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 11 May 2016
Village Hall
7.30pm

Agenda

Welcome

Present

Election of Chairman and signing of Declaration of Acceptance of Office

Election of Vice-Chairman

1) Apologies: To receive apologies and to approve reasons for absence.

2) 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. ***Appendix 1***

3) 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 – All members are in the Planning Group. To appoint a Head of the Group to lead consultation, collate the Group remarks and finalise a comment before sending to Proper Officer for submission to local authority.

4) Confirmation of arrangements for insurance cover. (Item 11 f)
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.

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

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

7) Minutes of the previous meeting
To consider the minutes of the meeting held on 16 March 2016 and minutes to be approved.

8) 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.

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

10) Planning
   a. Report on outstanding planning applications – W/16/01045 change of use – Lower End Farm (comments for submission)
   b. Applications granted/refused
   c. Draw up Procedures/Guidelines
   d. Current applications

11) Financial Matters ***Appendix 2***
   a. Bank balance

   b. The Accounts for 2015/2016 for resolution (as per the audited financial year end), including the provisions.

   c. The Accounts for 2016/2017 for resolution as per the spreadsheet and provisions. (Acceptance of the accounting receipts and payments so far in the *current* financial year – 2016/17).
   Discussion on the budget figures and the % increase.
   Acceptance of the "*provisions*" for Tree from Litter Pick, Litter pick, Plane Tree, Election and Lengthsman - explanation by Councillor Hill
   Community Provision acceptance and agreement (Cllrs Hill and Allen to update).

   d. Savings account – to discuss opening of an account.

   e. Receipts:

   £150.00 Worcestershire County Council

   Payments:
   £156.00 – Lengthsman (January 2016)

   f. Agreement on cheque signatories and again notification by Councillor if absent.

   g. Future payments

   £150.00 – Lengthsman February
   £90.00 - Lengthsman March

£251.85 – Zurich Insurance
*(first increase for 3 years. The increase in IPT imposed in budget when increased from 6 to 9.5% so previously £243.8/106*109.5 is exactly £251.85 therefore no inflation)*
Review- quotations with competitors in 2017 although this can be limited for Parish Councils with public liability.
£18.00 – Wychavon Parish Games
£180.25 – Worcestershire CALC (Service charge per elector 0.4739 – 26.92 + NALC ` affiliation fee
BVH hire of the hall payment(s)
Projector - to finalise discussion as per previous meeting and agreed
BVH hire of hall for VDS (16 May 2016 from 6.30pm onwards)

h. Internal Audit - completed on 23 April 2016 (Annual internal audit report 2015/16 of the Annual Return signed).

Internal Auditor's findings:
Minutes of meeting November 2015 page 196 - receipt on bank statement 30/10/15 £156.00
Minutes of meeting March 2016 page 209 – receipt on bank statement 31/12/15 £96.00

Agreement on alterations to previous minutes to be approved by all Councillors and Chairman to put signatures.

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
- Resolution on payment to the Auditor. Payment: £50.00 has been requested

i. Audit - Grant Thornton ***Appendix 3***
Notice of the Exercise of Public Rights – the date for the external audit has been received and the public notice from 1 June will beplaced on the notice-board which is at least six weeks before the date of the external audit. Statement to be agreed as below (11 May) and for public inspection from 6 June.

Copies of the Annual Return (one variance greater than 15% this financial year due to contested election) have been sent to all Councillors.

Approval of the Annual Return:

- Section 1: The Annual Governance Statement 2015-2016
- Section 2: The Accounting Statements *(must be approved before statutory deadline of 30 June 2016)*
- Section 4: completed by the internal auditor.
- Clerk to return the agreed and completed 2016 Annual Return, together with a year- end bank reconciliation and supporting documents; copy of the Notice, details of reserves. (Submission date of 17 June 2016 as the appointed audit date)

Note: Section 1 of the Annual Return must be approved before Section 2.
Section 2 of the Annual Return must be approved by the Parish Council before 30 June

Are all Councillors in agreement with the Annual Return for the external auditor?

Clerk to display the completed Annual Return, the Declaration and the Notice after this meeting both on the noticeboard and village website with a declaration of the "unaudited status of the statement of account".

j. Transparency Requirements/obligations publishing * ***Appendix 4***
Some of the following have been agreed previously so this will reiterate and remind:-
- 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 to be updated / amended following this meeting.

k. Pension
The Clerk had sent a formal letter to all Councillors notifying them that there was no requirement to be put into a pension scheme.

l. Auto Enrolment
Staging date. *(need to register a 'no interest' statement which cannot be done until after the 'staging date').*

12) Standing Orders to be reviewed
(includes layout of agenda and how summons is written)
Update on progress from Chairman and clerk.

13) Complaints Procedure
Draft Complaints Procedure to be accepted and agreed.

14) Handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998
Update on progress from Chairman and clerk.

15) Review of the Council's policy for dealing with the press/media
Agreed in January 2016. Any further updates.

16) Village Design Statement (VDS)
Update by Councillor Yates and Hill. Details for parish meeting to be held on Monday 16 May.

17) 'Things to Do' List
Update from Councillor Hill.

18) Litter Pick
Update on community litter pick on Saturday 19 March.

19) Notice of Resignation
Formal resignation of Councillor Steve Conder.
Notification to WDC of casual vacancy

20) Councillors' reports and items for future agenda

21) Next meeting to be held on Wednesday 20 July at 7.30pm.

Clerk
May 2016

* The annual meeting of the Council may be held on any date in May agreed by the parish council

Appendix 1

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 2

Powers and duties

 A council **must** do what Parliament requires it to do, this is a legal requirement. (eg. hold three meetings a year in addition to the Annual Meeting of the Parish Council)

 A council **may** do only what Parliament says it may do, therefore there is a choice. (eg provide and maintain bus shelters)

 A council must not do anything unless it has a legal power to act, granted by Parliament.

In other words, a **duty** is something that the parish council **must** carry out, whereas a **power** is something that the parish council may choose to do, but it is not compulsory.

As well as holding four meetings a year, the parish council must-

 set the precept

 make any decisions to borrow

 consider auditors' reports

 review its financial management

 approve accounts and annual return

Appendix 3

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 4
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.