

**MINUTES OF THE ANNUAL GENERAL MEETING OF THE MILTON ABBOT GROUPED PARISH COUNCIL HELD ON 14<sup>TH</sup> MAY 2015 AT MARYSTOWE CHURCH HALL AT 7.30 PM**

**PRESENT:** Cllrs J Anderson (MA), H. Asbridge (C) (Acting Clerk), C. Beighton (C), R. Brewer (C), P.Hough (MA) (Chair), M Pahlsson (B), R. Tucker (MA), Mrs A Westcott (C)

Borough Cllrs: Bob Baldwin, Chris Edmonds

Cllr Westcott took the Chair, declared the meeting open and welcomed those present.

**01:15/16 CONFIRMATION OF MINUTES**

The Minutes of the AGM held on 8<sup>th</sup> May 2014 were signed by the Chair as a true and correct record.

**02:15/16 CHAIRMAN'S REPORT**

The Chair reported on the Parish Council's activities during the year, which had included several additional meetings to consider significant planning applications. During the year, various aspects of the Council's processes had been reviewed, to bring them into line with current good practice.

The Councillors were thanked for all their hard work and support during the year.

Following her report, Cllr Westcott formally stood down so that the elections of Chair and Vice Chair for the forthcoming year could take place and Cllr Westcott was thanked for her service as Chair of the Parish Council over several previous years.

**03:15/16 ELECTION OF CHAIRMAN FOR THE YEAR 2015/16**

The Acting Clerk then sought nominations for the post of Chair.

Cllr Hough was proposed by Cllr Westcott and seconded by Cllr Anderson.

**This was agreed unanimously.**

**04:15/16 DECLARATION OF ACCEPTANCE OF OFFICE BY CLLR ASBRIDGE**

Normally, Cllrs' declarations of office were made in the presence of the Clerk. As Cllr Asbridge was also the Acting Clerk, this was not possible and so his declaration was duly signed before Cllr Hough, as Chair of the Council.

**05:15/16 ELECTION OF VICE CHAIR FOR THE YEAR 2015/16**

The Chair then sought nominations for the post of Vice-Chair.

Cllr Tucker was proposed by Cllr Anderson and seconded by Cllr Brewer.

**This was agreed unanimously.**

**06:15/16 PARISH COUNCIL VACANCIES**

After the uncontested election of parish councillors on 7<sup>th</sup> May, there were two vacancies on the Parish Council; one for Milton Abbot and the other for Dunterton. **It was agreed** that notices would be placed on parish noticeboards three weeks before the next ordinary meeting of the Council, inviting interested persons to put themselves forward for consideration for co-option to fill these vacancies.

#### **07:15/16 APPOINTMENT OF CLERK AS RESPONSIBLE FINANCE OFFICER**

This appointment had been made annually, but as the Clerk was the Council's only officer and this appointment did not have to be renewed each year, **it was agreed** that the Clerk be appointed as RFO, until further notice.

#### **08:15/16 CHANGES TO AUDIT REQUIREMENTS**

The Local Audit and Accountability Act 2014 introduced changes in external audit arrangements and a new Transparency Code for smaller authorities. This required Parish Councils to publish annual accounts and related financial statements, as well as setting timescales for the publication of agendas and minutes.

**It was noted that** as far as this Council was concerned, the recent improvements in the management of the Council's financial processes meant that it already complied with best practice.

**It was agreed** that the current practice of issuing agendas seven days before meetings be continued.

It was now a requirement to publish all information covered by the Act on a website that was publicly accessible and free of charge to view. The Chillaton website met those requirements and was used to publish the information concerned, but was not an official Council website.

The Local Audit and Accountability Act 2014 did not require the Council to have its own website, and **it was agreed** that the current arrangements should continue for the time being, with every effort being made to encourage the creation of a similarly successful village website for Milton Abbot.

Whilst the Council had made improvements in the process for considering local planning applications, it now fell short of the new requirements, in that:

1. Notice was not given of Planning Committee meetings.
2. There were no agenda.
3. The public were not invited to attend.
4. There were no published minutes, although the decisions are recorded in the Council minutes.

Any planning applications considered to be controversial or upon which members of the public wanted to speak were dealt with at full Council meetings. Given the need to respond at short notice and often to meet on-site, **it was agreed** that it would be preferable to set up advisory panels with the same memberships as the current Planning Committees, who could meet as informally as previously and then advise the Clerk of the outcome of their consideration of a planning application.

The Clerk would be authorised to forward that consideration as the views of the Council and report that action to the next Council meeting, using a proforma that

stated who attended an advisory panel meeting, what its conclusions were and on what grounds they were reached.

### **09:15/16 ANNUAL REVIEW OF DELEGATION ARRANGMENTS**

In accordance with Standing order 5j(v), the Council reviewed its delegation arrangements and **it was agreed that**

1. Three Planning Advisory Panels, as referred to in Minute 08:15/16 be established, covering Milton Abbot, Chillaton and Bradstone/Dunterton, respectively. The membership of each Panel to be the Councillors for the villages concerned, except in the case of Bradstone/Dunterton where the Panel will consist of the Councillors for each of those parishes and the Chair or Vice-Chair of the Parish Council.
2. All Planning Advisory Panels to have the following terms of reference:
  - a. To consider what the views of the Parish Council should be on applications for planning permission for development within the Committee's area, having regard to local circumstances, existing policies and/or previous relevant decisions, and advise the Clerk accordingly, within an agreed timescale.
  - b. All Planning Advisory Panel recommendations are to be reported to the next meeting of the Parish Council, so that they are placed on record.
  - c. If any planning application is so significant or contentious, or would be a departure from existing policies, or constitute development outside agreed settlement boundaries, or the public are likely to want to be present at its consideration, the Clerk must be informed and will then call an emergency meeting of the Parish Council, with whatever notice is appropriate, to determine the Council's views.
3. That no further powers or duties be delegated to committees or sub-committees, at the present time.

### **10:15/16 REPRESENTATION ON EXTERNAL BODIES**

**It was agreed** that the Council should be represented on the following external bodies in 2015/16:

Southern Area Link meeting: Councillors Asbridge and Brewer

MACKPlan Team: Councillors Asbridge [Chair], Beighton, Hough and Pahlsson. Councillor Beighton had been a member prior to his election to the Council, which made four councillors on the team, exceeding the maximum of three laid down in the team's constitution and **it was agreed** that the constitution of the MACKPlan team be revised to remove any maximum limit.

Milton Abbot Village Hall Committee: Cllr Anderson

Chillaton Public Hall Trust: Cllr Westcott.

### **11:15/16 GENERAL POWER OF COMPETENCE**

As required at an AGM in an election year, the Council considered whether to acquire a general power of competence, under the Localism Act 2011. Parish Councils could acquire the power to do anything that it was legal for an ordinary person to do but it must have at least two thirds on its members elected [even if unopposed] and a Clerk with a relevant qualification. As there was no apparent need for these powers at the present time, **it was agreed** that no action be taken.

## **12:15/16 ANNUAL GOVERNANCE STATEMENT**

In accordance with Financial Regulation 1.5, before approving the Annual Governance Statement, the Council reviewed the effectiveness of its systems of internal financial control.

Management and control: In the last financial year, the Council had instituted quarterly reviews of its finances, including the reconciliation of its income and expenditure with its bank accounts. Payments to the Council's creditors had to be authorised at a Council meeting, unless otherwise approved under the Council's urgency procedure, in which case such action was reported to the Council at its next meeting.

Financial processes: All payments were made by cheque. The Clerk, who as Responsible Finance Officer [RFO] issued those cheques, had no authority to give instructions to the Council's bankers on any matter. There was therefore no opportunity for any single councillor, or the RFO to incur expenditure on the Council's behalf or otherwise divert the Council's financial assets.

Annual Governance Statement: With the approval of the Council's internal auditor, the Clerk had produced an Annual Governance Statement by setting down the reasons why it was possible to give a satisfactory response to the standard questions asked in the annual return to the Council's external auditors.

**It was agreed that:**

1. the arrangements for management and control and the associated financial processes are effective
2. Councillors Beighton, Brewer, Pahlsson and Westcott be authorised signatories for 2015/16
3. the Annual Governance Statement be approved for submission to the Council's external auditors and for publication on-line.

## **13:15/16 AUDIT OF 2014/15 ACCOUNTS AND ANNUAL RETURN TO THE EXTERNAL AUDITORS**

No request had been made to inspect the accounts, set out in Appendix B to the agenda, during the period for inspection by members of the public, ending on 13<sup>th</sup> May.

**It was agreed** that the annual accounts and relevant extracts from accounting statements set out in Annexes 1 & 2 to Appendix B, be submitted to the external auditors, together with the annual return for 2014/15.

#### **14:15/16 ANNUAL REVIEW OF BANKING ARRANGEMENTS**

**It was agreed** that in view of the low rate of interest and difficulties experienced in operating the Council's current bank accounts, the Clerk should carry out a review of the options for operating a single account in future and report further.

#### **15:15/16 ANNUAL REVIEW OF THE COUNCIL'S INVENTORY**

**It was noted** that the Council's current inventory was:

Two vehicle activated signs in Chillaton	£4,820
One Samsung Galaxy Tablet	<u>£100</u>
Total	£4,920

These figures were net of VAT.

#### **16:15/16 ANNUAL REVIEW OF THE COUNCIL'S INSURANCE COVER**

An invitation to renew the Council's insurance policy has been received from the current insurers, Community First, who obtained cover from Zurich Municipal. The cost would be £190.13, including Insurance Premium Tax and admin fee. Last year's cover with the same Company was £144.59. The increase in premium was largely due to the cost of insuring the vehicle activated signs [£36.15].

The main items of cover proposed were noted and **it was agreed** that the policy be renewed with Community First and authority given for the payment of the premium.

#### **17:15/16 ANNUAL REVIEW OF SUBSCRIPTIONS TO OUTSIDE BODIES**

The Council's only subscription to an external body; the Devon Association of Local Councils had become due recently and its renewal at a cost of £162.71 had been approved by the Clerk in conjunction with the Chair and Vice-Chair, under the Council's urgency procedure.

#### **18:15/16 ANNUAL REVIEW OF COMPLAINTS PROCEDURE**

Although Standing Order 13 covered complaints against a Councillor regarding an alleged breach of the Code of Conduct, there was no procedure covering complaints made about Council staff or complaints by Council staff. **It was therefore agreed** that the Clerk should produce a revised procedure for consideration by the Council as soon as possible.

#### **19:15/16 ANNUAL REVIEW OF FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT PROCEDURES**

**It was agreed** that the Clerk should review the need for specific guidance and policy on the issues raised by this legislation.

## **20:15/16 ANNUAL REVIEW OF POLICY FOR DEALING WITH THE PRESS/MEDIA**

**It was agreed** that there was merit in having guidance available for the Clerk and Councillors on who should be able to speak to the press on behalf of the Council and the Clerk should produce draft guidance/policy for consideration by the Council.

## **21:15/16 ANNUAL REPORT OF INTERNAL AUDITOR**

The Council's internal auditor had reported that he was satisfied with the arrangements for financial management and control and with the financial processes used and had no matter that he wished to draw to the attention of the Council.

## **22:15/16 APPOINTMENT OF INTERNAL AUDITOR**

Mr Jamie Rutherford had acted as the Council's internal auditor for the last two financial years and had kindly agreed to do so for 2015/16 and **it was agreed** that the Council should accept his offer.

## **23:15/16 REVIEW OF STANDING ORDERS AND FINANCIAL REGULATIONS**

In accordance with Standing Order 5j(ix), it was necessary at the AGM for the Council to review and adopt appropriate standing orders and financial regulations. Both of these had been completely revised in 2014 and no advice had been received from DALC on the need for any subsequent revision.

In November 2014 it had been agreed that the following be included in the Council's Standing Orders:

*At the beginning of each year, the Council may decide that executive powers be delegated to the Clerk of the Parish Council where urgent action is required between scheduled meetings, and where it is not possible or convenient to call a special or extraordinary meeting.*

*The Clerk may, following consultation with the Chair and Vice-Chair of the Parish Council deal with urgent business. Any action involving expenditure will not be in conflict with agreed Parish Council policy. All actions taken under executive powers must be reported to the next meeting of the Parish Council.*

**It was agreed** that the current version of its Standing Orders and Financial Regulations be approved for 2015/16 and the delegation of executive powers for urgent action to the Clerk, as set out above, be confirmed for a further year.

## **24:15/16 RISK ASSESSMENT – ANNUAL REVIEW**

The Council was required to carry out an annual review of the likelihood of harm, damage or loss occurring because of its activities.

In the first such assessment, in Appendix C to the agenda, the Clerk highlighted issues where further action was needed in order to reduce risks where possible. Action by the Council is needed in some cases and **it was agreed** that the Clerk be authorised to:

1. Amend Standing Orders to include a procedure that accords with advice from WDBC on the filling of casual vacancies.
2. Introduce and monitor an annual review by Councillors of their registers of interest.
3. Amend Standing Orders to create a Standing Committee empowered to appoint a suitable Councillor to act as Parish Clerk on an interim basis should that become necessary.
4. Make enquiries of all the operators of premises used by the Parish Council, to ensure that they comply with relevant health and safety legislation.
5. Carry out a review of the Council's record keeping and produce proposals for the safe and efficient use of systems for internal communication and archives, including a brief for their computerisation.

### **25:15/16 ANNUAL REVIEW OF THE TIME AND PLACES OF MEETINGS**

By law, all Council meetings must start at 6pm unless otherwise agreed. The Council had previously decided that meetings should start at 7.30pm and **it was agreed** that this practice should continue for 2015/16, with meetings being held in Milton Abbot village hall [reading room] and Marystowe Church Hall.