

NETHER ALDERLEY PARISH COUNCIL

Minutes of the Parish Council Meeting held at 7.40 pm on Monday 18th May 2015 at Nether Alderley Parish Hall.

Prior to the opening of the meeting, a resident of Nether Alderley attended to raise two matters with the Parish Council.

In the Chair: Mrs. Shufflebottom
Parish Councillors present: Mr Lewis, Mrs. McKeown and Mrs. Walker
Also present: Mrs. Langham, Clerk

1. To receive apologies for absence

The Parish Council received apologies for absence from Nether Alderley Parish Councillors Mr. Colgan and Mrs. Shorland and from Cheshire East Councillor George Walton.

2. To receive Declarations of Interests and confirm Code of Conduct expectations and procedures

a. To Declare Disclosable pecuniary interests.

No declarations were made.

b. To Declare interests conflicting with the seven Nolan principles.

No declarations were made

3. The Clerk drew Parish Councillors' attention to the Nether Alderley Parish Council Code of Conduct and expectations in relation to registering and declaring interests and directed Councillors to sources of support in relation to advice about pecuniary and non-pecuniary interests.

4. To consider and approve Applications for Dispensations

No applications for dispensation were submitted

5. To apply for and confirm the granting of a general dispensation for all Parish Councillors

A dispensation under Section 33 of the Localism Act 2011 was granted to all members of Nether Alderley Parish Council for the following purpose:

A General exemption for a period of 4 years to all members and co-opted members of Nether Alderley Parish Council to allow participation in any discussion and to vote in the following cases:

Setting the council tax or a precept under the Local Government Finance Act 1992 (or any subsequent legislation) or special expenses;

School meals or school transport or travelling expenses where they are a parent or guardian of a child in full time education or a parent governor unless the matter relates specifically to the school which the child attends;

An allowance, payment or indemnity given to members;

Any ceremonial honour given to members.

For the period of 4 years to the next election in May 2019

Due to the following details of Members interest in that business:

As Resident in the Parish of Nether Alderley – Disclosable Pecuniary interests exist/ are declared based upon ownership of property in Nether Alderley.

To allow members to:

- participate, or participate further, in any **discussion** of that business
- participate in any vote, or further **vote**, taken on that business

With reasons for the granting of the dispensation:

- without the dispensation the number of persons unable to participate in the transaction of business would be so great as to impede the transaction of the business
- the dispensation is in the interests of persons living in the council's area
- that it is otherwise appropriate to grant a dispensation: The Parish Council is the precepting authority and given the statutory power to discuss and approve a precept for Nether Alderley. Parish Councillors necessarily have to discuss and make the decision regarding the precept.

6. The Parish Council resolved to approve that the Minutes of the Nether Alderley Parish Council meeting held on Monday 20th April 2015 are a true and accurate record.

7. Matters Arising

To consider progress of, and review, matters raised at previous meetings:

a. The control of rabbits adjacent to the Burial Ground

It was resolved that the matter be moved to agenda item 12, 'Burial Board'

b. Access to the Burial Ground

The Clerk presented a proposed written agreement for access through the field neighbouring the burial ground and maintenance of the oak tree situated in the field. **The Parish Council resolved to approve the agreement, with addition of a 10 year term, pending advice from the Cheshire Association of Local Councils.**

c. Work to the oak tree in the Burial Ground

The work has been commissioned and will take place as soon as the tree surgeon is available.

d. Requests to Cheshire East Council for improvement of Nether Alderley roundabout

The Clerk presented an update on this ongoing matter. She had spoken with the Green Areas Manager at Cheshire East who will further investigate the request made by the Parish Council for a change of status of the roundabout in order that the level of maintenance of the roundabout is more intensive than the current 'rural' cut. It was explained to the Clerk that an urban or enhanced roundabout status is dependent upon speed approach of 40 mph or less which the roundabout in Nether Alderley doesn't currently qualify for. The Clerk explained information she was given

regarding parameters of planting and care of the roundabout and that rural cuts in Cheshire East are due to start in mid-May.

- e. **Communication with Cheshire East Council further to Parish Speed Survey**
Further to the meeting in April, a final version of communication to the Strategic Commissioning Manager for Highways has been circulated to Parish Councillors. ***The Parish Council resolved to approve additions to the letter and approved to send a copy to the Chairman of the Parish Plan Speed and Safety Group.***
Speed strips around Nether Alderley have been noted by a resident recently. The resident has made enquiries about their purpose and the Clerk passed on details to Councillors.
- f. **Parish Plan Communications and Infrastructure Group.**
Mrs. Shufflebottom reported a request by the Group to make a presentation to Parish Councillors regarding plans and proposals for Nether Alderley. The Parish Council agreed that it would welcome members of the Group to the July meeting as they are not able to attend the meeting in June.

8. Correspondence

To consider new correspondence sent to the Parish Council:

- a. **To consider and resolve to implement any requirements of the new Transparency Code for Parish Councils**
The Clerk reported recent correspondence from Cheshire Association of Local Councils regarding the Smaller Authorities Transparency Requirements Regulations which came in to force on 1 April 2015 which set out obligations for Parish Councils with an annual turnover of £25,000 or less.
The Clerk presented a summary of the details of the expectations of the Transparency Code for smaller authorities.
The Parish Council considered all aspects of expectation of the Transparency Code and resolved to approve actions for the Clerk to take to ensure that the Parish Council meets all aspects of expectation, with immediate effect
- b. **To consider future arrangements for auditing of 'smaller councils'**
The Clerk reported communication from Cheshire Association of Local Councils that explains proposed changes to the External Audit system for 'smaller councils' intended from the Financial Year 2017/18.
- c. **Audlem Neighbourhood Plan**
The Parish Council noted communication regarding the Audlem Neighbourhood Plan, currently under consultation.
- d. **Other Communication**
- Advice Cheshire East posters
 - Clerks and Councils Direct magazine

9. Finance

- a. To note receipt of income, as listed in schedule (Appendix A)
- b. To authorise payments made prior to the meeting in order to meet payment deadline expectations as listed in schedule (Appendix A)
- c. To consider and authorise payments, as listed in schedule (Appendix A)
- d. To consider and approve Direct debits, as listed in schedule (Appendix A)
- e. To authorise payments to be sent to CVS Cheshire East to incorporate in to the Clerk's payroll amounts as listed in schedule (Appendix A)

The Clerk submitted a time sheet of hours worked with analysis of work carried out since the meeting held in April 2015. The Parish Council analysed and considered the work and resolved to approve that additional hours agreed at the meeting April for overtime during 2014-15, should be submitted to the payroll provider for inclusion in the Clerk's salary.

All items of expenditure were proposed by Mrs. McKeown, seconded by Mrs. Shufflebottom and approved by resolution of the Parish Council.

10. Planning

- a. **To consider and approve responses to new planning applications**
There were no new planning applications
- b. **To consider any other Planning matters including decisions for Planning Applications**
 - i. Mere Farm Quarry application 15/1648D Planning decision was noted

11. Policies and Procedures

- a. **To consider the results of Internal Audit, Internal Audit reports and approve any actions to take forward**

The Clerk distributed copies of the Internal Audit reports to Parish Councillors prior to the meeting.

The Clerk presented the Internal Audit reports to the Parish Council.

The Clerk reported that the Internal Auditor has confirmed that the Parish Council has met with all Internal Control objectives as detailed on the Annual Return for the Financial Year 2014/15. No negative responses or statements are listed in the Annual Return Internal Audit report. The Internal Auditor concluded in the detailed internal audit report "on the basis of the internal audit work carried out, which was limited to the tests indicated above, in our view the council's system of internal controls is in place, adequate for the purpose intended and effective, subject to the recommendations reported in the action plan."

The Clerk reported that one Guidance note has been issued, by the Internal Auditor, in the action plan, that an area of potential risk for the Council in 2015/16 is ensuring that it meets the requirements of the Pension Regulator with respect to auto enrolment with a recommendation that the Parish Council should review this risk and ensure that it meets the Pension Regulator requirements.

The Clerk reported that she has investigated the forthcoming auto enrolment requirements through the Pension Regulator website, communication with Officers at the Cheshire Pension Fund and communication with the Parish Council's Payroll Provider. The Clerk reported details of the future requirements relating to the Parish Council's obligations to provide schemes of pension provision for employees. The Clerk confirmed that the Parish Council's staging date is 1 July 2017 and that the Pension Regulator recommendation is that preparation begins 1 year prior to the staging date. The Clerk reported that the Parish Council's Payroll Provider will acquire an auto enrolment suite and can provide a service to ensure that the Parish Council is fulfilling its responsibilities relating to auto enrolment, should it wish to consider this service.

The Parish Council resolved to approve that:

- The Clerk enrolls the Parish Council with the Pension Regulator
- That it already has pension provision in place for its one employee, the Clerk
- That it will consider and confirm the pension scheme that eligible Parish Council employees will be automatically registered with, in a pension policy, at a future meeting
- That it will subscribe to CVS Cheshire East's auto enrolment service at a cost of £24 per year and that the Clerk will confirm this with CVS Cheshire East, to ensure that the Parish Council is meeting the requirements of auto enrolment

Mrs. Shufflebottom proposed, Mr. Lewis seconded and the Parish Council resolved to approve that results of the Internal audit have been fully considered and approval has been given by the Parish Council for all actions needed to address any issues that have arisen in the Internal Auditor's findings and recommendations.

b. To Review the Parish Council's Plan of Internal Audit, Arrangements for Internal Audit and Mechanisms of Internal Systems of Control

The Parish Council, at its meeting on 25th March 2015, designated review of the following areas, to a Working party of 3 Councillors and the Clerk:

1. Appraisal of the Parish Council's mechanism of Internal Audit
2. Appraisal of the Parish Council's Internal Controls
3. Appraisal of the Annual Governance Statement/Annual Statement of Assurance as recorded on the Annual Return
4. Consideration of a Statement of Assurance for the Parish Council's operations 2014-15

The Working Party met on Tuesday 5th May 2015. The Working Party comprised Mr. Clarke, Mrs Shufflebottom, Mrs. Shorland and the Clerk.

The Working Party reported the outcome of its appraisal and reviews to the Parish Council.

The Parish Council considered and discussed the reviews and recommendations of the Working Group and resolved to approve that:

- The Parish Council continues to maintain its Plan of Internal Audit without amendment.
- That Nether Alderley Parish Council has acted in accordance with the Plan of Internal Audit.
- That the scope and coverage of the Parish Council's Internal Audit is adequate, appropriate and effective for Nether Alderley Parish Council and that the Parish Council had fulfilled its responsibilities in relation to Internal Audit.
- That the Parish Council approves the Nether Alderley Parish Council Statement of Internal control and considers that the Parish Council has an adequate system of internal control with mechanisms to prevent and detect fraud and corruption.

Proposed by Mrs. Walker, seconded by Mrs. McKeown and approved by resolution of the Parish Council.

c. To approve the Annual Return Annual Governance Statement

The Working Party, having considered all of the assurances required on the Annual Return Section 2 Annual Governance Statement, recommended that the Parish Council could answer positively to all statements on the Annual Governance Statement (except the section relating to Trust Funds which is not applicable). The rationale for the positive responses was detailed in the Working Party report, presented to the Parish Council.

The Clerk confirmed that the Notice of Electors Rights had been advertised in notice boards prior to 11th May 2015, the date allocated by the External Auditor.

After due consideration, the Parish Council resolved to approve that all aspects of the Annual Return Annual Governance Statement could be agreed with, apart from the trust fund section which was not applicable.

Proposed by Mrs. McKeown, seconded by Mrs. Shufflebottom and approved by resolution of the Council.

The Annual Governance Statement was signed by Mrs. Shufflebottom, Chairman and Mrs. Langham, Responsible Financial Officer

d. To review for approval updated Nether Alderley Parish Council Risk Assessment schedule

Taking account of all aspects of Parish Council business and activity and with reference to insurance recommendations:

The Parish Council considered and resolved to approve the Parish Council's Risk Assessment as a record of and explanation of all aspects of risk that the Parish Council has identified associated with Parish Council activity and the mechanisms in place to address all areas of risk; with amendments and additions including the addition of monthly inspections of bus shelters by Parish Councillors and monthly inspections of the telephone kiosk once 'adopted'.

Proposed by Mrs. Shufflebottom, seconded by Mr. Lewis and approved by resolution of the Parish Council.

- e. **To review for approval the Nether Alderley Parish Council full Asset Register and asset register for publication**
The Parish Council considered and resolved to approve the Parish Council's full Asset Register as a true reflection of its current assets and values. The Parish Council resolved to approve an amended asset register for publication on its website, as required by the Transparency Act for smaller Councils that includes all buildings and land owned by the Parish Council. The Parish Council resolved to include highways assets as part of the published register. Proposed by Mrs. McKeown, seconded by Mr. Walker and approved by resolution of the Parish Council.
- f. **To consider re-valuation of Parish Hall assets**
The Parish Council resolved that the Clerk makes enquiries about costs involved for re-valuation of some assets.
- g. **To agree 2 representatives to ChALC Area Meeting**
The Parish Council resolved to approve that the Chairman and Clerk are nominated as representatives to the ChALC Area Meeting
- h. **Bank Mandate**
The Parish Council resolved to approve that the current bank mandate is retained until the member vacancies are filled when a new mandate will be established for all Councillors.

12. Burial Board

- a. **To consider costs of leaf blowers to purchase for use in the Burial Ground**
The Clerk is awaiting costs from the Burial Ground Groundsman. The Parish Council approved that Mr. Lewis also investigates costs.
The Parish Council resolved to approve purchase of a leaf blower up to the value of £350 including VAT, should a suitable one be identified prior to the next meeting
- b. **To consider securing of memorials**
The Clerk reported costs and suggestions for repair of memorials, following inspection by a memorial mason.
The Parish Council resolved to approve that it would consider again at the next meeting, further to continued display of a notice requesting contact about the memorials.
- c. **Rabbit warren**
The Clerk reported permission received from the landowner to address a rabbit warren in a neighbouring field and action taken.
- d. **Grave Deed**
The deed to grave 254 was approved and signed.
- e. **Correspondence**
Requests were considered and responses approved regarding use of the Burial Ground.

13. Parish Hall

a. To consider communication regarding the cupola

The Clerk reported contact received regarding the cupola.

b. To approve an amended version of the Parish Hall JMC Terms of Reference

The Parish Council considered and resolved to approve an updated version of the Parish Hall Joint Management Committee Terms of Reference

14. Other Matters

15. Next Parish Council meeting:

To confirm meeting on Tuesday 16th June 2015 at 7 pm

Minutes taken by: the Clerk.

Minutes confirmed and approved at the Nether Alderley Parish Council meeting on Monday 16th June 2015.

Signed..... Date.....

Appendix A

Nether Alderley Parish Council Meeting Monday 18th May 2015 at 7.30 pm. Nether Alderley Parish Hall.

Schedule of Receipts and Payments

Receipt of Income

None

Invoices for payment

- 1153 Mrs. P Langham Clerk's salary and expenses May 2015 £520.03 H
Salary expenditure reviewed and approved 9/3/15 Minute ref 9.5
- 1154 Cheshire West and Chester, Cheshire Pension Fund Pension contribution, May 2015 £132.63 H
Pension contribution level reviewed and approved 9/3/15 Minute ref 9.5
- 1155 Henshaws Waste collection Two collections, April 2015 £39.28 (£32.74 plus £6.54 VAT) E,F,G
*Waste collection review and approval 15/9/14 Minute Ref 9.3
Service ordered 11/6/2009. Minuted approval 21/5/2009 ref 5.10*
- 1156 JDH Business Services Internal Audit for year end 31/03/15 £174.72 (£145.60 plus £29.12 VAT) E,F,G
Audit fees approved 9/3/15 Minute ref 9.7 and audit ordered 26/3/15
- 1157 Mr. P. Gee Burial Ground work £56.00 A,C
Work ordered 6/5/15

Direct Debits for approval

Utility Warehouse Parish Hall Electricity £221.89 (£184.91 plus £36.98 VAT) Electricity April 2015. To be debited on or after 29th May 2015. E,F,G

Approval to send to Payroll Provider for inclusion in Payroll Report for Clerk's expenses/salary

Clerk's overtime payment as proposed and approved at meeting on 20th April 2015 (reference 9.1)

50 hours, approximating to one hour per week for 2014/15

Signed.....
Chairman of Meeting

Signed.....
Clerk and Responsible Financial Officer

Parish Council Powers for expenditure:

Burial Grounds, Cemeteries and Crematoria

Power to acquire, provide and maintain **A**
Open Spaces Act 1906, ss9 and 10

Power to agree to maintain monuments and memorials **B**
Parish Councils and Burial Authorities (Miscellaneous Provisions) Act 1970, s.1

Power to provide and Power to contribute towards expenses of cemeteries **C**
Local Government Act 1972, s.214

Bus Shelters

Power to provide and maintain shelters **D**
Local Government (Miscellaneous Provisions) Act 1953, s.4
Parish Councils Act 1957, s.1

Community Centres

Power to provide and equip community buildings **E**
Local Government Act 1972, s.133

Power to provide buildings for clubs having athletic, social or educational objectives **F**
Local Government (Miscellaneous Provisions) Act 1976 s.19

Power to provide a range of recreational facilities **G**
Local Government (Misc Provisions) Act 1975 s19

General Administration/Running Costs

LGA 1972 s111 **H**

Audit

Audit Regulations 1996 **I**

Parish Plans S141 LGA 1972 **J**

Benches

Power to provide roadside seats and shelters **K**
Parish Councils Act 1957, s.1

Litter bins

Provision of litter bins **L**
Litter Act 1983, ss 5, 6

Power to carry out research

LGA 1972 S 141 **M**

Section 137

Local Government Act 1972. Power to do something that will benefit the community where there is no other specific power covering the action; it cannot be used retrospectively. Can spend up to £6.44 per elector in 2011 and 2012. Expenditure must be commensurate with the benefit **N**