

THE PARISH COUNCIL OF MERTON M8/2021

MINUTES OF THE EXTRAORDINARY MEETING OF THE COUNCIL HELD in MERTON VILLAGE HALL AT 20:50 ON 28 JUNE 2021

PRESENT: Tony Bradley (Chairman) AB
Martin Smith, Gemma Allen, Paul Stubbs and Deborah Smith (Councillors) MS/GA/PS/DS

IN ATTENDANCE: T. Charlesworth; (Clerk/RFO). TC
David Richardson and Andrew Yearsley applicants for Vacancies DR/AY
Parishioner/Traffic Calming Representative: Simon Ward. SW

1. APOLOGIES: Apologies were received from R. Gurprashad and R. Foord.

2. PARISH COUNCIL:

2.1: To Receive Disclosable Pecuniary Interests: None declared.

In order to deal with the Election of the Chairman; the Chairman AB brought item 2.4 on the agenda: Vacancy; forward.

2.2: Vacancy: Before considering the applications it was noted that R. Foord had offered to re-join the Parish Council and stand as Chairman if no-one else was willing to. S. Ward explained that he was not currently in a position to commit to the PC.

SW left the meeting.

The Parish Council is in receipt of three applications from D. Richardson, A. Yearsley and R. Gurprashad who, although unable to attend the meeting, still wished to be considered for co-option. The Parish Council currently has two vacancies to fill with one pending.

RESOLVED:

- That the PC approved the co-option of both D. Richardson and A. Yearsley; this was accepted. Clerk to forward DPI Registration and make arrangements for the 'Declaration of Acceptance of Office' to be completed as soon as possible.

TC/DR/AY

2.3: Co-option:

- Deborah Smith had completed the DPI Registration form; Clerk submitted to C.D.C.
- 'Declaration of Acceptance of Office': Signed and witnessed by the Clerk.

2.4: Election of Chairman:

RESOLVED:

- That D. Richardson is elected Chairman as from 1 July 2021 following the resignation of AB: 'Declaration of Acceptance of Office' to be signed following 30 June 2021 in order that the PC can continue to function following the resignation.

TC/DR

2.5: Election of Vice-Chairman: C/fwd.

3. PUBLIC PARTICIPATION: None.

4. FINANCE:

4.1: Accounts for Payment:

RESOLVED:

- That the following payments were approved:
- Clerks Pay/Exp May 2021 - £164.40 – Cheque No: 101596.
- Village Hall Cleaner – April-March 2021 £47.50 – Cheque No: 101594.
- Jane Olds – Internal Auditor – Inv. No: JO132 - £130.00 – Cheque No: 101595.
- Kingfisher Direct – Inv. No: 50912 - £298.57 – Cheque No: 101597: Although not on the agenda the invoice was approved for payment as approval for the order of a bin to the value of £200.00 had previously been approved and extended by the approval from C.D.C. that two bins could be purchased from the COMF funding if there was enough money available. The cost is being covered by the COMF funding of £550.00 received (signs and sanitiser to be purchased with the balance of the fund).

4.2: End of Year Accounts 31 March 2021:

- Internal Audit Report: The report was read and accepted and the following recommendations to be reviewed and/or actioned:-
 - C Review of Internal Controls: Risk Management assessment is limited. The Council should review and update it annually at the beginning of the year using the JPAG recommendations (starting at 5.89 and criteria 5.91) and publish on the website.*
 - D Budgetary Controls (Precept requirement): The annual Precept requirement resulted from an adequate budgetary process. However, more detail needs to be included in the Minutes regarding the setting of the draft budget which should be agreed prior to the consideration of the Precept (which should also be minuted in full).*
 - E Income controls Expected: Income was fully received and properly recorded. Income should be included in the published budget and minuted upon receipt in the monthly Finance Report.*
 - F Petty cash controls Petty cash is operated by the Council. Ensure that all receipts are accounted for. Consider closing the petty cash account and requesting all items of expenditure via invoice.*
 - G Payroll controls Salaries to employees were paid in accordance with Council approvals. But the HMRC / NI requirements were not properly applied. The Council, as an employer, is required to register with HMRC and to record all payments to all its employees (both Clerk and Village Hall staff) with HMRC regardless of whether any tax is due (HMRC advice note from 2011 supplied). It is imperative that this is rectified as soon as possible.*

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- *H Asset Controls - all Deeds and Titles established and shown on register? Deeds and Titles do not appear to be shown on the Register. Establish the Deeds and Titles for the land and buildings owned and publish on the Asset Register.*
 - *M Exercise of Public Rights: The Parish Council published the exercise of public rights on the website and noticeboard. Unfortunately, the dates were not compliant and did not cover the required 30 working days. Ensure that the dates are for 30 working days and cover the first 10 working days of July. Recommended that the notice is posted on the noticeboard, published in the Finance section of the website, and that the dates are agreed and Minuted prior to publication. Photographic proof may be required next year.*
 - *Compliance with the Transparency Act 8) Details of Public Land and Building Assets I was not able to find the Deeds and Titles on the Website. Ensure that the Land Registry references are included on the Asset Register.*
 - *The Clerk and the Councillors should be encouraged to take up the training offered by Oxfordshire Association of Local Councils (and the Society of Local Council Clerks) to increase their knowledge and expand the Clerk's professional development.*
 - *The published Standing Orders were not compliant with current legislation; the latest version was published by NALC in 2018. The Council should be reminded that it is the Council as a body which is responsible for ensuring that the documents are kept up-to-date when new versions are published by NALC: The Parish Council adopted Standing Orders 29 March 2021: Clerk to publish on website.*

TC
 - *The Council should undertake a review to ensure that the banking provision is fit for purpose – including consideration of electronic banking, the Council might like to consider some form of payment card on the account for the Clerk, in order that items such as Office 365, Dropbox or antivirus software, can be ordered online. This may also mean that Petty Cash can be dissolved: The PC is currently reviewing its banking arrangements and will be viewed as a matter of urgency given the current change in councillors and Chairman; it was noted that DR remains a signature due to the continuing issues with the Change of Signature previously agreed; it will now not be necessary to remove him as a signatory if Barclays continues to be the PC bank but, to remove AB and LK and add GA and MS. Information regarding banks for consideration is to be circulated ready for discussion at the next meeting; if the account is changed then signatories are to be confirmed.*

TC/GA
 - *I noted that the Council had reserves but that much of the money was not currently earmarked for specific projects. I strongly recommend that much of the general reserve is allocated to earmarked reserves as, moving forward, the Council may start to find it difficult to justify the Precept with the current levels*
 - *It is acceptable to pay the Information Commissioner via Direct Debit. Not only does this save £5, but also time and effort*
 - *GDPR policies are extremely limited. While the Freedom of Information Publication Scheme is available, the Parish should also consider adopting a Data Protection Policy and a Document Retention Policy and Procedure – all of which should be reviewed on a two year rolling programme*
 - *As mentioned in Annual Return Section G, the Council, as an employer, is required to register with HMRC and to record all payments to its employees – both Clerk and Village Hall Staff – with HMRC – even if no tax is due. I have supplied the HMRC advice note from 2011. It is imperative that this is rectified as soon as possible. An Accounts Office Reference Number and an Employer PAYE Reference Number will be needed.*
 - *It is also a requirement that the Council should be registered with the Pension Regulator and the regular (three-yearly) submission completed online – regardless of whether the Clerk has chosen to take up the Council's offer of a pension.*
 - *Employment legislation requires that the Clerk and other staff should be issued with a full contract of employment; model copies are available from NALC / SLCC. OALC also has a wide range of staffing documents available: Under review.*
 - *Parish Council Minute books are currently stored with the Clerk. As these books are the only record of the meetings and should be kept in perpetuity, I strongly recommend that just the last five years or so are kept with the Clerk, with the rest being deposited with the County Archive for safety. A review of other documents should also be undertaken as there is no need to keep items held by others such as most planning applications*
- b) End of Year Accounts 31 March 2021: Consider/Approve.
- c) The Annual Governance Statement: Completion of Section 1: Items 1 to 9 were read by AB:

RESOLVED:

- That the PC approved the following answers:-
 - 1. Yes.
 - 2. Yes.
 - 3. Yes.
 - 4. No: Explanation: *The Parish Council published the exercise of public rights on the website and noticeboard. Unfortunately, the dates were not compliant and did not cover the required 30 working days. It is to ensure that the dates are for 30 working days and covers the first 10 working days of July and the notice is posted on the noticeboard, published in the Finance section of the website, and that the dates are agreed and Minuted (See f) below) prior to publication.*
 - 5. Yes.
 - 6. Yes.
 - 7. Yes.
 - 8. Yes.
 - 9. N/A
- d) The Accounting Statements: Completion of Section 2: Items 1 to 10 were read; figures checked against accounts.

RESOLVED:

 - That Section 2 – Accounting Statements 2020/21 were accepted and approved; previously signed by TC and dated 20 June 2021.
- e) Following approval, the Chairman and Clerk of the meeting sign the Annual Governance Statement and the Chairman signs the Accounting Statements:

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- The Chairman and Clerk/RFO signed Statement 1; Clerk to enter the recorded minute reference.
 - The Chairman signed Statement 2; Clerk having previously signed; to enter the recorded minute reference. TC
- f) Exercise of Public Rights: RFO setting the Commencement of Exercise of Public Rights on 5 July 2021 to 13 August 2021; to be published on the notice board Friday 2 July 2021 and photographed.
- g) All required documents to be published on the website before the 1 July 2021. All
- 4.3: Grant Applications:
- a) Screwfix Grant: Funding is not agreed until September. GA
- b) Aviva Community Fund: Rejected.
- c) Viridor: To obtain login passwords and obtain further supporting documents from the Clerk/RFO. GA/TC
- d) National Lottery: Awaiting response. GA
- 4.4: Traffic Calming:
- RESOLVED:**
- That the PC approves the spending of the £9,000.00 budget on the purchase of two SID (Speed Indicator Devices) as per the quotation from Wescotec as discussed at the Annual Meeting of the Parishioners of Merton. TC
5. MATTERS FOR FURTHER INFORMATION OR DISCUSSION:
- a) INFORMATION:
- Parish Matters: - Further to the information provided; a link to the proposed Diversion Under the Highways Act 1980 s119 at Merton Grounds Farm, Merton to be published. GA
 - All keys pertaining to the Village Hall and Notice board held by AB were returned to the Clerk; this set of keys will be held by MS and a further set held by GA.
- b) MATTERS FOR FURTHER DISCUSSION:
- Proposed Diversion Under the Highways Act 1980 s119 at Merton Grounds Farm – Part of Merton Footpath No. 2 and FP3 at Merton Grounds Farm, Merton: Historical background and decision to comment. Agenda.
6. NEXT MEETING:
- 6.1: Merton Parish Council Meeting 12 July 2021: At 7.30pm in Merton Village Hall.

There being no other business the Chairman closed the meeting at 20:49.

Draft Minutes subject to confirmation:

Approved and Signed by the Presiding Chairman

Date