**HANNINGTON PARISH COUNCIL**

**DRAFT Minutes of the meeting held on Tuesday 26th September 2017 at 7.00 pm; Hannington Village Hall**

**Present:** Cllr Simon Taylor (Chairman), Robert Finlayson, Cllr Janusz Hertz, Cllr Clare Kinnear, Cllr Oliver Larminie.

**Also present:** Cllr Donald Sherlock (BDBC), one member of the public, and Chris Pottinger (Clerk).

**Apologies:** Cllr Rhydian Vaughan (HCC)

There were no declarations of interest.

The Chairman opened the meeting by welcoming Cllr Oliver Larminie to his first meeting of the Parish Council.

1. **Minutes of Council Meeting 9th May 2017.**

The DRAFT Minutes had been circulated in advance of the meeting. The Clerk informed the meeting of the following correction in paragraph 7 Broadband;*“. . . we are talking about speeds up to 24Mbps”* should read *“. . . we are talking about speeds* ***over*** *24Mbps*”.

**COUNCIL AGREED** the Minutes with the above amendment. The final page of the Minutes was signed by the Chairman and all consecutively numbered pages were initialed, in accordance with Schedule 12, para 41(2) of the Local Government Act 1972, which states*, “the minutes of the proceedings of meetings of a local authority may be recorded on loose leaves consecutively numbered, the minutes of the proceedings of any meeting being signed, and each leaf comprising those minutes being initialed, at the same or next suitable meeting of the authority, by the person presiding thereat, and any minute purporting to be so signed shall be received in evidence without further proof.”*

1. **Matters Arising (not covered elsewhere on the agenda)**

The list of Outstanding Items from the meetings up to and including May 2017 was reviewed in detail. All items were reviewed as to their status. The Clerk was authorised to amend it accordingly and to include any new actions arising from the September 2017 meeting.

**ACTION: Clerk**

In reviewing the list of Outstanding Items, the Council concluded that ALL issues were adequately updated in the review or were dealt with elsewhere on the Agenda.

1. **Correspondence**

4.a HALC e-updates. The Clerk confirmed that all issues that were of potential concern to the Parish Council had been circulated to Cllrs as the e-updates had been received

The Council also noted receipt of the following three items of correspondence

4.b “*The Voice of the Councillor”*(final report July 2017)… NALC etc

4.c ‘Saving Hampshire - Balancing the Budget’ – HCC

4.d ‘National Highways and Transport (NHT) Public Satisfaction Survey’ – HCC

**NO ACTION REQUIRED**

1. **Broadband**

Cllr Hertz reported that:-

1. HCC Broadband Programme are unable to provide a progress update as to the “Hannington Village” implementation until BT Openreach provide the latest version of the roll-out plan later this month. However, Cllr Hertz’s discussions on the 21st September with BT Group ‘indicate’ that Wayleave applications for both power (SSE) and the locating of the concrete plinth for the fibre cabinet have been issued.
2. As previously reported to Council, whilst the above programme will provide super-fast broadband to “Hannington Village”, the programme does NOT extend to the more difficult areas… such as White Lane, North Oakley and Ibworth. In order to ‘help’ the more difficult-to-reach communities to benefit from superfast broadband, HCC have created a £1m Community Matched Funding Scheme. https://www.hampshiresuperfastbroadband.com/alternative-solutions/cmfs/
3. Enquiry on the 20th September to the HCC Broadband Programme as to which Hannington Parish postcodes were ‘not in’ the “Hannington Village” programme received the following reply,

*“The billing cycle information [available in October] includes an update of which cabinets are due to be added to the rollout programme. As our information on Hannington is incomplete without this information, due to new structures being built in or around the surrounding areas, in order to provide accurate information we need to know if any of the postcodes which currently read as ‘not in’ will soon be added to the rollout – therefore superseding the need to add them to the matched funding proposal.”*

1. The postcode information from (c) is a prerequisite to collecting and identifying the residents individual postal address, then by separate enquiry their names and their intended broadband telephone number. This information is a prerequisite for either the HCC Matched Funding or the BT Community Fibre Partnership approaches for funding the ‘hard-to-reach’.

**COUNCIL AGREED** the initial aim is to identify the order of overall investment cost that would be borne by the ‘community’.

1. To model the cost, White Lane, Freemantle Farm and North Oakley are the preferred options as they are relatively a short distance to the BT Exchange (Oakley – Cab8 vs. Ibworth, serviced by Monk Sherborne Exchange). They are all logistically on the same cable route and the number of residences involved are significantly higher at about 40. The higher number of premises potentially gives BT a better outcome on their ‘Return on Investment’ calculation and the shared cost to the community.
2. To progress the gathering of the prerequisite information (see c above) a partially completed ‘HPC Community Addresses Excel Template’ was provided to the Parish Clerk on the 31st August 2017.

**ACTION: Cllr Hertz and Clerk** to coordinate, and for residents to verify/provide the owner/occupier name and address, the telephone number to be used for broadband, and the outcome of a broadband speed test. This assumes that residents are happy to participate in the initial cost model for the provision of superfast broadband to them.

1. BT Community Fibre Partnership have said they can respond with costs within 15 days following a submission of the required information template.
2. **Transparency Code**

Cllr Hertz informed the Council that the functionality and structure of the HPC website is complete. Hugo Fox will incorporate new improvements, corrections and functionality in the normal course of development events. Information as to how to receive Email Alerts for ‘NEWS’, ‘EVENTS’ and ‘PLANNING’ is incorporated on the landing page of HPC website. An email from the Clerk to residents, via the village email network (Barbaramail), has been issued on ‘How to’ set up the email alerts.

Cllr Hertz has created a simple URL See: [Hannington Parish Council, Hampshire website](https://www.hugofox.com/community/hannington-parish-council-hampshire-7641/about-us) to further encourage residents to use the HPC website.

The Internal Audit Report 2016-17 commented, “*We note the extensive work completed by the Council in order to meet the requirements of the Transparency Code and have reviewed the documents shared on the new website. We were unable to find two sets of minutes on the website (September and December 2016) although note that all accompanying papers were available.”*

The Clerk informed the meeting that the Hannington Parish Council website, that enables compliance with the Transparency Code for Smaller Authorities, went live on 1st April 2017. He is in the process of uploading historical documents/records. The two Minutes referred to by the internal auditors have now been posted.

**Outstanding Action** is for the Clerk to formally report to the Council on ‘compliance’ with the Transparency Code.

**COUNCIL AGREED** that on receipt and acceptance of the Compliance Report, the remaining grant funding of £323.40 that was distributed by NALC on behalf of the Government to implement the Transparency Code can be released to the Clerk.

1. **Aims and Objectives of Parish Council**

A copy of the Council’s ‘Aims and Objectives’, agreed at its meeting in September 2016, had been circulated in advance of the meeting. The Clerk informed the meeting that he had reviewed the individual ‘OBJECTIVES’ within the three AIMS:-

**Aim 1: To improve the development, appearance, and environment in which we live; ensuring that these changes do not cause future harm (six objectives);**

**Aim 2: To be a strong voice on behalf of the local people and businesses, representing their views (two objectives); and**

**Aim 3: To be well managed; providing sound governance and financial management, and an exemplar employer (four objectives).**

The Clerk had concluded that, during the last year, the Parish Council had either addressed and/or actively taken forward each and every one of the twelve objectives.

**COUNCIL AGREED** to continue to adopt the current Aims and Objectives without amendment.

1. **Review of Governance Documents… Compliance with Standing Order2.**
2. Annual Review of the Council’s Risk Register and associated documents

A copy of the Council’s Risk Register(s), agreed at its meeting in September 2016, had been circulated in advance of the meeting, together with a copy of the Council’s approved ‘Approach to Risk Management’ (Appendix A to the report)’. The Clerk reminded Council it is a requirement under the Accounts and Audit Regulations 2015 that a risk assessment must be undertaken each year, during the year and approved by the smaller authority. The Parish Council fulfils this requirement through its annual review of the Risk Register(s) and related documents.

1. **Risk Register** (App B to the report)

Council agreed the content of the Risk Register, noting the minor amendments to be made by the Clerk to update the two columns ‘Established Controls’ and ‘Further Actions’ purely to reflect how these have changed in the last twelve months.

**ACTION CLERK**

**ii. Risk Register – HCC Highways** (App C to the report)

Council received the updated report from Cllr Hertz. This ‘update’ included detailed statements of the actions that had been taken since the last review in September 2016; with conclusions of **‘closed’** in the Further Actions column where those actions had been delivered through to completion.

**COUNCIL AGREED** the content and conclusions with regards the actions marked ‘Closed, and authorised those items to be removed from the Register.

**ACTION: CLERK**

**iii. Risk Register – Hannington Village Green** (Appendix E to the report)

Council noted the compliance with those elements that required routine, regular action ie mowing and maintenance of the village green, and that there had been full compliance with regards the ‘Control Measures’ for the Country Fair held on the Village Green earlier in the year.

However, Council had concern with regards two ongoing elements:-

1. **dog fouling:** this continues to be an issue. The ‘problem’ is then potentially spread when the village green is mowed, and any disease with it. It is unreasonable to expect the person mowing the green to undertake a tidy-up exercise before the work can be started.

Whilst the problem may be caused by dogs of people visiting the village, it is still thought that some residents are not adequately be controlling their dogs, letting them have ‘free rain’ on the village green and not ‘clearing up’ afterwards. The Council confirmed previous decisions that it did not want to put up ‘warning notices’ on the green, nor did it want to put up a ‘dog pooh bin’; not least because it would then be necessary for the Parish Council to arrange to have it regularly emptied.

**Council agreed** the following action:-

* publish a reminder to dog owners in the parish through the Village email network, and
* publish a statement on the Hannington Parish Council website.

**ACTION:**  **CLERK**

**The Council decided at this stage NOT to seek a Public Spaces Protection Order Part 4, chapter 2 of the Anti-Social Behaviour, Crime and Policing Act 2014; but would review this option if all else fails.**

1. **Car parking on village green:** The Council noted that damage was sometimes being caused to the edges of the village green from a combination of vehicles coming out of drives, parking half on the unadopted road and half on the village green, large vehicles trying to turn round the corners, and by vehicles going on the green to get past parked cars. It was noted that some residents may have tried to address this problem by placing large flint stones on the village green as well as on their verges. The Clerk reminded the Council that in response to an unrelated request from a resident regarding them putting flint stones etc on their verge to protect it (and their fence/garden), the Clerk had been informed by the Highways Authority that if a resident were to place an obstruction e.g flint stones on their verge, and as a result of their action there was an accident, or damage caused to a car, cyclist, pedestrian etc, the resident/home owner could be sued for damages. The Highways Authority suggested that any resident considering this action should seek advice from their insurers as to their cover!

The issue is further complicated as:-

* the village green is registered to the Parish Council, and no other person should place any obstruction on the village green without its explicit approval, and,
* two of the roads around the village green are ‘highways roads’ and the other two are ‘unadopted roads’.

The Council noted that when the village church has an ‘event’ it places ‘do not park’ signs.

The Council considered the following options:-

1. **to put up ‘No Parking’ notices on the Village Green**.
2. **to put up further ‘telegraph pole posts’ at the south end of the green** in place of the flint stones.

Cllr Hertz informed the meeting his understanding was that, although the village green is registered to Hannington Parish Council, it still requires approval from the Borough Council to ‘damage the surface’ of the village green e.g. by inserting posts or by putting up signs on it!!

**COUNCIL AGREED** the following action:-

* to remove the flint stones,
* to ask residents to ask guests not to park so that vehicles will **NOT** have to go on the village green to pass, and
* to seek clarification from BDBC regarding the need for their agreement to ‘damage the surface of the village green’ prior to making a decision, and if it is necessary, to seek approval/permission from BDBC to either or both of putting up ‘No Parking’ notices and/or putting in ‘telegraph pole posts’.

 **ACTION: CLERK**

 8.b Skills Audit

A copy of the Council’s ‘Skills Audit’, agreed at its meeting in September 2016, had been circulated in advance of the meeting. In that report, the Clerk reminded Council that the Skills Audit is looking at competences across the Parish Council and not of individual Councillors. In its simplest form, the Council merely needs to ‘self-assess’ (and record) if it has the necessary skills, knowledge or expertise on all the key areas of responsibility of the Parish Council; and where it does not have them, to then agree how best to fill that gap.

The Clerk advised that there were no material changes to the analysis that showed where the skills were met by the Clerk and/or by the Councillors.

The Clerk drew attention to the number of ‘skills’ where the level of expertise is held by the Clerk, and NOT by the Cllrs. This is quite understandable. The Clerk is a position in the Council required by law. The Clerk is an employee and is paid. The Clerk is therefore expected to have the necessary knowledge and skills; a key consideration when filling the post. Notwithstanding this, the Clerk reminded Council that it should not think this reliance on the Clerk absolves them from their responsibility nor is it an excuse should something go awry! Councillors have ultimate responsibility for instance: if the Council makes an illegal decision which is implemented, it is the Council and Councillors who are liable and not the Clerk who was implementing the decision. This is particularly true for financial decisions of the Council.

The analysis of skills is shown where they are met by the Clerk and where they are met by the Councillors. This is then supported by a statement identifying where there is the necessary support from third parties e.g. BDBC Finance Team etc.

**COUNCIL AGREED** the content and conclusions of the Skills Audit Analysis.

However, noting the appointment of Cllr Larminie, the impending resignation of Cllr Kinnear, and that one Cllr had been on a number of training courses new that , but noted that there had been attendance at training courses and seminars, the Clerk to recirculate the Skills Audit analysis to Cllrs for them to review.

**ACTION: Clerk**

**Council agreed** the format of the Skills Audit should be amended to show the third column as being ‘Met by third party’, rather than showing “ support (as necessary)”.

**ACTION: Clerk**

Council noted that under Item 16, elsewhere on the agenda, there was the notification of the planned resignation of Cllr Kinnear with effect from February 2018.

**Council agreed** the Clerk should progress the appointment of a replacement Councillor rather than wait for the resignation of Cllr Kinnear to take effect in February.

**ACTION: Clerk**

8c and 8d Standing Orders and Financial regulations

In accordance with Standing Order 2.j, and in compliance with best practice, the Parish Council is required to review and adopt its Standing Orders and Financial Regulations at least once during the year.

The Council’s Standing Orders and Financial Regulations were last reviewed in detail and adopted by the Council at its meeting held in September 2016, taking into account the recommendations of NALC and the comments made by the internal auditors following their Audit 2015/16. The amended SOs and FRs were then presented to the Annual Meeting of the Parish Council 9th May 2017.

The Clerk informed Council there he has not received any proposed changes by NALC to their “Models of Standing Orders for Local Councils”, and "Model Financial Regulations for Parish Councils”, neither have there been any issues raised by the internal or external auditors on this topic.

**COUNCIL AGREED:-**

i. to agree and adopt the current Financial Regulations (as amended by Council September 2016, and subsequently agreed and presented at the Annual Meeting of the Parish Council 5th May 2017) with no amendments, and,

ii. to agree and adopt the current Standing Orders (as amended by Council September 2016 and subsequently presented to the Annual Meeting of the Parish Council 5th May 2017) with no amendments.

8.e Complaints Procedure and Code of Conduct for Members

The Council’s Complaints Policy and Procedure (for employees) were approved and adopted by Council in Sept 2016 (Appendices A and B respectively). In accordance with the decision from that meeting, the Clerk confirmed these two documents were posted on the Hannington Parish Council website under ‘Governance’.

Paragraph 8 of the Complaints Policy states *“As part of the Parish Council’s ‘governance’ documents, this policy will be reviewed on an annual basis”.*

The Clerk informed Council there had been no ‘complaints’ in the last year with regards the Clerk. This was confirmed by the Chairman who has responsibility for investigating any complaints.

The Council’s Code of Conduct (Members) was approved and adopted by Council in 2012 and last agreed in Sept 2016 (Appendix C). In accordance with the decision from that meeting, the Clerk confirmed this document was posted on the Hannington Parish Council website under ‘Governance’.

The Clerk informed Council there had not been any issues raised, within the last year, with regards the behaviour of any Councillor.

 **COUNCIL AGREED** to re-adopt the following three documents unamended:

\* Complaints Policy,

\* Complaints Procedure, and

\* Code of Conduct for Members

1. **Public Observations… resident**

Concern was raised regarding shingle and stones that were lying on Ibworth Road, near the village green, and therefore causing a potential driving hazard. The shingle was on a driveway. There was no retaining facility and it was being spread on the road due to vehicles going in and out.

It was thought this was a rented property and the responsibility of the landlord/owner.

**ACTION: Clerk** to identify landlord/owner and seek resolution.

A question was raised regarding the two unadopted roads and their future maintenance, bearing in mind that the Highways Authority had undertaken the last maintenance using a different surface cover.

The Chairman clarified there were two roads adopted by the Highways Authority and therefore their responsibility to maintain. The other two roads were unadopted and therefore repair and maintenance was the responsibility of the frontagers. His understanding was that although the Highways Authority had undertaken the most recent repair and maintenance, this was undertaken without obligation for future maintenance. HCC Highways had more recently confirmed they had not adopted the two roads and had no intention of doing so.

As the village green was now registered to Hannington Parish Council, it had the responsibility for the repair and maintenance of its ‘half of the road’ of the two unadopted roads fronting the village, with the other ‘half of the road’ being the responsibility of the individual house owners. The Council was making provision in its Accounts, with effect from 2016/17, to adequately meet its contribution. The Council had been informed there was no ‘standard formula’ for allocating costs across frontagers. The length of the frontage would seem a good starting point, but this would not be appropriate where a property was ‘accessed’ via the road but had no ‘frontage as such’, nor where a ‘user’ had disproportionate volumes of traffic or heavy goods vehicles on a regular basis. This would be for the individual frontagers to discuss and come to a solution!

The Chairman anticipated that when frontagers purchased their property they would have been made aware by their solicitors that they had access to their property via an ‘unadopted road’, and hence had a financial responsibility to contribute towards its maintenance.

The Chairman said this situation had always been the case, including when the village green was registered to Kingsclere PC. The transfer of registration had not changed the responsibilities of the residents frontaging the village green; simply highlighting that it existed.

**ACTION: Chairman** to write to the frontagers to suggest they consider how they are going to apportion costs and how to meet any future liability; perhaps by setting up a separate joint financial reserve in a managed bank account?

1. **County Councillor’s Report**

None received; apology for absence received from Cllr Rhydian Williams.

1. **Borough Councillor’s Report**

Cllr Sherlock informed the meeting that:-

* the Cabinet of BDBC had agreed to retain weekly bin collections and were in the process of approving an eight year contract for the service provision, and,
* Manydown Development was proceeding. There were three bidders for the contract. A decision was expected in October and building should start by the end of 2018.
1. **Planning Applications**
2. Freemantle Farm 17/02211/LBC and 17/02210/FUL.

The Clerk confirmed that the following decision of the Council had been forwarded by email to BDBC Planning Department on 3rd September.

*“The following paragraphs deal with the individual planning applications.*

**

*The Parish Council supports in principle the preservation of historical buildings, and so fully supports, and welcomes, the planning application for the ‘repair and conservation of the listed barn’, and has no objections to the associated works referred to as the ‘conversion and extension of locally listed barn, forming a 4 x bedroom dwelling’.*

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*The Parish Council also acknowledges the substantial costs that will be incurred in undertaking the above planning application and that, of its own, it is not financially viable and would require the generation of additional funds through ‘linked development’.  In these circumstances, the Parish Council does not object to the erection of the 3 no dwellings between the farm yard  and 1, and 2, Freemantle Farm cottages. Provided this is not subsequently, used as a rationale for any subsequent ‘in-fill development’ that would effectively join the cottages to the farm.*

*However, the Parish Council does object to the proposed dwelling on land at the junction of Ashe Lane and access to Freemantle Farm.  Unlike the proposed 3 dwellings that would be a continuation of the two buildings that already exist, this other dwelling would stand alone within the countryside, and, in particular, because:-*

*(a) it will introduce human life and also light at night to a prominent part of the local land scape whose special attraction is its openness and emptiness, and,*

*(b) it may become a Trojan Horse for back filling with more houses down the drive towards the existing buildings, following the same infill logic as is being applied to the other three houses.”*

b. Crispins Mead 17/02871/HSE Erection of two storey front and rear extensions. Conversion of loft to include 2 no dormer and 2 no roof lights.

Notification of this planning application was received by the Clerk after the Agenda had been prepared and circulated. Members agreed to consider the planning application at the meeting rather than delay its consideration and then dealing with it through correspondence.

The Clerk had forwarded on 25th September an email copy of the letter of objection received from a resident dated 13th September. In that letter the resident said,

*“Lastly, as I am sure you are well aware, matters of trees, parking, and access are not trivia but material to an Approval. The point is made in Exhibit 3 which is a montage extracted from the Council’s Notice of Approval for the BDB/52023 Farleys development dated 15th August 2002. If it is appropriate to bear in mind the considerations set out in Exhibit 3 in the context of a vacant site, how much more appropriate it must be to fully consider similar matters in the context of a fully developed and occupied site.”*

The Council concurred with the points raised in Exhibit 3, and expected these points to be appropriately addressed in the controls and constraints that would be applied by the Planning Authority to the planning application, if granted.

**COUNCIL AGREED** not to object to the planning application.

**ACTION: Clerk to inform BDBC Planning Department accordingly.**

Land at Ibworth Road 17/00103/FUL Change of use from agricultural land to a green burial site with car parking area and creation of new space.

The Clerk drew attention to a new planning application related to a proposal for *'change of use from agricultural land to a green burial site with car parking area and creation of new access'*.  Councillors agreed that whilst they did not have an objection 'in principle to Green Burial sites', they could not reach any decision on this specific proposal until they had received details of the planning application." [NOTE by Clerk.  Detailed proposals of the planning application were subsequently received by him from BDBC dated 29th September, and were posted on the BDBC Planning website. The yellow 'Public Planning Notice' was posted on site dated 4th October.  The planning application has a deadline date of 20th October.]

**ACTION: Councillors** to consider the planning application and inform the Clerk of their views.

**ACTION: Clerk** to communicate the decision of the Parish Council to BDBC Planning Department by 20th October

Following email correspondence between all Council members the **COUNCIL AGREED** [17th October] to inform BDBC Planning Dept of their decision to object to the planning application. A copy of the email sent by the Clerk to BDBC Planning Department is reproduced below.

“Dear Sir,

  Hannington Parish Council wish to lodge an Objection to the above planning application.

It is the view of the Parish Council that the creation of the green burial site would cause significant and substantial traffic problems on Hook Lane, that runs from the A339 to Ibworth, and potentially on the A339 itself.

To expand more on the Parish Council's concerns regarding traffic/access; the majority, if not all, of the traffic to the green burial site will be along Hook Lane. This is a single track road with five passing places.  Hook Lane is the primary access for Ibworth, and is used by White Lane residents as their main route onto the A339.   Hook Lane is also used by commercial vehicles, and by farm vehicles.   Even now, it is not uncommon to meet a vehicle coming from the opposite direction in Hook Lane.

As Hook Lane is a single track road with only five single-car passing places, a funeral party with large numbers of vehicles (a car park for 24 cars is being proposed) going to, or coming from, the site is highly likely to cause a blockage in Hook Lane.   The traffic blockage could well tail back onto the A339.   This is a hazardous junction ordinarily, and with additional queuing traffic up the bank towards Pitt Hall Farm, would become very dangerous.”

1. **Hannington Country Fair 2017**

Appendix E of Agenda Item 8.a ‘Hannington Village Green Risk Register’ included a section on ‘Events held on the village green’ with ‘people at risk’ as its main concern. The control measures and ‘additional controls’ were documented as in the table below.

|  |  |
| --- | --- |
|  Licence required from the HPC.  Event organiser to produce and submit to the HPC a draft Event Management Safety Plan and appropriate Risk Assessments’ 8 weeks prior to the event.  The event organisers to conduct their own Risk Assessment of the Village Green  |  Hannington Parish Council to review the final Event Management Safety Plan & Risk Assessments 2 weeks prior to the event.  |

The Licence, approved by the Council 21st February 2017, was signed by the Event Organiser and the Clerk, on behalf of the Parish Council on 4th April 2017. A copy of the ‘general’ Licence i.e without specific dates and signatures etc was posted on the HPC website. The Event Management Safety Plan, the Risk Assessments and copy of the Insurance Policy were provided by the Event Organiser to the Clerk in April.

The Clerk informed the Council that he had not been made aware of any ‘incidents’ affecting people attending the Event. The only ‘criticism’ he was aware of had been from BDBC Refuse Collectors who had informed their ‘management’ that black sacks had been left by the Memorial Stone and that they would not collect them! When the Clerk had passed this information on to the Event Organiser he was informed that they had already been taken by volunteers to the Recycling Centre; and it was simply a matter of timing, with the refuse collection vehicle arriving just a few minutes before this final clearance was done!

The Council records its congratulations to the Event Organiser, his Management Team, volunteers and helpers for providing an excellently and professionally run Event.

Cllr Hertz has subsequently raised concerns with the Clerk that with a number of stalls providing food ‘is the Council potentially liable for claims by the public for illness etc?’ Does it have ‘product liability cover’ in its Insurance Schedule? The Clerk has contacted the Council’s insurers who have stated that, in their view, the Council does not have an insurable interest, and it is the responsibility of the Event Organisers to ensure they have appropriate insurance cover. **For clarity to the Event Organisers,** Cllr Hertz requested that the Licence’ be updated with a form of words such, ‘Where food products are sold it is the responsibility of the Event Organisers to ensure that tyehy have appropriate insurance cover.

**ACTION: Clerk** to amend standard Licence.

1. **Roads, Footpaths and Bridleways**

14.a Update on Highways Matters

Cllr Hertz had provided a detailed analysis of the status of tasks that had been referred to the Highways Authority for action. This was included in the agenda as Appendix C to Agenda Item HCC Highways – Hannington PC ‘High Risk’ Register 2016, and is reproduced as an Appendix to these Minutes. As can be seen from the analysis all but one of the items were considered ‘closed’.

Councillor Hertz informed the meeting of a new item raised in August 2017:

Raised the question to S Pellat, HCC Highways as to any planned resurfacing work in Hannington Parish. Specifically the road leading from Hannington Village to the A339. He received the following response on 21st September from Steve Goodall:-

* + 1. *“Highways agree the road shows signs of deterioration but is not in any maintenance programme at present.*
		2. *Given the rural nature of the lane, surface dressing is the best treatment – it will be submitted for inclusion in a future programme.*
		3. *Meanwhile, if funding is available and the opportunity arises, it will be included in the jet patching programme.”*

**ACTION: Cllr Hertz** to add to the Highways Risk Register

14.b Update on footpaths and Bridleways

Cllr Kinnear reported the planned works to footpaths by HCC – contractors was on the HPC website, but the planned work of the HCC Countryside Team was not. Four footpaths and one bridleway in Hannington are listed on the HCC website 2017 Vegetation Cutting Programme for July. One or more submitted paths may have been omitted as in the previous year the Countryside Services Team found that paths had already been cut. Hannington Parish Council had not informed the HCC Countryside Services Team that it had organized the ‘cuts’ by the local farmers and volunteers; so, when they HCC – CST arrived to do the cut it had already been done, causing a waste of time and money.

NOTE: The HPC submits annually a cutting list to the HCC – CST who are the work/schedule controllers who then issue the work orders to their own contractors. The subsequent work reviews, undertaken by HCC–CST, highlight ’those paths that had been cut’ out-with the control of the HCC-CST and are ‘dropped’ from the schedule the following season, on the assumption that ‘others’ have taken on the responsibility. Hence, HPC need to inform the HCC-CST what it has arranged to be done in the way of organizing ‘cuts’ itself, so as to ensure theses ‘cuts’ are NOT dropped from future work schedules.

Cllr Kinnear reported that there were only five rangers for the whole of North Hants, and that they therefore had to prioritise their workloads. This would inevitably mean that some work might not be undertaken as soon as one would have hoped. Notwithstanding this limited workforce, Cllr Kinnear had reported a ‘tree down’ on one of the footpaths, and that had been cleared the morning of the Council meeting.

Cllr Hertz reported on the Footpath **7106a Bertha’s Lane:**

1. **Repair to base (completed):**

The whole of Bertha’s Lane has been repaired with new surface material by Kingsclere Estates in June ‘17. The HCC Countryside Services Management (North) have been updated with photographic before and after evidence.

1. **Change of FP7106a designation to Bridleway (in progress):**

Liz Giles, HCC Map Review Assistant, Countryside Service has provided Cllr Hertz with the various forms and process required to upgrade the track to a bridleway. The prerequisite is to obtain completed ***‘evidence packs’*** from various horse riders and cyclists showing that no objection was raised when the user used the track. A Hannington resident, Frances Elms, has kindly taken up the task within the horse riding communities of Hannington and Kingsclere. The call to arms is ‘use it or lose it’. No legal landowner so far has been traced.

Cllr Hertz reported on an **issue with BW7121 Fir Tree Piece:**

Horse riders complained in September that BW7121 has the electric fence down in places and is overgrown with nettles making parts of the track nearly impossible to negotiate. Countryside Services confirmed that their contractors did the cut on the path on the 11th August but due to a busy schedule the earliest they can recut is sometime in October. It has been pointed out by the Council that the track requires a 3 metre width cut according to the Definitive Map not the 1-1.5 metre cut found on inspection by Cllr Hertz. Kingsclere Estates have been asked on the 19th September to repair the electric fencing as soon as their work schedules allow.

Cllr Hertz provided the following information relating to current, outstanding actions by the Countryside Team on waymarks and fingerposts. This work is scheduled to be completed over the Winter period.



14.c Lengthsman’s Scheme 2017

Cllr Hertz confirmed that, to date, the Council has not commissioned any work from the Lengthsman, and so the £1,000 cost of work is still available. He is actively looking to identify any works that required during the autumn/winter period. At a cost of £30 per hour, four day’s work would fully utilise the resource.

1. **Finance and Audit**

15.a Final Accounts 2016/17:Auditor’s Reports

The Clerk had circulated a full report in advance of the meeting, covering both the Internal Auditor Report 2016/17 (Agenda Appendix A) and the External Audit Report 2016/17 (Agenda Appendix B).

**Internal Audit: Overall Conclusion**

ASL have concluded that, *“on the basis of the satisfactory conclusion of their annual programme of work, the Council has again maintained adequate and effective internal control arrangements”.*

ASL have completed and signed the ‘Internal Audit Report’ in the year’s Annual Return, having concluded that, *“in all significant respects, the control objectives set out in that Report were being achieved throughout the financial year to a standard adequate to meet the needs of the Council”*.

Notwithstanding this positive Overall Conclusion, ASL raised two issues for the consideration of the Council. They were:-

1. Under the Review of Corporate Governance

ASL noted the extensive work completed by the Council in order to meet the requirements of the Transparency Code and have viewed the documents shared on the new website (<https://www.hugofox.com/community/hannington-parish-council-hampshire-7641/201617/>). ASL were unable to find two sets of minutes on the website (September and December 2016) although note that all accompanying papers were available.

***“ASL’s Conclusions and recommendation***

***ASL reported that there are no significant issues arising in this area with just one recommendation arising.***

*R1. The Council should ensure that all minutes are posted to the website in order to fully meet the requirements of the Transparency Code.”*

Clerk’s Comment: The regulations regarding the Transparency Code for Smaller Authorities applied to the Council with effect from 1st April 2017 when the website went ‘live’. The Clerk is in the process of loading the required historical documents and background papers onto the website, and will be reporting to Council later in 2017/18 on compliance with the Code. The two sets of Minutes referred to by the Internal Auditors have been posted on the website.

1. Under the Review of Disclosure of Asset Registers

The Governance and Accountability Manual requires all councils to maintain a record of all assets owned. ASL noted compliance with this requirement; the Clerk maintaining a suitable register. Extant guidance now requires that asset values are reported in the Annual Return at purchase cost or, where that value is unknown at the previous year’s Return level uplifted or decreased to reflect the acquisition of any new assets or disposals.

ASL found that the asset value disclosed in the Annual Return at Section 2, Box 9 (£14,252) did not match that in the Asset Register (£15,822). This was because £1,570 of new IT assets purchased in the year had not been included by the Clerk in the Annual Return figure.

***“ASL’s Conclusions and recommendation***

***The Council has continued to comply with requirements to maintain a fixed asset register: however the new IT assets on the register are not included in the year’s Annual Return.***

*R2. The Council should amend box 9 of the Annual Return to agree to the asset register (£15,822).”*

Clerk’s Comment: The figure included by the Clerk in the Annual Return was Fixed Assets totalled £14,252, with the note ‘excluding £1,570 of IT purchases’. That element of the Annual Return was amended to £15,822, with the note ‘including £1,570 of IT purchases. This amended content was accepted by the External Auditors.

Auditing Solutions Ltd’s invoice of £246.00 incl VAT for the 2016/17 audit was paid by the Council 30th June 2017 cheque number 373.

The full report from the Internal Auditors was circulated by the Clerk to the Councillors and was posted on the website. It is attached to this report at Appendix A.

**COUNCIL NOTED** the two issues raised and the actions already taken by the Clerk to address them.

**External Audit**

The Councils ‘external auditors’ are appointed by Smaller Authorities’ Audit Appointments [SAAA], a Government appointed body. The current auditors are BDO LLP. They concluded their 2016/17 audit on 11th August 2017. The Clerk informed the Council that in their notification letter BDO LLP informed the Council that they are not the Council’s appointed auditor for the year ended 31st March 2018 onwards, and that the Council will be informed by SAAA of the new auditor.

The Clerk explained that the external auditors role includes a review of the “Annual Internal Audit Report 2016/17” (page 5 of the Annual Return), review “Section 1 – Annual Governance Statement” (page 2) , “Section 2 – Accounting Statements for 2016/17” (page 3), and then to complete “Section 3 – External auditor report and certificate” (page 4), and to raise any items of concern.

The external auditor raised one issue with regards the governance arrangements of the Parish Council, recommending the Council considers the matter and decides what action to take.

**Issue raised: Minutes not signed or initialed**

“*The smaller authority [Hannington Parish Council] produced printed minutes, which were submitted for audit purposes. The pages were not maintained in accordance with the local Government Act 1972, Schedule 12 para 41”.*

For information… Schedule 12, para 41(2) of the Local Government Act 1972, states*, “the minutes of the proceedings of meetings of a local authority may be recorded on loose leaves consecutively numbered, the minutes of the proceedings of any meeting being signed, and each leaf comprising those minutes being initialed, at the same or next suitable meeting of the authority, by the person presiding thereat, and any minute purporting to be so signed shall be received in evidence without further proof.”*

Clerk’s Comment: I contacted the external auditor to query how they had reached this conclusion as the hard copy Minutes had never been requested by them and therefore had not been sent to them. Their officer advised that they had looked at the copies of the Minutes that were posted on the Hannington Parish Council website. I explained that the copies posted on the website were the electronic copies of the Minutes, and so would NOT have the Chairman’s signature on them. I also explained that I had been advised that it is ‘unwise’ to post a signature on a website as the signature can be copied by a third party for illegal purposes. The officer said that the issue raised was only ‘advisory’ and that it did not affect the satisfactory conclusion of the audit.

The Clerk and Chairman confirmed that hard copies of the Council Minutes now comply with Schedule 12, para 41(2) of the Local Government Act 1972, but that the Clerk will continue to post the ‘unsigned’ PDF copies of the Minutes on the HPC website.

**COUNCIL NOTED** the issue raised and the actions taken by the Clerk and Chairman to address them.

15.b Asset Register

The Clerk had circulated a full report in advance of the meeting. The separate report 15.a addressed an issue raised by the Internal Auditor on the value of the Assets that should be included in the Annual Return – Financial Statement. For economy, that aspect is not repeated in this section of the Minutes.

However, that issue did trigger the question, “what is the correct valuation of assets?” The Clerk’s report on the Asset Register provided the background to the current methodology adopted by the Council, and addressed the key considerations. Elsewhere on the Agenda (item 15.d) the Council is asked to consider the establishment of a variety of ‘Earmarked Reserves’ including one for the replacement of IT Equipment.

**COUNCIL AGREED** to retain ‘five years’ as an appropriate period for the ‘remaining useful life’ of the IT equipment; noting however that the speed of IT software and hardware development might require a shorter period.

**COUNCIL AGREED** the content of the Asset Register; noting that the Council will receive a copy of the Asset Register as at 31st March 2018 as part of the Accounts 2017-18.

15.c Financial Statement as at September 2017

The Clerk had circulated a full report in advance of the meeting.

The report confirmed the actual cash balance 31st March 2017 stood at £6,206 (as per the Final Accounts 2016-17).

The financial position as at 9th May 2017 reported that the predicted cash balance as at 31st March 2018 had changed, as a result of a series of decisions at that meeting, from £6,337 to £7,158.

The financial position as at 29th September reported that the predicted cash balance as at 31st March 2018 now stood at £7,030, with the major change being the potential increase in insurance premiums due to the current insurer announcing that it no longer planned to provide cover for local authorities.

The report identified a number of relatively large ‘known unknowns’ totaling £2,000 made up of the three allowances for:-

* ‘one-off’ items £1,100 – ‘**COUNCIL NOTED’;**
* work to the Wellhead £400 – ‘**COUNCIL AGREED - retain for work’;** and,
* repairs to footpaths £500 – ‘**COUNCIL AGREED - no longer required’**.

In addition, a further £200 had been budgeted for possible repairs to noticeboards.

**COUNCIL AGREED** to retain and renew as necessary the standing noticeboard at the Village Green and to retain for now (at no cost) the noticeboard at White Lane Crossroads.

**COUNCIL AGREED** to remove the three noticeboards at Ibworth, Plantation Farm and North Oakley.

The overriding issue of potentially high year-end cash balances was dealt with in greater detail in Agenda item 15.c Medium Term Financial Strategy and CPALC Guidance on Earmarked Rreserves.

Four further payments have been made since the May meeting for which budget provision had been made. These four cheques were certified by the Clerk (where appropriate), and were authorized by two Councillors, in accordance with Standing Orders. They were:-

* + 1. Cheques numbered 371/372 totalling £765.50 dated 30th June; being payment to Clerk and to HMRC for the first quarter salary;
		2. Cheque number 373 £246.00 dated 30th June; being payment to Auditing Solutions Ltd for the internal audit of the Accounts 2016/17;
		3. Cheque number 374 £37.50 dated 13th August; being payment for hire of village hall on three occasions April, May and July.

**COUNCIL NOTED the above four payments.**

As of 31st August (date of report) there were no cheques drawn that had not been presented and cleared by Lloyds Bank, and the report concluded a cash balance at bank of £9,273.05. However, between 31st August and 26th September (date of Council Meeting) the Council had received the 2016-17 VAT Refund £822.18 (as per the Accounts) and the second/final payment Precept payment from BDBC £3,351.50 (as Budgetted). These two transactions resulted in the cash balance as at 26th September £13,447.73.

The Financial Statement (Appendix A) included in the column ‘April to September’ the following four payments:-

* + 1. Cheque numbers 375/376 totalling £765.50 dated 26th September; being payment to Clerk and HMRC for the second quarter salary;
		2. Cheque number 377 £11.04 dated 26th September; being reimbursement of expenses incurred by Clerk in processing the Audit papers; and
		3. Cheque number 378 £36.00 dated 26th September; being payment of annual subscription to CPRE.

**COUNCIL AGREED** the above four payments.

15.d. Medium Term Financial Strategy and appropriate levels of General Reserves and Earmarked Provisions.

The Clerk had circulated a full report in advance of the meeting.

Following from the year end projections made in the Agenda Item 15.c “Financial Statement as at September 2017”, the Clerk had produced a series of potential year-end cash balances and the General Fund Reserves based on varying scenarios. The lowest projection was of a cash balance as at 31st March 2018 of £6,900 of which £1,700 would be treated as an Earmarked Reserve for the repair and maintenance of the Unadopted Roads. The ‘Earmarked reserve’ was in line with an earlier Council decision to allocate £1,000 in the first year (2016-17) and £700 in each year thereafter if funds permitted.

The Clerk drew attention to the following three sources of guidance:-

* the responses previously given by the Chairman to the Government in the Annual Return with regards ‘excessive balances’,
* guidance from the external auditor on his role with regards whether he considers ‘there are material uncertainties about going concern’, and
* CIPFA and its Local Authority Accounting Panel who advise “*A well-managed authority, for example, with a prudent approach to budgeting should be able to operate with a level of general reserves appropriate for the risks (both internal and external) to which it is exposed. In assessing the appropriate level of reserves, a well-managed authority will ensure that the reserves are not only adequate* ***but are also necessary.”***

The Clerk then provided the further guidance regarding the type and nature of ‘Reserves’.

“*When reviewing their medium term financial plans and preparing their annual budgets local authorities [that includes Parish Councils] should consider the establishment and maintenance of reserves. These can be held for three main purposes:*

*i. a working balance to help cushion the impact of uneven cash flows and avoid unnecessary temporary borrowing – this forms part of General Reserves;*

*ii. a contingency to cushion the impact of unexpected events or emergencies – this also forms part of General Reserves;*

1. *a means of building up funds, often referred to as earmarked reserves, to meet known or predicted requirements; earmarked reserves are accounted for separately but remain legally part of the General Fund.”*

With running expenses in a year being in the range of £4,500 to £5,500, and with the first half of the Precept being paid in April/May, the Clerk advised it would be prudent to hold around £5,000 minimum within the General Reserve being the total of:-

* a Working Balance of £3,000 being approximately six months running costs, and
* a Contingency of at least £2,000 to cushion the impact of unexpected events or emergencies; bearing in mind the previous costs of the re-roofing of the Wellhead (£1,700 2014/15).

**COUNCIL AGREED** it would aim to hold a General Reserve of around £5,000 to provide an adequate working balance (£3,000) and a contingency (£2,000).

From the previous financial analysis it is predicted that the cash balance at 31st March 2018 will be at least in the region of £7,000 and more likely nearer £8,000 i.e between £2,000 and £3,000 in excess of the required level of General Reserve.

The Council has already agreed to the establishment of one ‘Earmarked Reserve: for the repair and maintenance of the Parish Council’s responsibility for unadopted roads’. This Earmarked Reserve was set up with £1,000 in 2016/17 and is expected to be increased by £700 in each subsequent year. Provision for this is taken into account in the Three Year Medium Term Financial Strategy.

Guidance from CPALC suggested Parish Councils should give consideration to a number of potential Earmarked Reserves.

**COUNCIL AGREED:-**

* 1. IN PRINCIPLE to the establishment of three further Earmarked Reserves being legal costs, locum clerk, and, IT replacement, and,
	2. the decision as to how much would be allocated to each Earmarked Reserve would be decided once the year end cash balance was established, and the draft Final Accounts 2017-18 were received.

**COUNCIL AGREED** that, in accordance with recommended best practice, Earmarked Funds should be held in a separate bank account, with investment potential.

**ACTION:** Clerk to liaise with Lloyds Bank to create a second bank account.

1. **Notification of resignation of Cllr Kinnear with effect from February 2018.**

**Council noted** Cllr Kinnear’s decision and thanked her for her efforts and for giving good notice of her intention to resign.

The next Council Elections are due to take place in May 2019.

**COUNCIL AGREED** the Clerk should notify BDBC of the vacancy, and start to take the necessary actions to progress recruitment to the vacant position.

**ACTION CLERK**

1. **Dates of Next Parish Council Meetings:**

**AGREED**: Tuesday 12th Dec 2017

**ACTION:** Clerk to find a suitable alternative date for the ‘February’ meeting.

*A copy of these Minutes will be posted on the HPC website.*