AGENDA

Birlingham Parish Council

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To Members of Birlingham Parish Council
You are duly required to attend the next meeting to be held on
Wednesday 20 March 2013
Village Hall
7.45pm

Welcome

1) Present

2) Apologies

3) Declarations of Interest

   a) Register of Interests: Councillors are reminded of the need to update their register of interests
   b) To declare any Disclosable Pecuniary Interests in items on the agenda and their nature.
   c) To declare any Other Disclosable Interests in items on the agenda and their nature.

(Councillors who have declared a Disclosable Pecuniary Interest, or Other Disclosable Interest which falls within the terms of paragraph 12(4) of the code of conduct, must leave the room for the relevant items)

Dispensations for deciding the budget and precept - CALC update as appendix

4) Minutes of meeting held on July, September and November 2012, to be amended under the financial year. Minutes of the previous meeting held on 16 January 2013 to be approved.

5) Democratic Opening

6) Progress Reports
   a. Footpath Warden
   b. District Councillor (if not present request written report)
   c. County Councillor (if not present request written report)
   d. Clerk

7) Planning
   a. Report on outstanding planning applications
   b. Applications granted/refused
   c. Enforcement

8) Financial Matters
   a. Bank balance

   b. The Accounts for 2012/2013

c. Receipts:
£240.00 – Lengthsman (December)
£330.00 – Lengthsman (£180.00 from November 12 and £150 January 13)

Payments –
£410.00 - Carl Brassington - Lengthsman (extra due to flooding November) cheque number 264
£240.00 – Carl Brassington - Lengthsman (December) cheque number 266
£330.00 Carl Brassington – Lengthsman
- the combined figures of £180 and £150 as follows

- £180.00 – Carl Brassington - Lengthsman (overdue November)
- £150.00 – Carl Brassington – Lengthsman (January)

£26.98 – website domain renewal 23/1/12 – 23/1/13

d. Future payments
£20.00 – John Hill and Clerk attendance at the Special Event NALC – financial management (CALC) *
£10.00 – Clerks Gathering – Grant Thornton and the Audit Process **
£20.00 – Eckington Parish Council – Parish Council training***
£115.40 – H M Revenues & Customs PAYE- January, February, March
£462.10 - Clerks pay – January, February, March
£25.00 – Clerks expenses – January, February, March
£90.00 – Lengthsman (February)
Tree Forum ?

e. Precept – request to be agreed at Wychavon at £5,000.00 ****

Explanation / figures for clarity and transparency

f. Auditor for 2012/13 has been approached

9) May meetings – Reminder and confirmation
Date and time - 7pm on Wednesday 15 May 2013 for Annual Parish meeting preceding Parish Council meeting at 7.30pm. To be confirmed.
(Emailed Mary Sadler 3 November)

10) Jubilee Wood
Tree Preservation Order. Plaque. Upkeep of area/responsibility/maintenance. Agreement?

11) Litter Pick reminder for Saturday 23 March at 10am (alternatively 6 April)

12) Website advertising
Consider due to next financial year. Website still to be "officially launched".
Update on meeting held on Thursday 14 March matters discussed were:
Which page should we put ads on?
Where on the page?
What size ads?
How much do we charge?
How do we get people to advertise?
How long should ads run for and how frequently can they be updated?
What do we do with the income?
The long-term maintenance of the website and the village emails.

13) Kiosk - Information to be placed on "E-mail news" regarding the final adoption and any suggestions for its use.

The Flower and Produce Show Committee have asked if the telephone box could be used as a 'home' to advertise the Village Show – to put up information about Grow for the Show, have a seed or plant swop, to raise awareness and keep a focus on the show through the year.

Any further updates?

14) Code of Conduct
Copies sent to all Councillors. Agreement clarification.

15) Planning & Neighbourhood Development Plans / Parish Plan
Training session attended by Chairman and Vice-Chairman – update

16) Method of Handling Planning Applications
Reminder of procedures/standing orders/clarification

At present the agreed procedure (as agreed 2004) is to:

- delegate planning comments to the Clerk in consultation with three named councillors.
- circulate the plans to the three councillors, Clerk to summarise their comments for submission to planning. If there are any conflicting comments Clerk will call a meeting to resolve them, otherwise the clerk will assume the 3 Cllrs are in agreement with each other's comments.
- however, if 2 or more object to a plan, or feel a site meeting is appropriate then a site meeting is held, to which all Councillors are invited to attend.
- The comments are discussed away from the site and joint comments are written down and agreed by all in attendance, then given to the Clerk to be sent to Wychavon.

17) Councillors' reports and items for future agenda

18) Closure and next meeting – 7.00pm Annual Parish Meeting followed at 7.30pm
Parish Council meeting on 15 May 2013 if confirmed above

Clerk March 2013

* Special event for Councillors & Clerks with Peter Lacey Accounts and audit advisor at NALC – Financial Management – the responsibilities of Councillors and clerks plus the latest developments in parish council finance
Quote from CALC "we have been very fortunate to get Peter Lacey, NALC's accounts and audit advisor to come and talk to us about what responsibility councillors and clerks each have for the proper financial management of the council. He will also give us the latest on this and related topics, like the future of external audit and whether or not the requirement to make all payments by cheque will be repealed.

** Quote from CALC "Grant Thornton have won the contract for the external audit of town and parish councils in Worcestershire, after Clement Keys held it for several years. The fee scale for the audit had been revised, and many councils will not now pay a fee. I understand Grant Thornton are new to this area of work, so it will be useful to know if their approach will differ from Clement Keys's and if it does what that might mean.

*** 25 February – Planning and Neighbourhood Development Plans – Councillors Hall and Morris
25 March – Other aspect of localism, Code of Conduct and dispensation, CilCA qualification – Councillor Hall and Clerk

**** Letter from Wychavon dated 24 January quotes " Following my letter (Oct 2012) requesting details of your Parish Council precept for 2013-14 and Alison Williams letter (Dec 2012) giving details of the changes to your Council Tax base as a result of the government requiring Council Tax Support to be included within the Council Tax base and the impact of this on your precept, please find attached a form which needs to be signed by your Chairman in order to finalise the funding requirement for your Parish Council in 2013-2014. Please ensure that this form is returned to me by 11 February so that we have the documentation supporting the recommendation to the members of Wychavon District Council later that month when, as members of the billing authority, they approve the full set of Council Taxes for the area. As you will see on the attached form, the total amount required by our Parish Council has now been divided into the formal "Precept for council tax setting purposes" and a grant, calculated as previously outlined, and once these have been approved by your Chairman and the District Council you should receive the total sum (i.e. both the precept and the grant) in a similar way to how the precept has been paid previously i.e. in two equal payments prior to 30 April and 30 September 2013

Dispensations for deciding the budget and precept

Quote from Issue 7 February 2013 "A copy of a letter from Brandon Lewis MP is attached. Mr Lewis is a junior minister at the Department for Communities and Local Government. I have had this from a County Officer colleague, and as you will see, it is addressed to "all Local Authority Leaders" so presumably it has gone to principal authorities. The letter contains the welcome news that the DCLG does not think that it is necessary for councillors to obtain a dispensation to allow them to decide the budget and precept, and that it intends to revise its practical guide for councillors to reflect this view. What is less welcome is that the letter says that the DCLG does not offer legal advice, so how far you can rely on this letter or the practical guide for councillors is not at all clear. I suppose that it is fortunate it has been issued too late to be of any practical effect for the majority of parish councils this year, so there should be time to arrive at a sensible position for next year. In addition to telling councils what to do, and then saying that they cannot rely on it as guidance, the civil servant who has written this letter for Mr Lewis seems to have a tenuous grasp on the new standards regime and on logical argument. A said person's parlour game might be to go through it and pick out the flaws, with a prize for the one who finds the most, but the sad person would have to value their time very cheaply. On the other hand, I may well have completely misunderstood the new standards regime – who am I to gainsay an undersecretary of state? But is I have, so have Worcestershire monitoring officers and the National Association legal team.

I think CALC has a responsibility to recommend caution to its members until there is unequivocal guidance that the Localism Act and the regulations mean something different from what they say, or even better, they reinstate the bit of the old statutory code of conduct which said that is an issue affected everyone in the parish the same, it did not give a councillor an interest to declare.

I suggest that it is safest for councillors to have a dispensation for deciding the budget and precept, but if not, at least you have Mr Lewis to fall back on.