

**MINUTES OF A MEETING OF PURLEIGH PARISH COUNCIL, HELD IN THE WELLS PAVILION, HOWE GREEN ROAD ON FRIDAY, 15<sup>th</sup> MAY 2020 AT 7.00 P.M.**

Members present: Mr. G. Rayner (Chairman), Mr. S. Bardwell, Mr. S. Potter and Mr. G. Strathern.

Also in attendance: Mrs. Jane Potter (Clerk).

The meeting was not attended by any members of the public.

**1/05/20 APOLOGIES FOR ABSENCE**

Apologies were received from Mr. N. Arthur, Mr. C. Ash and Mr. B. Oliver. Mr. Arthur and Mr. Ash were unable to attend the meeting due to prior personal commitments and Mr. Oliver wasn't able to attend to protect his health during the coronavirus pandemic.

**2/02/20 DECLARATIONS OF INTEREST AND APPLICATIONS FOR DISPENSATIONS (Localism Act 2011)**

There were no new declarations of interest made, nor were there any applications for dispensations from the provisions of the Localism Act 2011.

**3/05/20 THE CONTENTS OF 'CORONAVIRUS 2: MAY 2020', THE RECORD OF DECISIONS TAKEN BETWEEN 10<sup>TH</sup> APRIL AND 8<sup>TH</sup> MAY 2020**, having been circulated to all Members, were approved, and it was agreed that this document would be attached as an appendix to the May 2020 Minutes.

**4/05/20 PLANNING MATTERS**

**4.1/05/20 Current applications:** FUL/MAL/20/00444 Construction of 1 No. detached dwelling, Harmony Kennels, Brook House, Spar Lane, Purleigh.

The Parish Council **RECOMMENDED REFUSAL** on the following grounds:

1. The application site lies within a rural location outside of a defined settlement boundary where policies of restraint apply. The Council can demonstrate a five year housing land supply to accord with the requirements of the National Planning Policy Framework. The site has not been identified by the Council for development to meet future needs for the District and does not fall within either a Garden Suburb or Strategic Allocation for growth identified within the Maldon District Local Development Plan to meet the objectively assessed needs for housing in the District.
2. The proposed development would result in the loss of an employment use and it has not been satisfactorily demonstrated that there is no demand for an employment use at this site.
3. The development would therefore be unacceptable, does not constitute sustainable development and is contrary to policies S1, S2, S8, E1, D1 and H4 of the Maldon District Local Development Plan and Government advice contained within the National Planning Policy Framework.

**4.2/05/20 Maldon District Council planning decisions:** Members noted that Maldon District Council had **APPROVED** the following planning application:

- ◆ FUL/MAL/20/00204 Demolition of existing chalet dwelling and garage and the erection of a new replacement dwelling and car port. Atherstone Lodge, Fambridge Road, Mundon, Essex.

**4.3/05/20 Other planning matters:** *Proposed Bradwell B Power Station - Stage One Public Consultation:* Members noted that details of opportunities to engage with Planning Aid England and the Bradwell B Community Engagement Team regarding the Parish Council's response to the proposal to build a new nuclear power station in Bradwell-on-Sea had been emailed to Members between meetings.

Members noted the concern of Cold Norton Parish Council that the consultation period hadn't been extended at least until 1<sup>st</sup> August 2020 due to COVID-19, given the difficulties associated with meeting representatives from the Bradwell B Engagement Team in person to ask questions of them and clarify points of concern.

It was agreed to support Cold Norton Parish Council's request that the consultation period be extended.

Members also noted that Mundon Parish Council had concerns about the potential increase in the volume of traffic through Mundon and Purleigh, should the new power station get planning consent and it hoped to liaise with Purleigh Parish Council over a response to the application.

*Proposed adoption of the Chelmsford Local Plan 2013-2036: Regulation 26 Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended):* Members noted that as a consultee, the Parish Council had been informed that Chelmsford City Council would be considering the adoption of the Chelmsford Local Plan 2013-2036 at an Extraordinary meeting of the Council on 27<sup>th</sup> May 2020.

Due to the current COVID-19 restrictions, this would be a 'virtual' meeting with all participants contributing remotely. Further details had been set out on the City Council's website at:

<https://www.chelmsford.gov.uk/your-council/committees-and-meetings/calendar-of-meetings/?id=d8c1de9f-7fad-45c3-ad71-57d0f3caaf89>

Documents and the covering report to the full City Council could also be read at the above web link.

## **5/05/20 TO CARRY OUT A FINANCIAL RISK ASSESSMENT**

**5.1/05/20 The Risk Assessment:** Members noted that this year, due to the restrictions placed on meetings by the global pandemic, the format of the annual risk assessment was different, dealing only with those parts that were required to enable the independent and external auditors to complete their inspection of the Parish Council's accounts for the year ending 31<sup>st</sup> March 2020.

### **5.2/05/20 Matters arising from the risk assessment:**

#### **1. Financial risks:**

*1. Impact of Coronavirus:* The Parish Council noted that it would lose income from letting the pavilion and associated facilities due to lockdown and social distancing requirements and that it may incur additional expenditure. Members understood that there were Government backed grant schemes available for local councils which would be administered by Maldon District Council, but to be eligible parish councils had to provide an account of income lost and extra expenditure incurred **and** show that this put them into financial difficulty. This was highly unlikely in Purleigh's case given its level of reserves and that with a slight relaxation of lockdown imminent it may be possible to receive some income from letting the facilities in 2020/2021. To date £246.25 had been received in letting fees out of an anticipated income of £4,300 and no additional expenditure had been incurred.

Members noted that Ben Page (Strategic Theme Lead: Community, Strategy, Policy & Communications Directorate, Maldon District Council) had subsequently advised that the District Council's Director of Finance had said that no guidance had as yet been released for Parish and Town Council compensation for financial loss during the crisis.

*2. The General Data Protection Regulations 2018:* Members noted that potentially the most serious risk to the Parish Council remained if the Parish Council was found guilty of a data breach by the Office of the Information Commissioner and was fined and/or made to compensate the data subject involved. The Parish Council had put robust measures in place however to mitigate this risk. These measures were reviewed annually and the results recorded in the Minutes, usually at the Annual Meeting of the Parish Council.

The Parish Council had access to the District Council's Data Protection Officer; it had GDPR compliant Privacy Statements, Policies, CCTV protocols and Subject Access Request Forms; It had a Data Breach procedure in place, maintained a Document Destruction Record and put privacy by design at the heart of its decision making, including carrying out Privacy Impact Assessments where required e.g. when setting up data bases of people willing to help, for example when establishing a community shop in Purleigh, the lists of

allotment, and pavilion key holders and when contributing to a list of volunteers willing to support the community through the coronavirus pandemic.

The Parish Council's insurance policy No RGBDX6962034 provided by Came & Company *via* Pen and underwritten by AXA Insurance UK plc included Data Protection and legal expenses cover.

3. *Accessibility of the Parish Council's website: The Public Sector Bodies (Websites & Mobile Applications) (No. Accessibility Regulations 2018 ("Regulations"))*: Members noted that the Regulations implemented the European Union (EU) Directive on the accessibility of the websites and mobile applications of public sector bodies including Parish Councils. The Directive had been designed to allow citizens, particularly those with disabilities, to gain better access to public services by making public sector bodies' websites and mobile applications more accessible. It worked with varying accessibility standards within the EU and, in particular, the statutory duties imposed on public sector bodies under the Equality Act 2010 and the Disability Discrimination Act 1995 to make reasonable adjustments for people with disabilities. The Parish Council noted that the United Kingdom had remained committed to these standards since leaving the European Union.

To ensure compliance the Parish Council had thoroughly reviewed its website in light of the guidance and had employed an independent company, TEEC, to re-design its website, allocating £1,750 in the budget 2020/2021 for implementation, training and on-going support. The Parish Council's existing webmaster had also carried out extensive research to guide the Parish Council in its choice of contractor.

4. *The cost of elections and bye-elections*: It was noted that Maldon District Council had advised that henceforth Parish Councils should set aside the sum of £1,500 in their budgets towards the cost of contested elections, bye-elections and polls. During the precept discussions in January 2020, the Parish Council had decided not to allocate any money under this heading for the forthcoming financial year (See Minute 9.4/01/20).

5. *Insurance*: Members noted that it may be prudent to increase the amount of insurance cover for the playing field.

The following quotations provided by the Gallagher Group were considered by Members:

Property: Purleigh Playing Field, Howe Green Road, Purleigh, Chelmsford, Essex  
Premium: £123.00 (including Insurance Premium Tax)  
Policy limit: £250,000.00

Premium: £156.00 (including Insurance Premium Tax)  
Policy limit: £500,000.00

Premium: £224.00 (including Insurance Premium Tax)  
Policy limit: £1,000,000.00

It was agreed to take out additional cover on the playing field for the policy limit of £1,000,000.00 at a cost of £224.00 including Insurance Premium Tax.

## 2. Risks relating to liability

*Councillor action*: Members noted that in light of recent high profile litigious cases, clerks had once again been asked to remind Members that all official communication (including letters and emails) with outside agencies, government departments, other councils and the public should be conducted through the clerk unless by specific resolution of the council. Councillors were respectfully reminded not to sign themselves Parish Councillor, add the description Parish Councillor beneath any other personal or professional designation, or use personal social media under this guise. The exception, unless by specific resolution of the council, being when resigning from Office, when Councillors should tender their resignation through the Chairman rather than the Clerk. This is especially important since the introduction of the General Data Protection Regulations 2018 whereby any device used to process personal data in the Parish Council's name became part of the Parish Council's data set.

*Pavilion and Playing field*: Members noted that in the current coronavirus crisis the Parish Council had a duty to close the Children's Play Area. On 11<sup>th</sup> May 2020 Mr. Bardwell and the Chairman had taken further measures to remove the play equipment from use and had documented that this had been done.

The Parish Council thanked the Vice-Chairman and Chairman for all their help in this regard.

*Tree Risk Assessment:* Members noted that on 26<sup>th</sup> May 2020, Jack Wannell (Arboricultural Consultant, Place Services) would carry out a professional inspection and risk assessment of the Parish Council's tree stock.

**5.3/05/20 Review of the effectiveness of internal control:** Members noted that The Local Audit and Accountability Act 2014 and the Accounts and Audit Regulations 2015 required audited bodies to conduct a review at least once a year of the effectiveness of their systems of internal control. The findings of the review must be considered by the council, and following the review the council must approve the Annual Governance Statement prepared in accordance with the proper practices in relation to internal control (see Minute 6.2/05/20 below.)

Members noted that John Smith-Daye, (Lambert Chapman LLP) was the Parish Council's independent (internal) auditor. As a member of Lambert Chapman Chartered Accountants, the Parish Council was entirely confident of Mr. Smith-Daye's suitability for the role, being both independent and competent as required by point 4.9 of '*Governance and Accountability for Local Councils: a Practitioners Guide*', Joint Panel on Accountability & Governance, (Revised March 2020.)

**5.4/05/20 To review the Parish Council's internal audit procedure:** The Parish Council agreed not to make any amendments to its internal audit procedure and affirmed that pursuant to Regulation 4 of the Accounts and Audit (England) Regulations 2011:

'The relevant body is responsible for ensuring that the financial management of the body is adequate and effective and that the body has a sound system of internal control which facilitates the effective exercise of that body's functions and which includes arrangements for the management of risk'

**5.5/05/20 To receive a report from the internal auditor:** Members noted and approved the contents of the Chairman's report to the Parish Council, which had been written in his capacity as the Council's internal auditor for 2019/2020.

**5.6/05/20 To note the powers under which income and expenditure 2019/2020 were received and spent:** Members noted the legislative powers under which income and expenditure 2019/2020 had been received and spent and were satisfied that the Parish Council's financial transactions had been carried out within the powers available to it.

**5.7/05/20 To review the Parish Council's Asset Register:** Members did not suggest any amendments to its asset register which showed the Parish Council having assets to the value of £367,096.90 at close of business on 31<sup>st</sup> March 2020 compared with £353,914.00 in the previous financial year (Box 9 of section 2 of Accounting Statements of the Annual Governance and Accountability Return). The difference of £13,182.90 was accounted for because the Parish Council had purchased assets to the value of £16,676.35 during the year and assets valued at £3,493.45 had been disposed of or damaged beyond repair.

**5.8/05/20 To review the Parish Council's Financial Regulations:** The Parish Council did not make any amendments to its Financial Regulations, which had been adopted by the Parish Council in May 2014 (Minute 15.10/05/14) and amended in May 2016 (Minute 18.10/05/16.)

**5.9/05.20 To review the duties of the Responsible Financial Officer:** It was agreed not to amend the duties of the Responsible Financial Officer approved by the Parish Council at the May 2019 Parish Council meeting (Minute 18.11/05/19.)

## **6/05/20 FINANCIAL MATTERS**

**6.1/05/20 Annual Internal Audit Report:** Members noted that Mr. Smith-Daye (Lambert Chapman LLP) would complete this report on Thursday, 21<sup>st</sup> May 2020 at 9.30 a.m.

**6.2/05/20 To complete the Annual Governance Statement 2019/2020 - Section 1 of the Annual Governance and Accountability Return:** The Parish Council prepared and completed the Annual Governance Statement, which was signed by the Chairman and Clerk.

Members noted that the Parish Council was required to carry out and report on an annual review of the effectiveness of its systems of internal control and audit, which it had done as part of the Financial Risk Assessment (see 5.3/05/20, 5.4/05/20 and 5.5/05/20 above.)

Mr. Potter proposed, and it was unanimously resolved to approve the Annual Governance Statement, in advance of approving the accounting statements for the year ending 31<sup>st</sup> March 2020.

**6.3/05/20 To approve and sign the Parish Council’s Income & Expenditure Accounts for the period 1<sup>st</sup> April 2019 to 31<sup>st</sup> March 2020:** The Parish Council unanimously approved the:

- ◆ Income and Expenditure Account
- ◆ Balance Sheet and
- ◆ Supporting Notes for the financial year ending 31<sup>st</sup> March 2020

The Chairman and Responsible Financial Officer signed three copies of the Balance Sheet, which showed the Parish Council to have **NET ASSETS** in the sum of **£33,977.28** at 31<sup>st</sup> March 2020 (compared with £51,610.28 in the preceding financial year.)

**6.4/05/20 To approve the Accounting Statements 2019/2020 (section 2 of the Annual Governance and Accountability Return) for the year ended 31<sup>st</sup> March 2020:** The Chairman proposed and the Parish Council unanimously resolved to approve the Statement of Accounts for the year ended 31<sup>st</sup> March 2020 (section 2 of the Annual Governance and Accountability Return) dated 8<sup>th</sup> May 2020, and the Responsible Financial Officer’s explanation of the reasons for any significant variances (+/- 15% and over £200) from the last financial year to this (enclosed with the Parish Council’s accounts.)

The accounting statements were then signed by the Chairman of the meeting and dated 15<sup>th</sup> May 2020.

Members noted that the Statement of Accounts had been based on the Parish Council’s Accounts 2019/2020 which had been prepared on an income and expenditure basis and that the RFO had signed and dated the Statement of Accounts before they had been presented to the Council.

Members noted that the Parish Council’s bank reconciliation as at the close of business on 31<sup>st</sup> March 2020 had been approved between meetings and the decision recorded in ‘Coronavirus 2: May 2020’, the record of decisions taken between 10<sup>th</sup> April and 8<sup>th</sup> May 2020, which would be attached as an Appendix to the May 2020 Minutes (Minute 3/05/20.)

**6.5/05/20 To receive a report of receipts:** Members received a report of the following receipts:

Maldon District Council	Precept 2020/2021	£42,000.00
Kalma	Pavilion hire January – March 2020	£221.25
HMRC	VAT refund o/s as at 31 <sup>st</sup> March 2020	<u>£298.03</u>
		<b>£42,519.28</b>

**6.6/05/20 To approve payment of accounts between meetings:** Members noted that there had been no payments made between meetings other than those listed in the document ‘Coronavirus 2: May 2020’, the record of decisions taken between 10<sup>th</sup> April and 8<sup>th</sup> May 2020. These payments are reproduced below (see Minute 3/05/20 above.)

Mrs. Jane Potter	Salary – March 2020	£1,311.00	
	Less tax	£38.40	
	National Insurance	£62.28	
	And Pension Contributions	<u>£76.04</u>	
			£1,134.28

H.M. Revenue & Customs	Tax	£38.40	
	National Insurance (employees)	£62.28	
	National insurance (employers)	<u>£79.90</u>	£180.58
Essex Pensions Fund	Employee contributions (5.8% pensionable pay)	£76.04	
	Employer contributions (21.7% pensionable pay)	£305.46	
	Administration charge (8% employee contributions)	<u>£6.08</u>	£387.58
Mrs. R. Dilworth	Pavilion cleaning – March 20 hours @ £8.50 per hour		£170.00
A.G. Macmorland Farming Partnership	Grass cutting	£342.00	
	VAT	<u>£68.40</u>	£410.40
Supplies 4 Business	Photocopying	£20.00	
	VAT	<u>£4.00</u>	£24.00
Office Power Limited Re: Supplies 4 Business	Printer toner x 2	£159.55	
	VAT	<u>£31.91</u>	£191.46
Came & Company	Insurance premium Policy RGBDX 6962034		£1,637.04
EALC	EALC Affiliation fee 2020/2021	£296.89	
	NALC Affiliation fee 2020/2021	<u>£72.86</u>	£369.75
E-On	Electricity account re: Pavilion	£229.52	
	VAT	<u>£11.48</u>	£241.00
Mr. R. Rapley	Website maintenance January to March 2020		£65.00
Maldon District Council	Community Engagement	£210.86	
	VAT	<u>£42.17</u>	£253.03
Information Commissioner	Registration Fee 2019/2020		£40.00
CPRE	Affiliation fee 2020/2021		<u>£36.00</u>
			<b>£5,140.12</b>

**Transfers:** Members noted and approved the following bank transfer:

1. On 8<sup>th</sup> April 2020 the sum of £4,489.28 had been transferred from the Business Premium Account (80731099) to the Community Current Account (40731080) to pay the accounts above between meetings and leave approximately £1,500.00 in the current account.

**6.7/05/20 To approve payments of accounts to hand and transfers between bank accounts:** It was unanimously agreed to approve payment of the following accounts to hand:

Mrs. Jane Potter	Salary – April 2020	£1,338.60	
	Less tax	£43.80	
	National Insurance	£65.59	
	And Pension Contributions	<u>£77.63</u>	
			£1,151.58
H.M. Revenue & Customs	Tax	£43.80	
	National Insurance (employees)	£65.59	
	National insurance (employers)	<u>£83.71</u>	
			£193.10
Essex Pensions Fund	Employee contributions (5.8% pensionable pay)	£77.63	
	Employer contributions (% pensionable pay)	£311.89	
	Administration charge (8% employee contributions)	<u>£6.21</u>	
			£395.73
A.G. Macmorland Farming Partnership	Grass cutting – April	£774.00	
	VAT	<u>£154.80</u>	
			£928.80
NALC	Subscription to the Local Council Review		£17.00
Mrs. R. Dilworth	Pavilion cleaning/monitoring- April 20 Hours @£8.75 per hour		£175.00
Mrs. Jane Potter	Petty Cash – Reimbursement Postage		£11.59
Harry Stebbing Workshop	Notice board	£1,565.75	
	VAT	<u>£313.15</u>	
			<u>£1,878.90</u>
			<b>£4,751.70</b>

**Transfers:** Members noted and approved the following transfers between Bank Accounts:

1. On 12<sup>th</sup> May 2020 the sum of £39,032.19 had been transferred from the Community Current account (40731080) to the Business Premium Account (80731099) to leave approximately £1,500 in the current account, having paid the accounts to hand at the Parish Council meeting held on 15<sup>th</sup> May 2020
2. On 15<sup>th</sup> May 2020 the sum of £1,878.90 had been transferred from the Business Premium Account (80731099) to the Community Current account (40731080) to pay the invoice from the Harry Stebbing Workshop above and leave approximately £1,500 in the current account.

**Bank reconciliation as at 30<sup>th</sup> April 2020:** A bank reconciliation for the period 1<sup>st</sup> April 2020 to 30<sup>th</sup> April 2020 was carried out by the Chairman and approved by the Parish Council as follows:

**Statement of Accounts:**

Receipts:	£79,140.41	Barclays Bank Plc:	
Payments:	£5,105.12	Current account	£43,444.99
		Business Premium Account	£12,754.26
		Historic Buildings Fund	£10,489.05
		Miss Pawsey's Legacy	£7,296.99
		Petty Cash	<u>£50.00</u>
	<u>£74,035.29</u>		<b>£74,035.29</b>

**6.8/05/20 To approve a list of regular Direct Debits and Standing Orders:**

**Standing Orders:** Members noted that the Parish Council had two Standing Orders in place relating to the ground rent for the allotment site in Chelmsford Road and the licence fee for the pedestrian footpath in Church Hill from Pump Corner to Fairfields.

Date	Payee	Amount (£)
1 <sup>st</sup> April	Greenwood South Western	5.00
24 <sup>th</sup> September	Chelmsford Diocesan Glebe Management	24.00

**Variable Direct Debits:** The Parish Council had no variable Direct Debits in place.

**7/05/20 POINTS OF INFORMATION**

*Storm damaged tree and bench, Rigby's Path:* Mr. Bardwell and Mr. Strathern very kindly agreed to try to remove the sections of tree which were preventing access to the damaged bench at the end of Rigby's Path. Once removed Mr. Bardwell would arrange for the repair of the Parish Council's bench on behalf of the Council.

**CRIME AND DISORDER ACT 1988 (SECTION 17)**

Consideration was given to the crime and disorder implications of all decisions made at this meeting.

There being no further business, the Chairman closed the meeting at 7.45 p.m.

Chairman:..... Date:.....