made at this point. It was agreed that DOI's or DPI's, where necessary, would be made as / when they arose.

5. Reports from Working Groups or Councillors –

Nothing to Report

6. Reports from Copeland Borough and Cumbria County Council Ward Councillors.

Councillor D Banks

Muddy Path

Councillor Banks was thanked for his email update

7. To consider any planning applications referred to the Council for consultation.

There were no Planning applications submitted to Council

8. To confirm appointment of Parish Clerk

It was unanimously agreed to appoint Mrs Jane Coltman as Parton Parish Clerk. Mrs Coltman's holidays have been pre-booked and so Council need to consider a new date for the May AGM as soon as practicable.

9. Finance Report

1. The Council agreed that it would be advisable to produce a document for future meetings as part of the financial report to review its budget against proposed expenditure. This would

comply with a financial risk assessment. This lists, down its left hand side, each budget heading and the sum approved by Council. The full document can be found in the agenda for this meeting. The ongoing expenditure from that heading will be added with a running total of the balance left available for each budget item.

DESCRIPTION	BUDGET 2020-21	Total in approved Budget	Actual Expenditure to date	BALANCE REMAINING IN BUDGET
STAFF SALARY	TOTAL STAFF SALARY	1750.00		
EXPENSES	TOTAL EXPENSES (including travel)	380.00		
INLAND REVENUE (HMRC)	included in staff salary			

noted

2. Cheques cleared at the Bank since ourMinutePower ref.

last meeting

ref.

Planting of the War Memorial (J&R Bennett)	£318.60	10.07.19/13	War Memorials (Local Authorities' Powers) Act 1923 s 1 as extended by Local Government Act 1948 s 133
CBC Grounds Maintenance Please refer to the grass cutting	£ 206.57	09.10.19/13	Please refer to grass cutting report
Total Cheques cleared at the Bank since our last meeting	£525.17		

Current Balance at the Bank 6th March 2020 **£9,234.37**

Cheques outstanding for clearance		Minute ref.	Power ref.
CRUG	£10.00	20.20.20/18	
Notice Board – Criffel Road Bus Shelter	£195.00	11.09.19/20	s. 111 Local Government Act 1972
Donation to the group - World Cheer Leaders		11.09.19/19	LGA s.137
Competition in Las Vegas (Cheer Force Knights)	£150.00		
Total Cheques outstanding for clearance	£355.00		
<i>Current Balance of Reserves</i>	£9,234.37		
<i>Balance of Reserves</i>			
<i>(once cheques outstanding have been cleared)</i>	£8,879.37		

Balance of Reserves £8,879.37

Financial Considerations for members to note

- The Balance of the overall reserves will be **£8,879.37** and which is **66.5 %** of the proposed precept for the next financial year. The last meeting it was resolved that the reserves for future years after 2020/2021 should not fall below 70% of our annual precept.

noted

- Expenditure for the current financial was **£1,763.97** above the precept set. It was not until after the dismissal of the Clerk that Councillors were made aware that the Council was spending beyond its precept and that lack of knowledge can only lead to poor financial management. This was also noted.

noted

- The Chair stated that the Internal Auditor and the former Chair, signed off the annual governance statement and Internal Auditor's report stating that we did exercise appropriate budgetary control and which appears to have been incorrect. The Internal Auditor has advised

that he had limited terms of reference from our Clerk such that he was not required to report on the extent of our budgetary control as required by the Practitioners' Guide issued by the Joint Panel on Accountability and Governance. That Panel advises on the preparation by smaller authorities, such as our Council, of the statutory annual governance and Internal audit reports.

Councillor Huck stated that the internal auditor had not been given limited terms of reference from the previous clerk and that this was now a case of a discrepancy between what Mrs Shaw was suggesting and what Mrs Hoyle was stating.

noted

The Chair stated that going forward the Council would be compliant with The Accounts and Audit Regulations of 2015 as he highlighted in the Internal Auditor report (February Council).

noted

Outstanding Accounts

Since the issue of agendas further outstanding accounts have come to life from Copeland Borough Council and whilst the detail is a little vague at the moment at present they appear to be...

Oct - March 2020 Bin Empty £24.31 (6574064) - Outstanding

Jan - March 2020 Grass Cutting £206.57 (6586900) - Outstanding

The former Clerk had been asked last November to return all parish papers but no information on these had been provided. This left the Council tonight in a tricky situation as these matters could not be on the agenda but Copeland was not unreasonably seeking its reimbursements

The chair explained that the contract was being sent to view but that the Open Spaces Dep't at CBC would send this in due course. The Chair reminded Councillors of the law. The law requires that three days notice was required to consider such matters.

It was agreed that these matters be considered as a matter of urgency as the Borough Council should not lose its income due the failures identified

The law requires that Parish Councils must have at least three days' notice of matters Members are being asked to make decisions upon. The Chair then read out the legals;

The Good Councillor Guide produced by NALC states that;

"The three clear days is established in law because it is important to be notified of issues to be discussed. Topics requiring a decision cannot be added to the agenda after the deadline has passed; they must wait for another meeting. Each agenda item should make it very clear what you as a councillor are expected to do and be precise about the subject under discussion.....It is actually unlawful to make a decision, especially a decision to spend money, without sufficient (three clear days) warning".

The Chair stated that there have been failings in the past to comply with these requirements and often agendas have simply had vague descriptions of matters without any indication as to the decision Members may be required to make. That can lead to unlawful decisions. Legal requirements Local Government Act 1972 Schedule 12 para 10(2).

The Chair requested a discussion as to what to do with regards to these new and pending invoices. No invoices were authorised due to the law and no member suggested that they be paid without the 3 clear day legal notice. It was agreed that a future meeting would be required to comply legally and that council would not be pressured. These items were agreed to be deferred.

The full report was noted

Councillor Tumelty raised a question regarding the need to budget for Wayleaves. He also queried the payments to the Parton Village Hall for £462.

The Chair thanked Councillor Tumelty for his interest and stated that he also was trying to get answers from the Village Hall.

The question and Chairs' answer was noted

10. Councillor Matters –

- Councillor Morton said he had a request of £150 Old Folks Fund for their summer trip. Councillor Morton said he had a request of £500 for the Youth Club. No applications for such grants had been submitted as per Council's grants Policy.
- Councillor Miller said that she had received a Planning Application for an extension to Brewery House. The Chair said that this had not been presented to council.
- Councillor Tumelty asked about payments to the village hall and the Chair indicated that there appeared to have been some overpayments and at least one that had not been authorised and he would be following those up.
- Councillor Morton handed the Chair some paperwork that had been given to him by the previous clerk.
- Although not a parish Councillor Banks wished to add that the Church Brow path would soon be clear of mud and that the farmer had agreed to clear it.
- Councillor Rob Huck stated that some speeding by public transport had been reported in the village and reports had been highlighted to the company Stagecoach. There had also been complaints about the smell of certain septic tanks. This could be a matter for the Borough Council if it considered it to be a statutory nuisance.

More information required for a future meeting.

- Village signage reports required for the next meeting, suggested 20mph along Main Street. Such proposals could be taken up by any Councillor with the County Council and report with suggestions / recommendations submitted to Cumbria County Council.
- Foreshore sand pit – needs 2 bulk bags special sand – 95 per bulk bag (including vat and delivery) A matter to be considered at a later meeting
- Waste bin collection arrangements - report required for next meeting - currently paying £5.95 per bin collection - report for meeting to include
 - demand / delivery & effectiveness review
 - How many bins do we have?
 - Where are they?
 - Are they adequate?
 - If not how many more are required?
 - Where / costs / maintenance?

Meeting Ended

Minutes approved at the Parton Parish Council Meeting on 5th August 2020

Chairman.....

Date.....