



Chidham & Hambrook Parish Council

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21 May 2021

EXTRAORDINARY MEETING OF THE PARISH COUNCIL

You are requested to attend an Extraordinary meeting of the Parish Council on **Thursday 27 May 2021 at 7:30pm** to be held at Chidham Village Hall. Members of the public are welcome to attend however due to Covid-19 rules please contact the Clerk to advise that you wish to attend. Numbers of public attending will be limited.

MEMBERS: Cllr P MacDougall (Chairman), Cllr J Towers (Vice-Chair), Cllr C Archer, Cllr P Bolton, Cllr S Bramwell Smith, Cllr B Garrett, Cllr R Gowlett, Cllr G Hyde, Cllr R Perri and Cllr J Sheppard

Signed: **B Jones, Clerk and RFO**

AGENDA

1. **Election of a Chair**
In the absence of the Chair and Vice-Chair, members are requested to elect a Chair for this meeting.
2. **Apologies for absence**
Apologies for absence have been received from Cllrs C Archer, B Garrett, P MacDougall (Chair), R Perri, J Sheppard and J Towers (Vice-Chair).
3. **Declaration of interests**
To receive declarations of interest in respect of matters contained in this agenda in accordance with the provisions of the Localism Act 2011 in respect of members and in accordance with the provisions of the Local Government Act 1972 in respect of officers. To consider any Dispensation Requests received by the Clerk not previously considered.
4. **Minutes**
The minutes of the previous Parish Council meeting will be considered at the next normal committee meeting.
5. **Matters Arising from the Minutes (if not on the agenda for discussion)**
6. **Public Open Forum**
Members of the public are invited to raise matters or to ask questions. *Standing order: The period of time designated for public participation at a Council in accordance with standing order 3(e) above shall not exceed (15) minutes unless directed by the chairman of the Council. Subject to standing order 3(f) above, a member of the public shall not speak for more than (3) minutes.*
7. **Committee Minutes & Reports**
- 7.1 **Finance Committee**
To consider the notes from the meeting held on 27 April 2021 – *attached*.
Recommendations to the Council:
 1. That R S Hall & Co. be appointed as the Council's Internal Auditor.
 2. That the Reserves Policy and Expenses Policy be approved.
 3. That Earmarked Reserves be set up as follows: £50,000 for The Meadows Development project and £15,000 for the Renewal of Children's Playground Equipment.
 4. That the Financial Regulations be approved.
 5. That the Asset Register be approved.
 6. That the Council's insurance policy be renewed for a further year from 1 June 2021.
 7. That the Risk Management Policy and Register be approved.

7.2 **Annual Governance and Accountability Report (AGAR) 2020-21**

1. To consider the 2020-21 AGAR including the Council's 2020-21 Financial Statement and the information on variances and to authorise the Chairman to sign the AGAR and send it to the Council's external auditors for review - *circulated*
3. To agree the dates set for the period of exercise of public rights and publication of the unaudited AGAR for the period Monday 7 June 2020 to Friday 16 July 2020 by notice on the website.

7.3 Introduction of a Temporary Scheme of Delegation - *attached*

8. **Any Other Business**

Meeting to conclude by 9.30pm (*Standing Order 3(w): A Council meeting should not normally exceed a period of (2) hours*).

THE PUBLIC HAVE A RIGHT TO ATTEND COUNCIL MEETINGS AND ARE MOST WELCOME

Filming of Parish Council meetings and use of social media: During this meeting the public are allowed to record or film the meeting or to use social media, providing it does not disrupt the meeting. You are encouraged to let the Parish Clerk know in advance if you wish to record or film. Mobile devices should be switched to silent for the duration of the meeting.

DRAFT Minutes of the Finance Committee meeting of Chidham & Hambrook Parish Council held remotely on 27 April 2021 at 7:30 pm

Present: Cllr P Bolton
Cllr G Hyde
Cllr J Sheppard
Cllr B Garrett
Cllr P MacDougall (Chair)

Also present: Clerk and RFO: Bambi Jones

029-20 **Apologies for absence**
All members were present.

030-20 **Declarations of Disclosable Pecuniary Interest**
No interests were declared.

031-20 **Minutes**
Resolved that the minutes of the meeting held on 15 December 2020 be agreed as a correct record.
Agreed that the Clerk sign the minutes on behalf of the Chairman noting this minute number.

032-20 **Public Open Forum**
No members of public were present.

033-19 **Review of End of Year Accounts and Annual Governance and Accountability Return (AGAR)**
Members were requested to comment on the 2020-21 year end accounts and the AGAR return including an explanation of variances between 2019-20 and 2020-21 outturn figures. The current General Reserves figure as at 31 March 2021 was in the region of £102,903. Excluding the sum of £24,062 (six months precept held in general reserves for expenditure by the Council for times when extreme pressure is put on the Council's finances) there is £78,841 in General Reserves. Two projects were identified for allocation of earmarked reserves totalling £65,000, namely £50,000 to The Meadows development project and £15,000 to the renewal of playground equipment. A further project relating to the provision of IT hardware and software to councillors in the sum of £5,000 had been identified at the Council meeting held on 1 April 2021. These earmarked reserves are not time-dependent and will be held until the Council is in a position to fund these projects.

Members considered the draft Reserves Policy and the draft Expenses Policy; some amendments were suggested. It was agreed that the six months buffer for unidentified Council expenditure should be reviewed at the next meeting of this committee to ensure its adequacy. **Action: Clerk to add to next agenda.**

It was suggested that a report be brought back to the following Finance Committee meeting with an indication of the recurring costs as a percentage of the budget, including last year and projecting to the following year. **Action: Clerk to prepare report for next meeting.**

The Clerk suggested that R S Hall & Co. be appointed as Internal Auditor in line with her work for the Council in previous years.

Recommendations to Council:

1. That R S Hall & Co. be appointed as the Council's Internal Auditor.
2. That, subject to some small amendments, the Reserves Policy and Expenses Policy be approved.
3. That Earmarked Reserves be set up as follows: £50,000 for The Meadows Development project and £15,000 for the Children's Playground Renewal of Equipment.

Resolved that the 2020-21 Year End Accounts, with amendments, be noted and sent to the Internal Auditor for review.

034-20 **Review Financial Regulations**

The Financial Regulations, last approved by the Council in September 2019, were again reviewed to ensure they were still fit for purpose. An amendment was requested as follows – ‘2.4 The RFO shall supply each Council Member (~~Member~~) with a copy...’

Recommendation to Council: That, subject to the amendment, the Financial Regulations be approved.

035-20 **Review the Asset Register**

The revised Asset Register, which had been input into the new Alpha software, was reviewed. Last year’s assets totalled £105,173.84. The Council disposed of assets to the value of £10,180.68 and new assets were added to the value of £12,760.00. The revised total assets amount to £107,753.16.

It was suggested that at the next review the Asset Register includes locations. Also before the next review the Clerk and Cllr Garrett will reconsider the insurance values.

Action: Clerk/Cllr Garrett

Recommendation to Council: That the Asset Register be approved.

036-20 **Review of Insurance Policy**

The Council has a three year long term agreement with Came & Company until 31 May 2022. The committee considered the mid-year adjustment to the insurance policy which had been based on the revised Asset Register. The insurers had included a population number of 2,500; the Clerk will ascertain whether this figure affects the insurance and its source. The Clerk will also change the Council’s address in the insurance document. **Action: Clerk.**

Recommendation to Council: That the Council’s insurance policy be renewed for a further year from 1 June 2021.

037-20 **Risk Management Policy and Register**

The committee considered the Risk Management Policy and the Risk Management Register. There were no suggested amendments to the Policy but some tidying up to do on the Register. **Action: Clerk/Cllr Garrett**

It was suggested that an additional member should have access to the Council’s records. **Action: Clerk to email all members for a volunteer.**

Recommendation to Council: That, subject to minor amendments, the Risk Management Policy and Register be approved.

038-20 **Any other business**

Some members had had difficulty getting into Zoom for this meeting and there was concern that residents may not be able to access the Annual Parish Meeting on Thursday night. **Action: Clerk undertook to circulate a guidance note to residents.** It was suggested that in the Chair’s opening speech he mentions the precept which had had a minimal increase of 1.85% this year.

039-20 **Date of Next Meeting**

The next scheduled meeting will take place on 22 July 2021.

The meeting closed at 8:52pm

Signed: (Chairman)

(Date)

CHIDHAM & HAMBROOK PARISH COUNCIL

Report

Report to: Chidham and Hambrook Parish Council
From: Bambi Jones, Clerk & RFO
Subject: Adoption of a Temporary Scheme of Delegation
Date: 27 May 2021

1. Background:

Chidham & Hambrook Parish Council has been conducting full Council and Committee meetings remotely under the provisions of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 since May 2020. These regulations expired on 7 May 2021 and are not being renewed by HM Government.

An attempt by Hertfordshire ALC and others to provide for virtual meetings through a judicial interpretation of the relevant section of the Local Government Act 1972 was unfortunately unsuccessful. This means that if remote meetings are to continue, primary legislation is required.

Many Council members and members of the public are unwilling to return to face-to-face meetings at this time, and indeed it is not possible to accommodate members and the public in line with coronavirus infection control restrictions using the Village Hall meeting room. As meetings are open to as many members of the public as wish to attend, safety cannot be guaranteed. Members, the Clerk and members of the public may not be fully vaccinated against Covid at this point.

In order to allow for the continued smooth running of the Council without the need for face-to-face meetings, it is possible to introduce a temporary Scheme of Delegation. Groups of Councillors can continue to meet virtually and make recommendations. The Clerk will have delegated authority (in the terms of the scheme shown in Appendix A) to take decisions reflecting these recommendations.

The intention is that these Advisory Groups replicate the current Council/Committees in terms of member numbers and operate in accordance with the provisions of the Standing Orders of the Council.

It is important to note the Temporary Scheme of Delegation is not an 'either/or' alternative to official Council meetings. If members felt an issue was of such importance that a face-to-face meeting was the only option, the Temporary Scheme of Delegation would not prevent this.

2. Comments/Recommendations:

- 2.1. It is recommended that Members adopt the new Temporary Scheme of Delegation, with a review date of 4 November 2021

Appendix A

CHIDHAM & HAMBROOK PARISH COUNCIL TEMPORARY SCHEME OF DELEGATION 2021

S101 delegation of powers

The Scheme of Delegation (s101 of the 1972 LGA), provides for delegating authority to the Clerk for making decisions on behalf of the council as and when appropriate. S101 requires formally agreed Terms of Reference by the Council. It needs to be based in Terms of Reference (a sheet of A4 rules – see Scheme of Delegation below) that sets out the key themes of the delegation and the financial thresholds that apply.

This Scheme of Delegation is a temporary measure to facilitate effective decision making whilst the Covid-19 restrictions are in place. It allows the Clerk to take on the executive role during this time.

Delegation of Power

Section 101 of the Local Government Act 1972 provides:

- That a Council may delegate its powers (except those incapable of delegation) to a committee or an officer.
- A Committee may delegate its powers to an officer.
- The delegating body may exercise Powers that have been delegated.

Any delegation to the Proper Officer shall be exercised in compliance with the Council's Standing Orders, any other policies or conditions imposed by the Council and within the law. In an emergency the Proper Officer is empowered to carry out any function of the Council. Where the Clerk is contemplating any action under delegated powers, she should consult with an Advisory Group at least 3 Members, ensuring any appropriate legal, financial, and other specialist advice is obtained if required before action is taken.

The following items may not be delegated to the Clerk:

- To appoint the Chairman and Vice-Chairman in May each year
- To sign off the Governance Statement by 30th June each year
- To set the precept
- To appoint the Head of Paid Service (Clerk)
- To make byelaws
- To borrow money
- To consider any matter required by law to be considered by Council.

To the Proper Officer LGA 1972 s101

The Council's Scheme of Delegation authorises the Clerk to the Council to act with delegated authority in the specific circumstances detailed:

To take action:

1. To take action on any issue that cannot wait until the next Parish Council meeting; as a temporary measure the Proper Officer is empowered to take any and all decisions that would normally be taken by Full Council, or a committee or a working group, having consulted a minimum of two Members. Consultation may be by email or by telephone or by virtual meeting, followed by a confirmation email.
2. If circumstances do not permit the input of at least two councillors, the Clerk would normally be expected to consult the Chairman or Vice Chairman if the Chairman is unavailable and take his/her view into account.

Financial thresholds:

3. To authorise expenditure on items where the Council has previously approved the budget to a maximum of £3,000 per transaction having consulted a minimum of two Members, or to a higher level where the Council has agreed & minuted the expenditure at a prior meeting. Additionally, these Members should be independent of the Member who will authorise the payments within the online banking system. For the avoidance of doubt, this includes any payments that will be overdue before the next scheduled Council Meeting or where discounts may be lost to the Council; to include normal salaries and all items specifically budgeted for, contracted for or expenditure previously agreed by Council at a meeting.
4. To incur expenditure on behalf of the Council, which is necessary to carry out any repair, replacement or other work or essential project which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of £1,000.00 per transaction, having consulted the Chairman and taken on board his views.
5. To take any action regarding minor repairs or purchases (up to a cost of £500.00 per transaction) having consulted the Chairman and taken on board his views.

Planning Matters:

6. Planning applications will be received by the Clerk and responses determined by the Clerk following consultation with a minimum of three Members who are currently members of the Planning Committee.
7. The Planning Committee delegate authority to the Clerk to request any application be referred to Chichester District Council's Planning Committee for decision.

Delegation Limitations, Record keeping & Reporting:

8. Records will be kept demonstrating a clear trail (particularly around decision making in any form).
9. All decisions will be reported at the next available Full Council Meeting.
10. Delegated actions shall be in accordance with Standing Orders and Financial Regulations and in line with directions given by Council from time to time and this Scheme of Delegation, and where applicable any other rules/regulations and legislation.

Date approved _____ Minute number _____

Date for review: 4 November 2021