



**Parish Councillors are summoned to a
MEETING OF THE PARISH COUNCIL**

DAY/DATE: WEDNESDAY, 2 SEPTEMBER 2020

TIME: 7.30 PM

MEETING TO BE HELD REMOTELY, VIA VIDEO-LINK

PLATFORM: ZOOM

ACCESS: Please click the link below to join the meeting:

<https://us02web.zoom.us/j/83958242436>

Enquiries to: Clerk: Carol Jones

Issue date: 24 August 2020

C M Jones

To: Members of the Parish Council
Councillors V Adams, L Buchanan, N Cooper, B Gibbs (Chairman), K Gibbs,
J Hassall, M Ferguson, R Hancock, G McIntyre and R Moore

**Note to Councillors: Please do not use the link on the agenda to access the meeting.
You must use the link provided in the automated email which is sent to you separately.**

Copies: Borough Councillor David Marren
PCSO P Corbett
Mr W Atteridge, Chairman of the Neighbourhood Plan Steering Group

Notes for Members of the Public:

1. This meeting is being held remotely in accordance with regulations made under S.78 of the Coronavirus Act 2020. There are, therefore, no paper copies of the agenda or the accompanying documents.
2. All documents (other than those which are restricted) can be accessed from the Parish Council's website - www.shavingtononline.co.uk.

SUMMARY OF AGENDA ITEMS

- 1 Apologies
- 2 Declarations of Interest
- 3 Minutes – (1) Parish Council; (2) Village Hall Committee; (3) Community Engagement Committee.
- 4 Public Question Time
- 5 Police Matters – Beat Manager’s Report
- 6 Borough Councillor David Marren’s report
- 7 Neighbourhood Plan Update
- 8 Financial Matters
 - Receipts & Payments Statement and Budget Monitoring
 - Payments made since July 2020
 - Update on Audit Issues
 - Budget 2021-2022
 - Litter-bins – Vine Tree Play Area
 - Appointment of Internal Auditor – 2020-2021
- 9 Planning Applications
- 10 Quarterly Parish Newsletter
- 11 Scheme of Delegation – one addition
- 12 Information requested by the Council (Clerk’s reports)
- 13 Insurance – to be renewed on 1 October 2020
- 14 Forthcoming Events (1) Remembrance Sunday; (2) Carols at Christmas
- 15 Village Hall Re-opening – consideration of Covid-19 risk assessment
- 16 Exclusion of Press and Public
- 17 Resourcing – discussion of Clerk’s role
- 18 Agreement between the Parish Council and Shavington Village Festival Committee
- 19 Disposal of 140 Main Road – decision required
- 20 Village Hall – sanding/varnishing of floor in main hall
- 21 Appointments Committee – Communications Manager
- 22 Re-admittance of press and public
- 23 Consultation on two planning documents
- 24 Forthcoming meetings

1 APOLOGIES

- 1.1 Apologies for Absence for this Meeting **Councillors N Cooper and G McIntyre**
- 1.2 **S.85 Local Government Act 1972
(Disqualification Through Non-Attendance)**

In these times of infrequent meetings, Members are reminded that although the Coronavirus Act 2020 introduced new regulations governing town and parish council meetings, the ‘six month rule’ still applies.

Under S.85 of the Local Government Act 1972, a Councillor who has failed to attend consecutive meetings for a period of six months, without having first submitted his/her reasons for absence to the Parish Council, and those reasons have been accepted, the councillor is automatically disqualified.

Although apologies are usually tendered at each meeting, they are received without comment. It is prolonged absence which requires specific consideration by the Parish Council prior to the expiry of the six-month period. A councillor who is aware that they are not able to attend a meeting for six months, must, by the fifth month, have submitted his/her reasons for the prolonged absence so that this can be considered and approved by the Parish Council at that fifth meeting.

Attendance as a member at a meeting of any Committee or Sub-Committee of the authority, or at a meeting of any joint Committee, joint Board or other body, by which the functions of the authority are being discharged, is deemed to be attendance at a meeting of the authority.

2 DECLARATION OF INTERESTS

Members to declare any (a) disclosable pecuniary interest; (b) personal interest; or (c) prejudicial interest which they have in any item of business on the agenda, the nature of that interest, and in respect of disclosable interests and prejudicial interests, to withdraw from the meeting prior to the discussion of that item.

In these circumstances, the Chairman will control the 'presence' of the appropriate Member and give him/her a time slot at which he/she can re-join the meeting.

Members are referred to the Code of Conduct for guidance (issued with the agenda papers for Annual Council on 8 May 2019 and adopted at that meeting).

Whilst the Clerk can advise on the Code of Conduct and its interpretation, the decision to declare, or not, is the responsibility of the Parish Councillor, based on the circumstances.

3 MINUTES (PARISH COUNCIL AND COMMITTEE MEETINGS)

3.1 Parish Council Meetings 15 and 23 July 2020

The Minutes of the meetings held on 15 and 23 July 2020 are not yet available; however, Members are asked to note the following which includes action taken by the Clerk after the meetings:

- To note that the Community Manager Appointments Panel now excludes Councillor Ryan owing to his friendship with one of the candidates.
- Brave Little Tank has been notified that the Social Media Retainer will continue until 30 days after a Community Manager has been appointed.
- Remembrance Sunday. Amberon has been booked for the road closures. Cancellation can be made up to 24 hours prior to the event without charge. (Cost is £754.63 including VAT.)
- Further copy of Website Accessibility Guidance sent to Brave Little Tank.
- No further up-date on the Water Plus situation at the Village Hall.
- Land Availability Assessment: The Neighbourhood Plan Steering Group was asked to convene a meeting to consider the Meller Speakman report. Subsequent to that, Kate McLean of Meller Speakman has emailed and suggested that she should be included in the next meeting of the Steering Group to offer advice and this meeting should also include a Cheshire East Council Officer. She has quoted £1,000 for what she describes as Stage 2 of the process. The Council is not, at this stage, being asked to consider this quotation.
- The Notice of Public Rights to Inspect the Accounts was uploaded onto the website on 7 August 2020. Registered electors are entitled to inspect the accounts between 10 August and 21 September 2020. The Clerk has taken a screenshot of the website to serve as evidence for the audit of the 2020-2021 accounts.

3.2 Matters Arising from the Meetings held on 15 and 23 July 2020

(A) Village Hall – Installation of Smart Meter

British Gas (BG) has now contacted the Clerk to explain that the reason for the high charges is because it is based on estimated readings. BG has suggested that if a smart meter were to be installed, this would send the readings direct to British Gas and will reflect actual usage.

The current situation (at 21 August 2020) is that the account shows a credit of £85.22.

The Parish Council is invited to consider if arrangements should be made to install a smart meter.

3.3 Committee Meetings

The Village Hall Committee met on 6 August 2020 and the Community Engagement Committee met on 11 August 2020. The minutes of these two Committees are not yet available.

- **Village Hall Committee – 6 August 2020**

Rhino Safety conducted a Covid-19 compliant risk assessment of the Village Hall on Tuesday, 18 August 2020. The quote was £119.00 plus VAT and the Clerk agreed this with Councillor Vivien Adams as the Chairman of the Committee.

The risk assessment is included on the agenda at item 15.

- **Community Engagement Committee – 11 August 2020**

A further meeting has been scheduled for 15 September 2020, (See also item 14.)

4 PUBLIC QUESTION TIME

Members of the public are able to ask questions under the Parish Council's Standing Orders.

5 POLICE MATTERS – BEAT MANAGER'S REPORT

To receive a copy of the Beat Manager's Report. This was forwarded to Members by email, together with a traffic report, on 3 August 2020.

6 BOROUGH COUNCILLOR DAVID MARREN **GUIDE TIME (10 MINUTES)**

6.1 Report

Councillor David Marren to report on Cheshire East Council matters of interest and provide an update in respect of outstanding parish matters.

Councillor Marren's report will be e-mailed to Members under separate cover.

6.2 Questions

Members are able to ask questions of Councillor Marren in respect of his report presented under item 6.1 above. **This is limited to Councillors** and is not an opportunity for members of the public to ask questions.

7 NEIGHBOURHOOD PLAN

As Members are aware, the Regulation 16 process has recommenced; this is the publication period arranged by Cheshire East Council and concludes on 8 September 2020.

The Neighbourhood Plan Steering Group met on 18 August 2020 and its report will be presented to the Parish Council.

If the discussion is to include reference to the Meller Speakman report (submitted to the July meeting), it may be necessary to **exclude the press and public as some of the matters are commercially sensitive.**

8 FINANCIAL MATTERS

8.1 Receipts and Payments Statement – 1 April – 30 June 2020

To receive a receipts and payments statement for the first quarter of the financial year. Statements for both the main Parish Council account and the Village Hall account are included. ✍

To enable Members to be satisfied that the bank reconciliation is accurate, a copy of each of the bank statements is enclosed. The Parish Council main account is to 30 June 2020, but the Village Hall account is to 28 May 2020. These are for Members of Council only. ✍

8.2 Budget Monitoring Statement -1 April – 30 June 2020

To receive a budget monitoring statement for the first quarter of the financial year. ✍

8.3 Payments made since the last meeting

These exclude the direct debits, which will be noted on the next receipts and payments statement to the Parish Council. These were notified to three signatories in advance of payment being made.

Payee	Amount £ (gross)	Inv. No.	Date Paid	Service provided
ACE Playgrounds	4,395.05	0191	28 July	Repair and replacement of play equipment at Vine Tree Play Area
Beardmore Accountants	30.00	1903	21 Aug	Payroll service
Cheshire Constabulary	8,320.00	110720002086	21 Aug	Cost of PCSO April – June
Crystal Clean	144.00	SI-1428	2 Aug	Village Hall cleaning
Crystal Clean	180.00	SI-1461	20 Aug	Village Hall cleaning.
HMRC	337.32	N/A	20 Aug	Tax/NI on Clerk's salary
Northwich TC	1,588.20	4440	20 Aug	Grounds maintenance
Rhino Safety	142.80	4994	20 Aug	Covid-19 risk assessment
Solopress	32.44	2445108	20 Aug	Printing of notices for Vine Tree Play Area. An invoice for the second sign is awaited.

8.4 Payments for Approval

The Parish Council is asked to approve the following two payments:

- Cheshire Association of Local Councils – Annual affiliation fee £1,380.60
- **Ash Waste Services – Village Hall Waste Collection**

On 4 August 2020, the Clerk sought authorisation from three cheque signatories to make BACS payments in respect of the invoices listed below.

The Clerk followed up with ASH Waste Services, given that the Village Hall has been closed since 23 March 2020 and there has been no requirement for waste collection.

ASH Waste has now issued a credit note in the sum of £82.89. This means that £162.93 is still owing and **the Council is asked to approve this.**

Invoice No.	Net £	VAT £	Total
886299	89.09	17.82	106.91
865195	6.20	1.24	7.44
852495	6.20	1.20	7.40
860328	41.93	8.39	50.32
845470	61.46	12.29	73.75
TOTAL	204.88	40.94	245.82

8.5 Amendment to Bank Mandate (C M Jones)

The bank has not yet set up the change in bank mandate to increase the Clerk's monthly net salary from 1 April 2020. A letter dated 4 March 2020 was signed by three cheque signatories and posted on 7 March 2020 but was not received by the bank.

The Clerk has prepared a further letter which has now been posted to the first cheque signatory, together with a stamped address envelope, with a request that two other signatures be added to the letter before it is posted to the bank.

8.6 Update on Audit Issues

The following are the specific audit issues raised by the Internal Auditor:

- (a) *The budgeting process which underpins the setting of the precept must be improved to take account of all known expenditure.*

The Clerk's opinion is that the process is not flawed; what occurred in 2019-2020 was that the Clerk, in error, did not include the cost of the remaining two quarters of the PCSO charges in the revised estimates to 31 March 2019. This in turn would have impacted the budget for 2019-2020. This was an error only; not a flaw in the process, and was rectified by holding an extra-ordinary meeting on 14 January 2019 to ensure that the correct budget was approved.

- (b) *The Council must ensure that it makes proper provision for the exercise of public rights for each financial year.*

The accounts for 2018-19 were not approved until 10 July 2019. The exercise of the public rights period commenced on 1 July 2019. The accounts should have been approved prior to the commencement of the public rights period.

2019-2020

The accounts for 2019-2020 were approved on 23 July 2020 and the public rights period commenced on 10 August 2020, concluding on 21 September 2020. A notice has been added to the website and the Clerk has retained a screenshot as evidence for next year's audit.

- (c) *Recurring recommendation: The Council to ensure that Members are not given authority to take action on behalf of the Council. This is contrary to S.101 of the Local Government Act 1972 which states that –*

'a local council may arrange for the discharge of any of its functions to –

*A committee (or sub-committee); or
An employee; or
Another local authority*

This is also referenced in Standing Orders – point 19, page 6.

The Clerk is reviewing the Minutes to establish where Members may have taken action on behalf of the Council during 2019-2020.

- (d) *Income systems for the Village Hall could not be tested. The Council needs to urgently re-establish effective internal controls over hall hire to ensure all hall hire documentation is retained and made available for internal audit.*

This was considered by the Village Hall Committee at its meeting on 6 August 2020 and agreement reached on the process.

- (e) *The fixed asset register should equate to last year's figure from the AGAR, plus the one addition in the year. The register therefore needs to be amended.*

The Practitioners' Guide requires that assets should be valued at purchase cost or an insurance proxy if the purchase cost is not known (that doesn't change over time;) therefore, the only movement in fixed assets each year should be for additions and disposals and all additions should be at purchase price. The Council needs to review the asset register and disclose the correct value in the AGAR which should equate to the value for fixed assets disclosed in the 2018/19 AGAR.

The Clerk carried out an investigation into the assets dating back to when she took over as Clerk in 2015. As a result of the investigation, the figure was revised and the list submitted to the Council on 23 July 2020. At that meeting, Members did not accept the revised list, but the figure remained in the AGAR, with the Clerk sending an explanatory note to the External Auditor.

The Council is asked to set up a Task Group to identify all the assets currently held by the Council. Once a Task Group is set up and is able to identify the full range of assets, the Council can then consider if each requires a professional re-valuation, which was suggested by Members.

At the previous meeting, Members queried the depreciation aspect of the assets. The Clerk's report is enclosed.



- (f) VAT Issue – Raised in 2018-2019

The VAT incurred during 2018/2019 has not been reclaimed and is a recurring issue. This is a material issue and relates to the extensive VAT (in excess of the threshold of £7,500) on the Village Hall refurbishment work.

The Internal Auditor recommended consulting a VAT specialist. The Clerk has contacted Afford Bond, a Nantwich accountants and they have a VAT specialist who would be able to explore the possibility of applying to HMRC under the 'occasional breach' rule. The cost would be £850.00 plus VAT and the following information would need to be provided:

- The last 4 years' VAT records.
- Anticipated spending and VAT forecast for the next 2 years.
- Details and summary of non-business use over the periods. Ideally, they would need to understand the extent of non-business use based on time used and if any areas were excluded from use during the periods.

- (g) *VAT not reclaimed on payments made via direct debit had not been claimed.*

The Clerk had already indicated to the Internal Auditor that this would be the subject of a separate claim to be made after the financial year end.

The Clerk has now submitted this claim to HMRC.

(h) Issues raised in 2018/2019 which need resolution:

- *Budgetary control. The Council should review its budget analysis and ensure that it can balance the budget for 2019/2020. The Internal Auditor commented that the sum of £10,000 unallocated reserves and the £20,000 for the purchase of a parcel of land may be needed to ensure general cash reserves are in place at the end of the year.*

The Council did address this in 2019-20 by increasing reserves to £25,000 which is 14% of its budget, an increase of 9% over the previous year. This will need to be increased to 25% for 2021-2022.

- *The Internal Auditor has stated that delegation to a Councillor under Minute No. 289 (March 2019) is still outstanding.*

This was addressed and the delegation was rescinded on 10 July 2019 with authority being returned to the Clerk; however, the Auditor has also commented (as noted above) that the minutes indicate that councillors continue to commit the Council to expenditure in respect of the Village Hall.

- *Village Hall Income: There is still a shortfall of £315.00 in Village Hall receipts.*

The Clerk will submit the schedule of deposits made in 2018-19 to the Finance Committee on 28 October 2020.

- *Re-valuation of the Village Hall. To be dealt with as part of the review of Fixed Assets.*

- *S.137 Payments. Omitted from the ledger as a separate identification in 2018-2019; there were no S.137 payments in 2019-2020. There has been one S.137 payment in 2020-2021 and that has been recorded separately.*

The reason for requiring the separate recording of these payments is the implications for the precept. S.137 payments are index-linked per head of the 'relevant population' which is the registered electors for the parish. The value in 2019-2020 was £8.12. It is important, therefore, that the Council must not exceed £8.12 x the number of registered electors in the parish.

8.7 Budget 2021-2022 – Contribution to cost of PCSOs

The Parish Council is invited to consider if the cost of two PCSOs should be factored into the draft budget for 2021-2022. This was mooted when the budget for 2020-2021 was approved and it was agreed that this be considered for the next budget.

The timing is such that if a consultation is to be carried out with residents, this will need to be prepared and issued in time to inform the Parish Council at its December 2020 meeting. (See also agenda item 10.)

8.8 Appointment of Internal Auditor for the Accounts 2020-2021

The Parish Council is invited to appoint JDH Business Services Ltd. as the Internal Auditor for auditing the 2020-2021 accounts.

8.9 Litter-bins – Vine Tree Play Area

To consider purchasing two covered litter bins for Vine Tree Play Area. A sum of £900 has been allocated for these in the budget for 2020-21.

9 PLANNING

9.1 The Parish Council is asked to comment on the following planning applications.

20/3360N 16 Knights Way, CW2 5HU
Rear ground floor extension

Deadline date for observations: 2 September 2020

20/3436N 414 Newcastle Road, CW2 5JF
Demolition of existing buildings and erection of 40 residential dwellings
100% affordable housing including associated infrastructure and new
site access – re-submission following refusal of application No. 18/5798N.

Deadline date for observations: 9 September 2020

20/3231N 5 Mercian Cloe, CW2 5ES
Building of flat-roofed garage of breeze block construction with
rendered finish attached to the side of the house which includes digging
of footings and installing of a concrete floor slab.

Deadline date for observations: 4 September 2020

10 QUARTERLY PARISH NEWSLETTER

In view of the Internal Auditor's criticism of the frequency of reporting to the Parish Council, the Clerk is now giving priority to the financial records. One of the consequences is that she is no longer able to prepare articles for the newsletter. It has always been difficult to absorb this into her normal workload but is now more difficult.

Members will recall that when the newsletters were introduced in September 2017, the Chairman took on responsibility for preparing the bulk of the content initially; however, owing to his own work commitments he was unable to continue with this, and it was then passed to the Clerk who has since provided content for the contractor who collates the newsletter.

Members are asked to consider the implications, possibly deferring issue of the next newsletter until the new Community Manager is in post. In the meantime, there is a need to publish two flyers to inform residents of the arrangements for (a) Remembrance Sunday; and (b) Carols at Christmas. It is also necessary to consult residents on whether they would support funding the cost of two PCSOs rather than one.

11 SCHEME OF DELEGATION

The Parish Council is asked to approve the following additional delegation to the Clerk.


- Social media posts. The Clerk, in consultation with the Chairman of the appropriate Committee, or the Council Chairman, to agree items for social media publicity.

The practical implications of this are that if a Member wishes to promote something on social media, they must clear it with the Chairman of the appropriate Committee, or the Council Chairman where the responsibility does not fall within the remit of one of the Committees, at the same time notifying the Clerk.

12 INFORMATION REQUESTED BY COUNCIL

At the last meeting, the Clerk was asked to report on the following:

12.1 Accountancy packages used by other Clerks


The Clerk made enquiries of other Parish Clerks about their own accountancy packages and her report is enclosed. 

12.2 Quotation from accountancy firm to prepare accounts

The Clerk has contacted Afford Bond for a quotation to prepare the accounts on behalf of the Parish Council. The quotation is not yet available as the Clerk is required to provide the firm with various financial documents to enable them to assess the scale of the work.

13 INSURANCE

The Parish Council is asked to renew its insurance cover with effect from 1 October 2020.

Eight documents are enclosed, one of which is the full policy (147 pages); this has been included for reference purposes, but Members should be able to make a decision to renew, based on the remaining documents. 

The Parish Council is asked to approve payment of £2,457.28 for renewal of its insurance.

14 FORTHCOMING EVENTS

14.1 Remembrance Sunday – 8 November 2020

- Rev. A Taylor of the New Life Church has been invited to participate and to attend the Community Engagement Committee meeting on 15 September 2020.
- Rev. Den Harding, Rev. Rachael Griffiths and the Headteacher of Shavington Primary School have also been invited to the Committee meeting.
- Shavington Primary School has been asked about the possibility of making either the school field or the school car park available in the event that the service will need to be conducted outside, to ensure social distancing is maintained. The Clerk had already contacted the school about the availability of its main hall and this has been followed-up; a response is awaited.
Liam Lewis, the Chief Financial and Operations Officer, has reported that the current guidance is not allowing outdoor concerts and sporting events where people congregate; on this basis, it is unlikely that access will be granted, but he expects to be able to confirm week commencing 31 August 2020.
- The road closure application has been forwarded to CEC with a request that the road be closed from 8.00 am to 12 noon.
- An invitation has been sent to the 2nd Shavington Brownies and 12th Shavington Scouts.


14.2 Carols at Christmas – 20 December 2020

The Communications Committee is exploring the possibility of changing the venue for 'Carols at Christmas', to the church field opposite to St Mark's Church. Reverend Rachael Griffiths has agreed to this proposal but has stated that there must be a Covid-19 risk assessment carried out, taking into account the prevailing government guidance at that time.

She has also mentioned congregation singing. The current guidance is that small groups of singers (professional or non-professional) are able to sing (indoors or outdoors) from 15 August 2020 but there should be no audience participation.

The Committee suggested that a 20ft high Christmas tree be purchased. The Clerk has contacted a local supplier for a quotation, and this will be in the region of £500.

15 VILLAGE HALL RE-OPENING

The risk assessment prepared by Rhino Safety Ltd. is enclosed. 

The Parish Council is asked to consider arrangements for re-opening of the Village Hall and agree a date for re-opening.

16 EXCLUSION OF PRESS AND PUBLIC

The Council is invited to RESOLVE that in accordance with Paragraph 1 (2) of The Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded from the meeting during consideration of the following items owing to the confidential nature of the business to transacted and the public interest would not be served in disclosing that information.

Note: Other than a synopsis, the details on each of the following items have been omitted from the public agenda.

17 RESOURCING

(Reason for exclusion: Potential discussion of matters relating to the Clerk's employment.)

At the meeting held on 23 July 2020, Members considered the report of the Internal Auditor, who had been critical of the way in which the accounts had been maintained throughout the year.

The Council is asked to consider resourcing issues to ensure that all financial requirements can be met in a timely manner.

18 AGREEMENT BETWEEN THE PARISH COUNCIL AND SHAVINGTON VILLAGE FESTIVAL COMMITTEE

(Reason for exclusion: Contractual matter between the Parish Council and the Village Festival Committee.)

At the last meeting, the Parish Council approved an agreement between itself and Shavington Village Festival Committee.

The Parish Council is asked to consider comments from Lynne Thornton, Solicitor, whom the Clerk contacted for advice on the agreement.

19 140 MAIN ROAD, SHAVINGTON

(Reason for exclusion: Potential contractual matter between the Parish Council and the Borough Council.)

The Parish Council is asked to decide if it wishes to make application for an asset transfer of 140 Main Road, Shavington.

20 VILLAGE HALL – FLOOR TREATMENT

To consider if the floor in the Village Hall should be sanded and varnished prior to re-opening of the hall.

21 APPOINTMENTS COMMITTEE – COMMUNICATIONS MANAGER


(Reason for exclusion: Identification of an individual.)

The Committee conducted interviews for the Communications Manager, week commencing 24 August 2020. Five candidates were interviewed, and the Chairman will be able to report the outcome to the meeting.

22 RE-ADMITTANCE OF PRESS AND PUBLIC

The Council is asked to re-admit the press and public to the meeting.

23 CONSULTATION ON PLANNING CHANGES

The National Association of Local Councils (NALC) is inviting comments on two consultations as follows; both documents are enclosed. 

Changes to the Current Planning System (by 17 September 2020)

Observations are required at this meeting.

White Paper: Planning for the Future (by 15 October 2020)

This document can be considered at the October meeting.

24 FORTHCOMING MEETINGS

15 September 2020	Community Engagement Comm
30 September 2020	Environment & Recreation Committee
7 October 2020	Parish Council
28 October 2020	Finance Committee