

Shotgate Parish Council



Chairman: Keith Allen

Vice Chairman: Peter Vickers

MINUTES OF THE MEETING OF SHOTGATE PARISH COUNCIL HELD AT SHOTGATE BAPTIST CHURCH HALL, BRUCE GROVE, SHOTGATE ON TUESDAY 14th NOVEMBER, 2017 AT 7.30 P.M.

PRESENT:

Councillors: K. Allen, M. Biddle, G. Fanthorpe, D. Harrison, M. McClenaghan, P. Vickers and J. Woolf

ALSO PRESENT:

Shotgate Parish Clerk – Georgina Bassett
Cllr. C. Morris – Basildon Borough Councillor
Mr. T. Hammond – Essex Transport Representative (Parish Council)
Three members of the public

118/17 APPOINT CHAIRMAN:

No appointment of a new Chairman. Cllr. Allen withdrew this item for appointment of Chairman. He informed those that he had requested this to be on the agenda, due to ill health, but had subsequently decided to remain as the Chairman.

119/17 APOLOGIES FOR ABSENCE:

Cllr. T. Ball and Cllr. M. Buckley – Essex County Council, apologies for absence received.

120/17 MINUTES OF PREVIOUS MEETING:

The minutes of Tuesday 10th October, 2017 meeting were considered for approval as an accurate record.

Amendment in Finances to record “October” - £810.27 not “September” and a duplication of the Post Office Ltd £450.97 and to remove the second one.

Proposed by Cllr. Fanthorpe and seconded by Cllr. Vickers – **agreed.**

It was proposed by Cllr. Harrison and seconded by Cllr. Fanthorpe for items 127/17 (Public to be Heard) and 139/17 (Borough/County Councillors’ Report) to be considered after declarations of interest and item 132/17 (Payment for Usage of Baptist Church Facilities) to be considered in item 122/17 (Finance) as both under Finances and item 126/17 (Pensions Act 2008 – Pension Contribution) be moved to the private session where members of the public were not present – **agreed.**

Cllr. McClenaghan requested for the record that he voted against item 126/17 going into the private session.

The Officer requested the return of the signed minutes from the Chairman to check that each page had been signed and amendments recorded. Unfortunately they were not handed to the Officer as the Chairman was unable to locate them.

121/17 DECLARATIONS OF MEMBERS’ INTERESTS:

No pecuniary or non-pecuniary declarations of interest received by members on any agenda items.

122/17 PUBLIC TO BE HEARD:

- (i) The Parish Council considered a request for a security firm in the Shotgate Parish. The Council discussed this and they do not feel it is practical for costings. Cllr. Harrison recommended that the Clerk contact the resident suggesting they consider setting up a neighbourhood watch in that area of the parish.
- (ii) The resident request for the height of a tree overhanging the footpath in Bruce Grove to be reduced was considered. Cllr. Harrison suggested that residents are advised that issues of this nature in the future are put onto the relevant councils' website.
- (iii) Members acknowledged and thanked Cllr. Vickers for donating and laying a wreath at the village sign.
- (iv) Concern from residents that the road surface in Bruce Grove has yet to be improved. The Parish Council confirmed that Cllr. Buckley was looking into this and had reported at the October meeting.

123/17 BOROUGH/COUNTY COUNCILLORS' REPORTS – ECC HIGHWAYS/BASILDON ISSUES:

Reports issued raised with County and Borough Council/Councillors and if any action has been resolved for consideration:

Apologies were given for both Cllr. Buckley and Cllr. Ball. There was a public meeting in the Community Centre, where the Council, Police and Neighbourhood Watch addressed some of the problems that the audience raised.

124/17 FINANCE:

Payments of the following were considered:

Clerk/RFO Salary/ expenses November, 2017 - £838.42

It was noted that all the information had been sent to councillors of breakdown of spreadsheets.

Baptist Church – usage of facilities - £120.00 (see 132/17 below)

It was proposed by Cllr. McClenaghan and seconded by Cllr. Harrison to pay the two cheque amounts - **agreed**.

The Chairman requested a comfort break at 8.10 p.m.

- (i) Barclays Bank Account - £40,386.14 – 30.10.17
£45.00 direct debit 05.10.17 - Aviva (including the monthly pension direct debit payments for verification – documents relating to payment in 126/17 below).

The RFO confirmed still unable to reconcile the bank statement for Barclays Bank due to non-receipt of documents for verification under agenda item 126/17 from Cllr. Fanthorpe in relation to the Pension payments and irregularities.

- (ii) Co-operative Bank Account - £1,888.12 – 30.10.17
It was proposed by Cllr. McClenaghan and seconded by Cllr. Harrison to reconcile the Co-operative Bank – **agreed**.

It was noted that the precept of £12,414.98 had been cleared into the account on the 2nd October, 2017.

The Responsible Financial Officer informed the Parish Council that she had a meeting with Barclays Bank due to concerns regarding current financial controls and the mandate and guidance for removal of signatory and future consideration for additional signatories.

It was proposed by Cllr. Allen and seconded by Cllr. Vickers to remove the last ex councillor from the form – **agreed**. The Chairman and Cllr. Vickers signed the document for this removal request.

125/17 PAYMENT FOR USAGE OF BAPTIST CHURCH FACILITIES:

This item was reviewed with 124/17 above.

Payments for verification and the use of further previous dates of the church facilities and to assist with the precept/budget review the following were considered:

- (i) Additional dates used with ECC Payback attendance – 13th June, 4th July, 11th July and 24th October.
- (ii) Working Party meetings 30th September, 2017.
- (iii) Inquorate Parish Council Meetings attended by residents – 2nd, August and 12th September, 2017.
- (iv) Parish Council Meeting - 10th October, 2017.
- (v) No other meetings attended by the Parish Council members at the Baptist Church premises with third parties in attendance were confirmed.
- (vi) Confirmation of payment amount to the Baptist Church for use of premises as in 122/17 above was considered.

After review of the (i) to (vi) it was proposed by Cllr. Harris and seconded by Cllr. Vickers to pay - £120.00 to the Baptist Church – **agreed**.

126/17 PRECEPT/BUDGET 2018/19:

Cllr. Harrison and the Chairman requested that Cllr. Harrison and Cllr. Biddle be given delegated powers to draft the precept.

Cllr. Harrison said he had attempted to draft a precept and he had circulated to members. He requested it to be recorded that he was requesting the Officer to provide the information under Freedom of Information for receipt of information relating to the precept as she had failed to provide him with the supporting documents.

The Officer asked the Chairman why she had not been included in the circulated draft from Cllr. Harrison and as the Officer of the Parish Council this was required in order that she could support the Council in her role and requested that this be sent to her. The response from the Chairman was not favourable, that the Officer had no right to review circulated information.

The Officer advised Cllr. Harrison that she had completed a draft precept including payments to date, budgeted to year end, including the previous year spreadsheet which in line with the annual return had been reviewed by this Parish Council and which had been sent to all councillors including Cllr. Harrison prior to the October meeting which was the supporting documents and had subsequently amended this to assist the Council in its decision and therefore had already complied with his request of the above.

Cllr. Allen and Cllr. Harrison acknowledged that they had received a copy of the draft precept sent by the Officer.

The Officer reminded councillors they were not permitted to have delegated powers and that at the October meeting (mins. 106/17) a resolution was passed for a Working Party inviting all councillors to review a draft prior to the November meeting.

All were reminded that despite several e-mails from the Officer inviting councillors to attend this Working Party it had yet to materialise as insufficient councillors had confirmed their availability.

Cllr. McClenaghan requested that all councillors refer to the October resolution and attend a Working Party to review the precept. He suggested that councillors attend with their

reviewed comments etc. and all councillors including the Officer are notified, in order to assist the Full Council in its decision. Proposed by Cllr. McClenaghan - **agreed**.

127/17 ANNUAL RETURN FOR THE YEAR ENDING 31ST MARCH 2017:

Members confirmed they had reviewed the internal auditor's final report and consideration for any recommendations for the Parish Council for the year 2017/2018.

It was considered for the Personnel Committee to meet and review under Employment Law of the Officer's Contract on pension clauses to be included in the contract and a Salary Review following recommendations from the Internal Auditor's Report.

It was proposed by Cllr. Biddle and seconded by Cllr. Harrison for the Personnel Committee's recommendation to Full Council on this and items 4, 5, 6 and 7 – **agreed**.

It was proposed by Cllr. Harrison and seconded by Cllr. McClenaghan that The Risk Assessment be deferred after review by the Clerk for the Full Council to decide on items 1,2,3,8, 9 and 10 on the recommendations from the Internal Audit Report and on how to implement these – **agreed**.

128/17 FINANCIAL REGULATIONS – STANDING ORDERS:

The following were reviewed:

- (i) The Financial Regulations in relation to risk assessment – control of financial procedures and consider any received requests for amendments.
- (ii) The Standing Orders.
- (iii) Consideration for a precise addendum to the Financial Standing Orders for the Chairman and Vice-Chairman to both be authorised signatories in emergency situations for payments on behalf of the Parish Council in addition to the Responsible Financial Officer and other reviews for authority on retention of the cheque book in addition to the RFO and other issues in relation to the Financial Regulations and the Standing Orders.

The Officer recommended that the Council met with the internal auditor for her advice on these issues. The Council decided not to follow this advice.

It was proposed by Cllr. Allen and seconded Cllr. Biddle for the Officer to contact the Auditor on behalf of the Parish Council for the auditor's advice in relation to item (iii) in the issue of emergency signatories and further guidance in the review of items (i) and (iii) for the Parish Council and for the Officer to report this to the Parish Council – **agreed**.

129/17 PLANNING APPLICATIONS:

Applications:

Application No: 17/01143/FULL. Retention of rear box dormer.

Location: 57 Blake Hall Drive, Wickford, Essex.

Application No: 17/01017/FULL. Change of use of the ground floor from warehouse and storage to a mixed use consisting of tyre retailing and fitting and the repair of motor vehicles.

Location: 4 Oban Court, Hurricane Way, Wickford, Essex. Response by 19th October, 2017.

Application No: 17.01319/REM. Reserved matters application to approve appearance, landscaping, layout and scale pursuant to planning consent 13/00372/OUT (Appeal Ref: APP/V1505/A/14/221175).

Location: Unit 1A, Bruce Grove, Wickford, Essex. Response by 23rd October, 2017.

The above planning items were noted.

Decided:

Application No: 17/01285/LDC. To establish the lawfulness of a proposed loft conversion incorporating a hip to gable end roof alteration, rear box dormer and 2 no. roof light windows and a single storey rear extension.

Location: 19 Longfield Close, Shotgate, Wickford, Essex. **Split Decision.**

Application No: 17/01512/PDPA. Notification for a proposed larger home extension projecting 4.4 metres from the rear wall of the original dwelling with a maximum height of 3.0 metres and an eaves height of 3.0 metres.

Location: 31 Fanton Walk, Shotgate, Wickford, Essex. **Refused.**

Proposed New Nuclear Power Station at Bradwell – Environment Agency’s Role:

The proposed nuclear power station information was noted.

Update on the Local Development Scheme:

It was noted that the Local Development Scheme – public consultation is scheduled for May/June 2018.

South Essex: Playing Pitch and Built Facilities Assessment and Strategy:

The Parish Council noted that no information to date to assist with this response to a survey on all indoor and outdoor sport facilities in the area had yet been received.

130/17 POLICIES:

The three drafted policies as agreed at the May 2017 Parish Council meeting in compliance with legislation were reviewed for adoption:

As part of compliance and legislation.

- (a) Equality Policy reviewed for adopting combined with the Equality Act 2010 for Disability Discrimination Act 1995 and 2005 along with the Race Relations Act 2000 and the Duty to Promote Race Equality 2002.
- (b) Bullying and Harassment, Dignity at Work Policy.
- (c) Equal Opportunities Policy.

It was proposed by Cllr. Harrison and seconded by Cllr. Bidle for no action on the above and as councillors already signed to the Code of Conduct this need not be adopted – **agreed.**

A request from Cllr. McClenaghan to record the vote that all in favour of the motion except for Cllr. McClenaghan.

131/17 PROJECTS:

- (i) The work to date on the Bawdsey and Shotgate Park projects as part of the £13,550.00 ECC CIF funding to be finalised prior to 31st March 2018 was noted. The Clerk confirmed that the pathway between equipment should be completed by the end of November. The bench at Bawdsey Park has yet to be installed.
- (ii) Subject to the above on satisfactory completion of the project, the Parish Council to consider payment and request the ECC CIF funding of £13,550.00 towards the project.
Defer until this is all completed – **agreed.**
- (iii) The Parish Council considered applying to The Essex Crowd funding for a product provided to or behalf of those who live or work within the Parish. To be deferred.
- (iv) The Parish Council to consider eligibility and applying for The Supporting Communities Fund – EALC.

It was proposed by Cllr. Harrison and seconded by Cllr. Biddle to resend the funding items for consideration to councillors for items (iii) and (iv) – **agreed**.

- (v) Recommendations to be considered for projects including costings from the Working Party including the purchase and installation of a defibrillator. Deferred until Working Party had met.
- (vi) Surgeries – Shotgate Parish Council. The following were considered:
 - (a) Parish Council Surgeries available to Shotgate Parish residents. If agreed, to decide regularity, with suitable dates and times for residents' availability and concur with the Baptist Church.
 - (b) Consider suitable donation fee for use of hall if surgeries agreed to be held at Shotgate Baptist Church premises.
 - (c) To note, the Parish Council insurance company confirmed it has no issue with the Council surgeries, provided risk assessments are adhered at these sessions.
 - (d) Subject to the resolution of the above, the Parish Council to Review and agree Risk Assessment Policy to assist with Surgeries.Items (a) – (d) to be deferred until the New Year, with consideration of newsletter inclusion at that time – **agreed**.

132/17 ECC PAYBACK:

It was proposed by Cllr. Harrison and seconded by Cllr. McClenaghan for this item to be considered in the private session – **agreed**.

133/17 NEWSLETTER:

To note whether members had provided extracts for inclusion in the newsletter and were content with the information and if the RFO/Clerk had then been able to send for printing/distribution.

It was proposed by Cllr. Harrison and seconded by Cllr. Vickers to defer to the New Year – **agreed**.

134/17 DATA PROTECTION ACT – AMENDED LEGISLATION – MAY 2018:

The RFO confirmed attendance on training on Data Protection in September and amendments to the legislation are to be effective May 2018.

New legislation may be enforceable for Parish Councils to appoint either a service provider or to appoint the Parish Council Officer to this additional role to advise the Parish Council on continued Data Protection guidance.

Further update on this appointment to be received from NALC prior to May, 2018.

The Parish Council to consider a provision in the 2018/19 precept/budget for this additional resource.

135/17 TRAINING – INVITATIONS:

- (i) To note for attendance any dates provided for Code of Conduct Training for councillors by Basildon Borough Council.
- (ii) To consider a budget for training for councillors and the Clerk/RFO.
- (iii) To consider specific requests from councillors for training, including risk assessment course, costings etc.
- (iv) Training Intent Document, to review to update courses attended by councillors/officers.
- (v) To note a Clerk's Training Bursary is available for the Parish Council to apply from the EALC if suitable training available.

- (vi) On appointment of new Chairman to assist with this role, consider attendance for Chairman's Training with EALC.

The above points were all noted.

136/17 PARISH COUNCIL NAME:

Consideration for change of "Shotgate Parish Council" to "Shotgate Village Council" and consideration of formal arrangements/request under Section 75 of the Local Government Act 1972, additional work and/or any costings related to this change – including revision of various signs – i.e. notice board, bus shelters, signs in parks. proposed by Cllr. Harrison and seconded by Cllr. Vickers to keep the current name.

137/17 REPORT OF COMMITTEES - WORKING PARTY MEETINGS – EXTERNAL MEETINGS:

- (i) Members to note any reports circulated on Committees, Working Party Meetings, External Meetings or representatives attending meetings on behalf of the Parish Council prior to meeting.
Wickford Football Club Meeting report attended by many councillors. Cllr. Vickers provided an update on future consideration.
- (ii) The opportunity for Councillors/representatives to give verbal reports only on any reports not yet circulated.

Members noted no decisions permitted under this item.

138/17 UPDATES – CLERK/RESPONSIBLE FINANCIAL OFFICER:

Members noted updates/information circulated prior to the meeting.

139/17 TO RECEIVE ANY INFORMATION FOR ABLC INFORMATION EXCHANGE/NOTE GENERAL CORRESPONDENCE:

Cllr. Allen confirmed his intention to attend the ABLC meeting on Thursday.

140/17 DATE OF NEXT MEETING:

The next meeting of Shotgate Parish Council will be on Tuesday 12th December, 2017 at Shotgate Baptist Church Hall, Bruce Grove, Shotgate at 7.30 p.m.

9.55 p.m. – convenience break

10.00 p.m. - reconvened

Pursuant to section 1 of the Public Bodies (Admission to Meetings) Act 1960 the meeting is not open to the public and press for these items of business and will be instructed to withdraw.

141/17 PENSIONS ACT 2008 – PENSION CONTRIBUTION:

This agenda item was deferred to the private session of the meeting.

The Officer confirmed the following had not been verified as breakdown of payments to Aviva with supporting financial documentation had not been received from the Personnel Committee and as these were not verified, the Barclays Bank was unable to be reconciled.

- (i) Direct debit payment on 10th July, 2017 of £201.78.
- (ii) Direct debit payment on 18th August, 2017 of £93.50.
- (iii) Direct debit payment on 8th August, 2017 of £22.26
- (iv) Direct debit payments in September, 2017 of £30.34
- (v) Direct debit payment on 20th October, 2017 of £58.88.

- (vi) It was noted that documentation received from Aviva to the employee on offering a pension had included the £45.00 monthly payments. Cllr. Fanthorpe stated that the Parish Council pays a monthly administration cost of £45.00.

- (vii) Cllr. Fanthorpe informed the Parish Council that in addition to the Officer's contribution the Parish Council paid 4%. The Personnel Committee was unable to provide the documentation and/or figures of these amounts or documentation proof of when payments had been made and were unable to verify the irregular amounts that had been paid out of Barclays Bank account to date and this could not be reconciled.
- (viii) The Responsible Financial Officer confirmed that all the original documents relating to the pension, had not been received, including the three councillor signatories and any additional documents re the pension company – Aviva from the key contact councillor as of Financial Regulations, Standing Orders and the minutes 09.05.17 90/17(v) and 10.10.17 minutes.
- (ix) Cllr. Fanthorpe confirmed that it was not necessary to provide a provision in the precept/budget 2018/19 following the Pensions Regulator letter of October 2017 as Parish Council contribution to the Pension Scheme effective 6th April 2018 and 6th April 2019 as it is 4% exceeds the requisite % the government legislation requirement.

The Responsible Financial Officer confirmed that the employee will be deducted a minimum of 2% contribution effective 6th April 2018 to 5th April 2019 and 6th April 2019 onwards a minimum contribution of 3%.

- (x) The Officer confirmed written verification had not been received to the employee of the Parish Council from the Parish Council via Aviva on whether or not the taxable part of the office allowance on £480.00 should be an inclusion in the employer/employee pension contributions.

Cllr. Fanthorpe and Cllr. Harrison verbally stated that no additional pension contributions on item (x) were payable. The Parish Council did not provide documentation from the pension company to substantiate this to the Officer, despite repeated requests.

132/17 ECC PAYBACK:

This agenda item was moved from the public session as 132/17 above.

- (i) The Council confirmed that ECC Payback has reconsidered attendance in Shotgate via the Parish Council from March – November 2018.
- (ii) It was noted that the Baptist Church and Basildon have been advised that the service has currently stopped and will continue on various days/times commencing March to November under a different arrangement.
- (iii) The Officer confirmed that the Baptist Church has requested the return of loaned set of keys to councillors for the ECC Payback purpose, to be handed back via the Officer. Cllr. Woolf confirmed she had spoken with the church direct and had yet to return them.
- (iv) Councillors Woolf, Biddle and Vickers confirmed there is an itinerary of items stored and locations.
It was noted that a copy of this was not available for the Full Council's records.

142/17 PERSONAL ISSUE – PRIVATE SESSION:

Costings had been received and it was proposed by Cllr. McClenaghan and seconded by Cllr. Fanthorpe to engage with the services of HR Vine facilitator – **agreed**.

Meeting ended at 10.30 p.m.

DRAFT