Birlingham Parish Council*

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To Members of Birlingham Parish Council
You are duly summoned to attend the annual meeting of Birlingham Parish Council to be held on

Wednesday 20 May 2015
Village Hall
7.30pm

Agenda

Welcome

Present

1) Election of Chairman and signing of Declaration of Acceptance of Office.

2) Election of Vice-Chairman

Apologies for absence

3) Signing of Declaration of Acceptance of Office and Register of Members Interests
Member's to sign DOA's and to return Register of Members Interest (not just newly elected). Note: All members must sign their Declarations and also for transparency ALL members (CALC suggestion) will sign their Register of Interests. (Renew rather than review at the commencement of the new term of office)

4) Councillor's acceptances of agenda's by email to be attached to hard copy of minutes; Signature, date and email business address to be obtained.

5) 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.
d) Written requests for the Council to grant a dispensation (S33 of the Localism Act 2011) are to be with the Clerk at least four clear days prior to a meeting.

(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)

Failure to register or declare a Disclosable Pecuniary Interest may be a criminal offence.

6) To consider the Council's scheme of delegation and to appoint members, as follows:
a) Appointment of Financial Support Officer;
b) Appointment of Footpath Warden under the authority of Worcestershire County Council;
c) Appointment of Lengthsman;
d) Appointment of Tree Warden;
e) Planning Group – delegated members with Head of Group.

7) Confirmation of arrangements for insurance cover. (see Item 17 e)
Note: The Parish Council is required by law to assess, at least annually, the risk of its various activities (litter pick – public liability) and to update its insurance and asset register.

8) Review of the Council's subscriptions to other bodies.

9) Review of the Council's complaints procedure.

10) Review of the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998.

11) Review of the Council's policy for dealing with the press/media (e.g. recording is now permitted).

12) Determining the time and place of ordinary meetings and the next annual meeting.

13) Minutes of the previous meeting
To consider the minutes of the meeting held on 18 March 2015 and minutes to be approved.
Note: Page 384 Financial Matters d) has been amended by the internal auditor where 'cheque 315' should read 'cheque 325'.

14) Democratic Opening
The meeting is adjourned for Public Question Time.
Note: The time allocated is at the discretion of the Chairman. Residents are invited to give their views and question the Parish Council on issues on this agenda, or raise issues for future consideration at the discretion of the Chairman. Members of the public may not take part in the Parish Council meeting itself. This period is not part of the formal meeting but notes will be appended to the minutes as an aide memoire.

15) 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

16) Planning
a. Report on outstanding planning applications
b. Applications granted/refused

17) Financial Matters

a. Bank balance

b. The Accounts for 2014/2015 for resolution (as per the audited financial year end).

c. The Accounts for 2015/2016 for resolution as per the spreadsheet, summary and provisions.

(Acceptance of the accounting receipts and payments so far in the current financial year – 2015/16. Also Acceptance that the budget figures have been increased again by 2%. Acceptance of the "*provisions*" for Tree from Litter Pick, Lengthsman, Litter pick and Plane Tree)

Provisions – explanation and clarification for new Councillors. Councillor Hill to summarise.

Specific Reserves – explanation by Councillor Hill :-

Specific Reserves – these represent amounts that are generally built up over a period of time and are earmarked for specific items of expenditure to meet known or predicted liabilities. Specific Reserves may be used to smooth the effects of certain expenditure commitments over a period of time thereby reducing the impact of significant expenditure in any one year.

d. Receipts

£2,531.00 – Wychavon District Council budget requirement (Precept £2,441 and Grant £90)

Payments –
£21.00 - BVH for 2 February 'plan' meeting (posted into BVH letterbox) (cheque 330)
£500.00 – Clerks pay (cheque 332)
£25.00 – Clerks expenses (cheque 333)
£140.00 – Lengthsman January (cheque 334)
£125.00 – HM Revenue & Customs (Jan, Feb, Mar) (cheque 335)
Note: PAYE HMRC will issue fines if any information or payment is late. If cheque signatories are going away please inform the clerk.

Agreement on cheque signatories and again notification if absent.

e. Future payments

£243.80 – Zurich Municipal – Annual insurance commencing 1 June (note: remains same as last year)
£500.00 - Birlingham Village Hall contribution (as agreed budget November 2014)
Email sent to the Treasurer asking for a request for auditing purposes; received.
£166.73 - CALC (Service charge 125.36 and Affiliation fee 16.30 plus VAT)
£190.00 – Lengthsman (February March)
£10.00 – Clerks training CALC 'preparing for a new council'
Election costs (estimate was £696.95)
£128.00 - PAYE (April, May, June)
£512.00 - Clerks pay (April, May, June) (£2,562.50 divide 4 = 640.62 less 20% PAYE)
£25.00 – Clerks expenses (April, May, June)

f. Internal Audit - completed on 5 May (Section 4 of the Statement signed).
Copy of auditor's certificate of qualification available.
Note: The Council must have an adequate and effective system of internal audit of the council's accounting records and control systems, as well as carrying out a review of its effectiveness. This should be undertaken on a regular basis and not just at the end of financial year.
For agreement on the Internal Audit and resolution on payment to the Auditor's payment: £50.00 had been requested.

g. Audit - Grant Thornton ***Appendix 1***
Notice of public rights – the date for the external audit has been received and the public notice has been placed on the noticeboard which is at least six weeks before the date of the external audit. Statement completed on 5 May and for public inspection from 15 May.

Copies of the Annual Return and variations have been sent to all Councillors.

Approval of the Annual Return:
- Section 1: Accounting Statement 2014-2015
- Section 2: Annual Governance Statement 2014-2015 (also identified in f above).
- Section 4: completed by the internal auditor.
- to return the Audit by 15 June as the appointed audit date is 30 June and this is the latest date for the return

Clerk to return the agreed completed 2015 Annual Return, together with a year-end bank reconciliation and explanation of any variations (greater than 15%).

Are all Councillors in agreement with the Audit?

h. Transparency Requirements/obligations publishing * ***Appendix 2***
Some of the following have been agreed previously so this will reiterate but also new clarities / agreements are required:-

- All items of expenditure above £100.00 (excluding VAT) – confirm the date the expenditure was incurred, a summary of the purpose of the expenditure, the amount, and the VAT that cannot be recovered;
- End of year accounts;
- Annual governance statement – presently with the external auditor's statement and to be attached to the May meetings once returned from the auditor;
- Internal audit report – agreed that this is included within the annual governance statement;
- List of Councillor or Member responsibilities.

18) Standing Orders to be reviewed - will include layout of agenda and how summons is written.
Including the agreed Transparency Code (Legal Briefing L02-15) that Councils subject to the Code should publish draft minutes of council, committee or sub-committee meetings no later than one month after the meeting has taken place (paragraph 29 of the Code). They should publish the agenda and associated papers for council, committee or sub-committee meetings no later than three clear days before the meeting to which they relate is taking place (paragraph 30 of the Code). And that the information specified in the Code must be published on a publicly free of charge website.
The Dispensation item has not been updated from July 2014. ***Appendix 3***
Further revision may be required after the 'healthcheck' by CALC in June.
Consideration of review at the next meeting.

19) Village Survey
A meeting was held on 15 April 2015. ***Appendix 4*** Chairman to sign the notes.
To discuss the progress made to date in creating the survey.
To agree a timetable for implementation of the survey and presentation of the results.
Further update from the Chairman.

20) Superfast Broadband
Update.

21) Wychavon 2015 Parish Games
Update.

22) Councillors' reports and items for future agenda

23) Next meeting to be held on Wednesday 15 July at 7.30pm.

Clerk
May 2015

* The annual meeting of the Council may be held on any date in May agreed by the parish council except in an election year when the **annual meeting must take place between 12 and 29 May (The Local Government Act 1972 Section 243)**

Appendix 1
NALC – Financial Topic Note F03-15 14 April 2015
Local Audit and Accountability Act 2014
Commencement Orders

Introduction
The latest in a series of Commencement Orders (No 7) was promulgated last month. For all practices purposes, the provisions of the Act are now fully in force as affecting local town, parish and community councils.

Current Position
Under the Act, despite the abolition of the Audit Commission on 31 March 2015, all existing external audit arrangements and appointments continue until the end of the Financial Year 2016/17. Annual Returns will continue to be issued to Local Councils by their present external auditors and should be returned to them as previously.
FUTURE CHANGES
The majority of changes to external audit arrangements and appointments will change will effect from the Financial Year 2017/18 (commencing 1 April 2017), although the Act does provide for the existing external audit contracts in the event that the new arrangements are not implantable in accordance with the timetable envisaged. This is unlikely to be necessary, but cannot be totally ruled out.
The new (post 1/4/18) appointments will be made, in accordance with the ACT, by a new Audit Appointments body (currently referred to as the Sector Led Body – SLB). This is currently being worked up by NALC and SLCC in association with the Association of Drainage Authorities and other (small authorities) representative bodies.
Briefly, all local authorities will be contacted by the SLB during 2016 to confirm (or otherwise) their wish to be part of the central appointment arrangements or (as allowed under the Act) whether they wish to opt out and make their own external audit appointments. These arrangements apply to all Local Councils with Income and Expenditure less than £6.5million pa.
Local Councils with Income or Expenditure (whichever is the higher) less than £25 pa will be exempt from external auditor (but will still have an external auditor appointed for the purpose of the exercise of electors' rights. All other councils will experience little or no change to their external audit arrangements, save only that their external auditor may change as a result of the new audit contracts under the SLB arrangements.

Smaller Authorities
Smaller authorities (those under £25KI) should note that their **entitlement to exemption from external audit does not commence until F Y 2017/18,** but in the meantime they are (from 1 April 2015) subject to the mandatory publishing of the Transparency Code.

To ease the financial effects of this additional burden on smaller authorities, government have recently signed off on the establishment of a **Transparency Fund** (worth £4.7 million), to be administered by NALC through its County Associations. The precise mechanics as to the eligibility and disbursement of the fund will be wide publicised as soon as they have been finalised.

Appendix 2

NALC – Legal Briefing L02-15 30 March 2015
Introduction of the Smaller Authorities (Transparency Requirements) (England) Regulations 2015/494 – transparency obligations for parish councils with an annual turnover not exceeding £25,000 (England only)

The Smaller Authorities (Transparency Requirements) (England) Regulations 2015/494, which come into force on 1 April 2015, will make compliance with the Transparency Code for Smaller Authorities ("the Code") issued in December 2014 mandatory for parish councils and other smaller authorities with a turnover not exceeding £25,000.

Appendix 3

Code of conduct and dispensations:
England
a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the council.
b Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
c Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.

d Dispensation requests shall be in writing and submitted to the Proper Officer (Clerk) as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
e A decision as to whether to grant a dispensation shall be made [by the Proper Officer] OR [by a meeting of the council, or committee or sub-committee for which the dispensation is required] and that decision is final.
f A dispensation request shall confirm: i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates; ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote; iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and iv. an explanation as to why the dispensation is sought. Subject to standing orders 13(d) and (f) above, dispensations requests shall be considered [by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required] OR [at the beginning of the meeting of the council, or committee or a sub-committee for which the dispensation is required].
g A dispensation may be granted in accordance with standing order 13(e) above if having regard to all relevant circumstances the following applies: i. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or ii. granting the dispensation is in the interests of persons living in the council's area or iii. it is otherwise appropriate to grant a dispensation.

Appendix 4

Birlingham Parish Council

Notes from the informal meeting held on Wednesday 15 April 2015

at Lower Farm Office

continued on separate sheet……