

Lydiard Millicent Parish Council

Notice of Meeting and Summons to Attend

To: ALL MEMBERS OF LYDIARD MILLICENT PARISH COUNCIL:

Councillors : Mel Allsop, Rachael Clarke, Luke Curtis, Catherine Hacker,
Derek Harden (chairman), Sally Westwood.

In accordance with schedule 12, para 10(2) of the Local Government Act 1972 – Notice is hereby given that a meeting of Lydiard Millicent Parish Council will be held on Wednesday 23rd June 2021 in the Jubilee Club House, Meadow Springs, Lydiard Millicent, commencing at 7.00pm.

All Councillors named above are summoned to attend.

Deborah Bourne

DEBORAH BOURNE
Parish Clerk

17th June 2021

Public Question Time: Members of the public are invited to make representations to Lydiard Millicent Parish Council on matters relating to items on this Agenda (Public Bodies [admission to meetings] Act 1960), before the meeting commences (limited to 10 minutes). Every effort will be made to give accurate answers to all questions, but in some cases further research may be necessary when an answer will be given by the Chairman or Clerk as soon as possible.

Neighbourhood Watch Representative, and Community Speed Watch Co-ordinator will be invited to address the Council at this time.

Report from Wiltshire Councillor: An opportunity to put questions to and receive information from the local Unitary Councillor Steve Bucknell.

AGENDA

1. **Apologies for Absence:** The Council is asked to note any apologies and to accept reasons if they are considered to be appropriate.
2. **Declarations of Interest:** To receive Declarations of Interest in accordance with the Code of Conduct adopted by this Council in July 2012. Members are reminded that it is their personal responsibility to make sure the Register of Interests contains up to date information.
3. **Minutes:** To confirm and sign as a true record Minutes of the Meeting held on Thursday 20th May 2021.
4. **Chairman's Announcements:** General updates and information not requiring a formal decision from the Council will be relayed at this point.
5. **Completion of Audit for 2019/20** Appendix A
Every local council is required to produce its end of year report (AGAR (Annual Governance & Accountability Return)) by 30th June for the

previous financial year ending 31st March. In 2020 this was done for the financial year 2019/20 in time for the deadline. Pre-pandemic it was a legislative requirement for the External Auditor to submit his audit findings prior to 30th September to each local council. Legislation amended the date last year to 30th November due to the pandemic. On 30th November 2020 the Auditor; PKF Littlejohn LLP, issued a holding certificate as follows:

‘The smaller authority has submitted its AGAR and supporting documentation prior to 30 November 2020; however, we have not been able to complete our review work in time to enable to smaller authority to publish the required documentation in line with statutory requirements. Once we have completed our review a final report will be provided with the certificate of completion detailing any qualifications and ‘other’ matters.’

PKF Littlejohn LLP have subsequently audited the AGAR for the financial year 1st April 2019 to 31st March 2020 and submitted its final report in May 2021.

The Council is asked to note that the only concern raised by the Auditors for the AGAR for the financial year ending 31st March 2020 was a lack of wet signatures. Members will be aware that these were difficult to obtain due to Covid restrictions. No other matters were raised.

An appropriate notice indicating a successful completion of the audit will be placed on the noticeboards and Council’s website.

6. **Planning Matters:**

Appendix B

- a. *Decisions:* The Council is asked to note decisions made by Wiltshire Council since the Council’s last meeting.
- b. *Applications:* The Council is asked to consider the following applications received from Wiltshire Council and make comments as appropriate.
 - i. 2021/03644 – Beechcroft, Common Platt
Proposal: new single storey garage with storage over to front garden adjacent to the existing pre-fab concrete garage with h/w carport partially over pre-fab garage.
 - ii. 2021/04439 – 38 Stone Lane, Lydiard Millicent
Change of use of section of agricultural land to residential
 - iii. 2021/03139 – Cotswold Heights, Greenhill
Proposal: rebuild the front boundary wall and reinstate the front gate.
 - iv. 2021/04888 – 16 Stone Lane, Lydiard Millicent
Proposal: single storey rear extension to replace existing conservatory and extend the existing garage.

7. Finance

Appendix C

- a. *Payments:* Legislation advises that all payments should be authorised by two members before being paid. Lydiard Millicent Financial Regulations require all payments to be authorised at a council meeting before being paid (with the exception of contract salaries which are reported to the next Council meeting). Payments; whether made by online banking or by cheque, require two member's approval/signature for any funds that are released. This has caused confusion as to whether the two members can refuse to make the payment after the Council has made a decision for it to be paid, or whether the two members can authorise the payments prior to the Council's decision.

The council is asked to consider which it would prefer and authorise payments in Appendix C.

- b. *Cricket Request:* In recent years the council has had a policy of improving the quality of the cricket square in order to attract more cricket bookings during the summer. Swindon Cricket Club have now indicated their wish to use sight screens for future matches.

The Council is asked to consider whether it wishes to contribute towards or purchase outright sight screens which could be used; not only by Swindon Cricket Club, but other users to which the Council might wish to let the ground.

It is understood that such sight screens cost in the region of £1,000 per sight screen. The sight screens can be taken down and stored in the winter months.

The Council is asked to consider whether it wishes to purchase two sight screens at a cost of £2,000 from within the ear marked reserves. The sight screens can then be used by all users of the cricket ground in line with the Council's policy of expanding future usage.

If the Council wishes to proceed with the purchasing of the sight screens, the likely cost will be above the £1,000 threshold; as sent out in the Council's Financial Regulations. Therefore, competitive quotes will be sought.

Should the Council decide not to purchase the sight screens it will need to consider whether it will allow Swindon Cricket Club to store their own sight screens at the ground for their own exclusive use.

8. AGAR for year ending 31 March 2021 (Governance)

Appendix D

The AGAR (Annual Governance & Accountability Return) document; although sent to councils on a single three-fold sheet, requires them to pass two separate decisions. As mentioned above the AGAR must be approved by the Council by 30th June. The first decision must be in respect of governance, the second in respect of its finances. Accordingly, this item will ask the Council to consider the

governance of the authority; reviewing the AGAR and confirming that the boxes checked are appropriate. The next agenda item (item 9) will ask the Council to confirm the financial position of the authority.

The governance of the authority relates to the internal controls that the RFO (Responsible Financial Officer) must put in place in accordance with legislation. The current internal controls have been put in place by the RFO and have been approved by auditors over the previous five years.

The purpose of the AGAR is for a local council to demonstrate that public money is safeguarded and properly accounted for and that its business is conducted in accordance with the law, regulations and proper practices.

The AGAR 2020/21 should be considered alongside notes in the booklet titled “Governance and Accountability for Smaller Authorities in England”.

The Council is asked to approve the AGAR governance section.

9. **AGAR for year ending 31 March 2021 (Accounts)** Appendix D

The Accounts and Audit Regulations 2015 require smaller authorities to prepare an AGAR (Annual Governance & Accountability Return) in accordance with proper practices in relation to its accounts; as set out in the guidance laid down by JPAG (Joint Panel on Accountability and Governance).

Under the Local Audit and Accountability Act 2014 (sections 26 & 27) a period of 30 consecutive working days, which must include the first 10 working days of July, must be made available for any interested person to inspect the accounts. Commencement dates will be Monday 28th June 2021 to Friday 6th August 2021 inclusive. A notice to this effect will be posted on the parish noticeboard and website.

In previous years the internal audit would have been returned and the Council could consider the AGAR alongside the internal auditor’s report. Unfortunately, the internal audit company has not been able to return the accounts in time for the agenda in spite of them having the accounts for a number of weeks. It is hoped the internal auditor’s report will be available before the Council meeting.

The Council is none the less required to meet the statutory deadline of 30th June 2021 for the accounts to be approved.

10. **Corporate Governance** Appendix E

Corporate governance documents include a number of policies set down to regulate a council’s management. Principal amongst these are the Standing Orders and Financial Regulations. Standing Orders relate to the operation of council meetings whilst Financial Regulations relate to the management of public money. It is best practise to review a councils’ corporate governance documents periodically.

- a. *Standing Orders:* The Standing Orders were last reviewed and adopted in October 2018 and so three years on these should be considered for a review.

The Council is asked to consider the attached Standing Orders (Appendix E) with a view to these next being reviewed at the start of the next administration in 2025.

- b. *Financial Regulations:* The Council's Financial Regulations were reviewed in March 2017. A number of changes; noted in Council Minutes, have been made to the Financial Regulations since March 2017.

A new draft of the Financial Regulations will be brought forward for consideration to a future Council Meeting as members have requested more time to consider this matter. Until then the existing Financial Regulations, as amended, will remain in force.

11. **Health & Safety**

Appendix F

The Health and Safety at Work Act 1974 requires all employers to have suitable arrangements for the safety of their staff. In addition, any buildings open to the public must also have suitable arrangements to protect members of the public.

The HSE (Health and Safety Executive) Website states:

'If you have five or more employees, you must write your policy down. If you have fewer than five employees you do not have to write anything down, but it is useful to do so'.

(<https://www.hse.gov.uk/simple-health-safety/policy/index.htm>)

The HSE website advises that if you wish to write a health and safety policy it should be written by *'someone competent to help you meet your health and safety duties. A competent person is someone with the necessary skills, knowledge and experience to manage health and safety'*.

(<https://www.hse.gov.uk/toolbox/managing/deciding.htm>)

The Council must also comply with the requirements set out by its insurer who cover public liability and employee liability claims. Currently the insurers; as there are less than five employees, are content with the Council's general risk assessment. This risk assessment is submitted and approved by the Council's insurers.

The new Council challenged the current risk assessment and made changes to it. These changes have not been approved by the insurers which could lead to insurance claims being refused.

After consulting with the insurers as to their requirements for who can write health and safety policies; the underwriters have commented that *'the individual must have training experience or at least an in depth knowledge of the relevant area and are able to substantiate this'*.

Councillors should note the insurers higher standard of qualifications to that listed on the HSE website.

- a. *Policy Document:* After the new Council challenged the current risk assessment the clerk advised new members that they should consider the appointment of a professional company to provide health and safety advice. New members have decided that Councillor Westwood is their preferred choice for taking responsibility for the Council's health and safety policies. In order to keep the insurer informed; details of Councillor Westwood's health and safety knowledge and experience have been forwarded to the insurers and their response is awaited.

Councillor Westwood has been working on a health & safety policy for the Council; a draft of which is attached (Appendix F). The Council is asked to consider this document.

- b. *Professional Support:* The previous chairman; Councillor Jones, believed there were health and safety concerns and arranged for a quotation to be received from a company. When this quotation arrived it became apparent that the expenditure would be over the Council's £1,000 threshold as set out in its Financial Regulations. Therefore, in accordance with the Council's Financial Regulations a second quote was sought.

The two quotations are listed below:

	Company A	Company B
Cost / Duration	£95 per month 60 month contract	£128 per month 12 month contract
Total Cost of Contract	£5,700	£1,536
Included in Contact between client & company	Initial visit to site + quarterly phone support from advisor + 24hr Emergency support	One 2 hr visit + short face to face if required + e-mail/ phone support + Bespoke Risk Assessments to suit needs
Training	Available via company app	No H&S Training included
Other Benefits	Use of company app / H&S management tool E-learning training	Access to templates / forms Advice on RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013) Quarterly Newsletter highlighting new legislation

The Council is asked to consider the above quotations.

- c. *Chairman's request - To approve Health and Safety Investigation (expenditure £975 Peninsula):*

The Chairman has requested that an item be included on the agenda to authorise expenditure in the amount of £975 to one of the above two companies. No information has been provided by the Chairman as to the purpose of the expenditure other than to say this will cover a health and safety investigation. Further information has been requested from the Chairman but this has not been provided in time for the agenda.

There has been no budget provision made for this item in this financial year.

Before making a decision councillors are reminded that the public must be able to identify; from the agenda, the relevant information pertaining to any proposed expenditure.

12. **Grounds Maintenance Contract** Appendix G

The Council had a ground maintenance contract with Westlea Landscaping. This contract was for the period ending March 2018, since which time the contract is now a rolling month to month basis.

Councillors Allsop and Hacker have been preparing a new Grounds Maintenance Contract to start on 1st October 2021, ending 31st March 2024.

The Council is asked to consider the attached documents (Appendix G).

13. **Casual Vacancies in the Office of Parish Councillor**

In the May 2021 election the Council had 11 seats up for election. Only six seats were filled. The remaining seats can now be filled as casual vacancies by the Council.

There has been some interest in the casual vacancies for the Council. If any applications are received by the clerk prior to this meeting (23rd June 2021) members will be asked to consider those applications.

14. **Date of Next Meeting**

The next meeting of Lydiard Millicent Parish Council will take place on Thursday, 1st July 2021, commencing at 7.30pm in Lydiard Millicent Parish Hall.

15. **Exclusion of the Press and Public**

It is recommended that under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 of Part 1 of Schedule 12A of the Act and the public interest in maintaining the exemption outweighs the public interest of disclosing the information.

16. **Establishment Matter – Appraisal of the Clerk**

An appraisal is an annual opportunity for an employer to review the performance of staff members. Appraisals are used as a tool to monitor the objectives that have been agreed by the employer and employee. It is a ‘two-way conversation’ to explore what has gone well and what requires more support through training.

The Council is asked to authorise the Chairman to undertake the appraisal of the clerk using the Council’s adopted appraisal paperwork which is based on a national template specific for the sector.

17. **Establishment Matter – Appraisal Objectives for the Clerk for the Period 2021/22**

The purpose of objectives is to allow an organisation to progress its business plan through the staff it employs. A business plan normally sets out the direction of travel for an organisation. In the case of a local council it sets out those aspirations considered to be important by the elected members of the local authority. The clerk; as the principal officer of the Council, is then given the responsibility of delivering that vision.

It is fundamental that all objectives are agreed by both parties; to ensure the employee is fully engaged in the process and committed to achieving the organisation’s business plan.

The Council is asked to consider setting objectives for the clerk based upon its business plan.