Broughton Parish Council

Minutes of the Annual meeting of Broughton Parish Council held in a virtual meeting room via GoTo Meetings on Tuesday 4th May 2021 at 19:10

**Present:** Mary Bradley (in the Chair), Paddy Gorrill, Joanne Sewell, Sue Hannah, Steve Hannah, Claire Winter, Adrian Davis-Johnston, Bill Smith,

**Attendance:** Becx Carter (Clerk),

With 8 Councillors present the meeting was quorate.

**78/21 Election of Chairman**

Thanks were noted to Mary & Joanne for their ongoing works as Chair & Vice Chair of the Parish Council.

**Resolved** by all present that Cllr M Bradley be elected as Chair of Broughton Parish Council for the forthcoming year, this is in variance to the current Standing Orders, but this is necessary due to the ongoing Court Case which is a force majeure event.

Cllr M Bradley completed her chair’s declaration of office form which was witnessed on the meeting.

**79/21 Election of Vice Chairman**

**Resolved** by all present that Joanne Sewell be elected as Vice-Chair of Broughton Parish Council for the forthcoming year to keep the roles of Chair and Vice Chair inline.

**Action: Clerk to update the website.**

**80/21 Apologies for absence**

None

**81/21 Requests for dispensations and declarations of interest**

None

**82/21 Minutes of the meetings held on the 20th April 2021**

All members of the council had received a copy of the minutes.

**Resolved** by all present that the minutes of the 20th April 2021 meeting be signed as a true and accurate record.

**Action: Clerk to upload the completed minutes to the website.**

**83/21 Chairman’s Announcements**

*Allerdale Borough Council Licensing Appeal.*

Cllr M Bradley attended Court on Friday 30th April 2021 for the next hearing. We submitted our Skeleton Argument, sadly ABC did not submit a formal Skeleton Argument and instead asked for dismissal. The Court felt that they couldn’t refer this back to ABC for further consideration as the Licensing Authority as the Skeleton Argument from ABC had not been provided. Therefore, they have moved to a hearing on the 27th May 2021. At which ABC will be represented by a barrister specialising in this subject matter, and Broughton Parish Council will continue to self-represent. ABC have been given a further 10 days to produce the Skeleton Argument (12th May 2021) and then Broughton PC will have a further 7 days to respond.

*Allotments*

The Asbestos has been disposed of, and the plots that required clearing have now been cleared and the plots are ready for letting.

**84/21 Public Participation**

None

**85/21 Applications for co-option**

None

**86/21 Policies**

### Re-adoption of unchanged policies

**Resolved** by all present that the below policies be re-adopted for the forthcoming year with no changes

* Health & Safety Policy
* Complaints Procedure
* Financial Regulations
* Freedom of Information Policy
* Publication Scheme
* Asset Register
* Risk Management Policy & Protocol
* Risk Assessment
* GDPR Policy
* Privacy Notice
* Code of Conduct
* Document Retention Policy
* Co-option Policy & Procedure
* Dispensation procedure guide
* Equality & Diversity Policy
* Non-Compliance with the code of conduct
* Public Participation at Meetings policy

**Action: Clerk to update the website.**

### Adoption of new policies.

The Clerk informed all present that sadly the recent High Court Case [2021] EWHC 1093 (Admin) Hertfordshire County Council, Lawyers in Local Government the Association of Democratic Services Officers Vs Secretary of State for Housing, Communities & Local Government was unsuccessful. The judgement stated:

“…. the Secretary of State was correct in November 2016 and July 2019 to say that primary legislation would be required to allow local authority “meetings” under the 1972 Act to take place remotely. In our view, once the Flexibility Regulations cease to apply, such meetings must take place at a single, specified geographical location; attending a meeting at such a location means physically going to it; and being “present” at such a meeting involves physical presence at that location.  We recognise that there are powerful arguments in favour of permitting remote meetings. But, as the consultation documents show, there are also arguments against doing so. The decision whether to permit some or all local authority meetings to be conducted remotely, and if so, how, and subject to what safeguards, involves difficult policy choices on which there is likely to be a range of competing views.”

The result of this is that from the 7th May 2021 there is no practical way for Broughton Parish Council to meet until after the 21st June 2021 at the earliest (after the last stage of Covid 19 Lockdown easing restrictions). As following the 7th May 2021 Virtual Meetings are no longer permitted, but venues to hold meetings in physically are not open and there is a lack of clarity on the liabilities and responsibilities for safety and enforcement of social distancing at physical present meetings.

The Clerk had therefore circulated prior to the meeting a Serious Infectious Diseases Policy for adoption. This would allow Broughton Parish Council to continue to function under Delegated Authority protocols until either a change in the primary legislation was enacted or until it became safe and viable to hold physically present meetings once more.

**Resolved** by the all present that the Standing Orders be adopted subject to corrections being made (Parish Name).

**Action: Clerk to check through the document for other Parish Council names.**

**Resolved** by the majority of all present that the Serious Infectious Diseases Policy be approved.

**Action: Clerk to update the website.**

**Action: Clerk to continue to undertake necessary council business in compliance with the Serious Infectious Disease Policy until such a time that it is possible and practical to hold meetings again.**

**87/21 Planning Applications.**

**Ref: VAR/2021/0012**

Location: Land at Former RNAD, Derwent Forest, Great Broughton

Proposal: Variation to condition 1 on approved application 2/2017/0247 to amend the position of plot 10 by 1m

**Resolved** by all present that that the Parish Council have no comments or objections.

**Action: Clerk to submit these comments.**

**88/21 Finance & Accounts**

### Payment of Accounts

**Resolved** by all present that the below accounts be paid with cheques signed by 2 authorised signatories

|  |  |  |
| --- | --- | --- |
| **From** | **Reason** | **Amount** |
| CALC | Subscription | £308.20 |
| Rachel Kelly | Internal Audit | £50.00 |
| Becx Carter | Expenses | £27.46 |
| Jackson Hetherington | April 2021 Grass Cutting Invoice | £259.00 |
| Came & Co | Insurance | £851.22 |

**Action: Clerk to pay these accounts.**

### To note the cashbook to date

The Clerk evidenced to all via screen share the balance at the bank account at the 1st April 2021.

**Resolved** by all present that the bank balance of £23,300.71 be noted as correct.

### To receive the Internal Auditors Report

**Resolved** by all present that the unqualified internal auditors report be received & noted as such.

### Approval of Annual Governance and Accountability Return Accounting Statements for 20/21

**Resolved** by all present that the following responses be given to the Annual Statements of Governance for Y/E 31st March 2021

|  |  |
| --- | --- |
| **Statement** | **Response** |
| 1. We have put in place arrangements for effective financial management during the year, and for the preparation of the accounting statements  | Yes |
|  2.We maintained an adequate system of internal control including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness  | Yes |
| 3.We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and Proper Practices that could have a significant financial effect on the ability of this authority to conduct its business or manage its finances | Yes |
| 4.We provided proper opportunity during the year for the exercise of elector’s rights in accordance with the requirements of the Accounts & Audit Regulations. | Yes |
| 5.We carried out an assessment of the risks facing this authority and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance where required | Yes |
| 6.We maintained throughout the year an adequate and effective system of internal audit of the accounting records & control systems  | Yes |
| 7.We took appropriate action on all matters raised in reports from internal and external audit | Yes |
| 8.We consider whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on this authority and where appropriate have included them in the accounting statements | Yes |
| 9.(For local Councils only) Trust funds including charitable. In our capacity as the sole managing trustee we discharged our accountability responsibilities for the fund(s)/assets, including financial reporting and it required independent examination or audit. | N/A |

The Clerk & Chair signed the appropriate pages of the Annual Governance & Accountability Return for 20/21 during the meeting & via post due to the Covid 19 restrictions.

**Action: Clerk to file the relevant documentation & post the notices for public viewing if required.**

### Approval of Y/E Accounts for 31st March 2021, Bank Reconciliation & Variances

**Resolved** by all present that the Accounting Statements for 20/21, the Year End Bank Reconciliation and the Variances statement for the Year Ending 31st March 2021, that have been reviewed by the Clerk & Internal Auditor be approved and signed as a true & accurate record.

**Action: Clerk to upload these documents & send to councillors for inclusion on the Noticeboards.**

**89/21 Councillor Matters**

*Safety Surfacing-* It is noted that this is in hand we are just awaiting the contractors arriving on site. It was noted that if necessary, the item of equipment will be taken out of circulation by being taped/marked etc.

**Action: Cllr Adrian Davis Johnston to ask a local contractor to mark out the area in yellow paint.**

**Action: Cllr M Bradley to undertake a risk assessment**

**Action: Clerk to prepare laminated signs and pass them to Cllr C Winter for erection on site.**

*Fly tipping Coldgill-* It was noted that there is a large amount of metal/scrap on Coldgill that needs to be removed.

**Action: Cllr Adrian Davis-Johnston to work with another Cllr P Gorrill to work to clear these items.**

Thanks were noted to those councillors who volunteered to help.

*King Street Porch-* It is noted that works are being undertaken on this to ‘shorten’ it to the Highways Edge.

**90/21 Date & Time of Next meeting.**

**Resolved** by all present that the next meeting date provisionally be set as the 20th July 2021 at 19:00, venue to be confirmed. An earlier meeting may be called subject to lockdown easing progressing as planned.

Meeting closed 19:54

Signed……………………………………………. (Chair) Dated………………………………………………..