

RACKENFORD AND CREACOMBE PARISH COUNCIL

Annual Meeting of the Parish will be held at Rackenford School, on Tuesday 2nd May 2017, starting at 7.00pm, followed by the Parish Council Annual Meeting. All councillors are summoned. Members of the public are welcome.

Parish Clerk: Karen Ward, 8 Peard Road, Tiverton, EX16 4LQ. Phone 01884 798711

AGENDA

Annual Meeting of the Parish

- 1 Election of Chairman
- 2 Apologies for absence
- 3 Minutes of the last meeting held 10th May 2016
- 4 Chairman's Report for 2016/17
- 5 Parish Council Finance report for 2016/17
- 5 School Report for 2016/17

Parish Council Annual Meeting

Election of Chair and Vice-Chair

1. Election of Chairman and Vice Chairman

Apologies, declarations of interests, open forum and Minutes

2. Apologies
3. Declaration of Interests
4. Open Forum – members of the public, and councillors with an interest, have the opportunity to address the meeting if invited to do so by the Chairman (limiting their contribution to 3 minutes)
5. Minutes: To sign, if approved, the minutes of the 7th March 2017 meeting.
6. Matters arising from the minutes

Committees and Councillor Representation

7. Planning Committee
 - 7.1 To review and approve Standing Order 14 in relation to planning matters, including delegations to the Clerk – see Supplementary Information 1
 - 7.2 To appoint members to the planning committee
8. External bodies: to review and approve of representation on or work with external bodies and arrangements for reporting back.
 - 8.1 School
 - 8.2 Batsworthy Cross
 - 8.3 Shop

Annual Review of Governance and Accounts

9. Standing Orders and Financial Regulations – Council is requested to re-approve the existing Orders and Regulations, including:
 - 9.1 Standing order 26: procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998 – see Supplementary Information 1
 - 9.2 Standing order 27: policy for dealing with the press/media – see Supplementary Information 1
 - 9.3 Complaints procedure – see Supplementary Information 1
10. Membership of other bodies: To review and approve membership of:
 - CPRE
 - Parish On-line
 - Devon Association of Local Councils.
11. Land and assets:
 - 11.1 To review land and assets held, and confirm of arrangements for insurance cover in respect of all insured risks – see Supplementary Information 2.
 - 11.2 To delegate renewal of the insurance cover to the Clerk, in consultation with the Chairman
12. Risk Assessment and Statement of Internal Control: To review and approve - see Supplementary Information 3
13. Internal Audit report (to follow): to note the findings and approve implementation of any recommendations
14. Annual Governance Statement 2016/17: to approve and sign the Annual Governance Statement
15. Accounting Statements 2016/17: to consider, approve and sign the Accounting Statements

General Council Business

16. Finance 2017/18
 - 16.1 Financial report
 - 16.2 Clerks salary: to approve an inflationary increase of 1.7% in the Clerk's salary in line with the NALC 2017 recommended pay rates, payable from 1 April 2017
 - 16.2 Payments to approve:
 - K Ward / HMRC for clerk wages £198.00
 - K Ward for expenses £9.71
 - Stuart Hagley Ltd for works to hard court £97.00
 - Mrs S Squire for contribution towards room hire for councillor Code of Conduct training £2.75
 - DALC subscription 2017/18 £82.63 (£72.00 + VAT)
 - 16.3 Accounts to Ratify:
 - Playsafety Ltd for ROSPA inspection £100.80 (£84.00 + VAT)
 - 16.4 Accts received after the agenda was posted
17. Transparency Code: to note grant of awarded for purchase of IT equipment for the council (approved March 2017 meeting)

18. Planning

18.1 NDDC move from paper to electronic consultation papers: Council to note that NDDC will no longer provide paper copies of planning applications from July 2017.

18.2 Applications awaiting NDDC decision

- 62394 Reserved matters for erection of dwelling at Plot 2, Prospect Farm – “concerns about the “harsh” appearance”
- 62724 Reserved matters for erection of dwelling at Plot 3, Prospect Farm - “concerns on roof height, print quality poor on the plans provided”
- 62829 Demolition of existing dwelling and adjacent barn and erection of new dwelling with ancillary accommodation at East Nutcott – “no objections, but would like more details on the external finish”
- 62724 - 62724 Reserved matters for erection of dwelling at Plot 3, Prospect Farm – additional information/amended plans – **deadline for comments is 10 May**

18.3 Application decisions since last meeting

- 62497: Middle Mogworthy change of use from agricultural building to dwelling house – refused
- 62498: Middle Mogworthy erection of livestock/equestrian building – refused
- 62483: Crossways erection of dwelling & demolition of existing garage – outline planning permission approved

18.4 Applications received after the agenda posted.

19. Report from District and County Councillor

20. The Common

20.1 Council to note that the grant application for phase 1 surveying has been awarded.

20.2 Council are requested to waive Standing Orders and award the environmental survey work to Blackdown Environmental in order that a beneficial rate can be negotiated, given the specialist nature of the work, up to a maximum of £2000.

20.3 Council to note stage 2, 3 and 4 applications have been submitted to the Devon Communities Foundation covering architectural layout for public discussion, public consultation meeting expenses, finalised architectural layout for tendering respectively.

20.4 Grass cutting: Council is requested to consider future options for grass cutting on the common / war memorial / other parish land

20.5 Weed clearance: Council is requested to approve spending to clear doc weeds from behind the car park (quote being obtained).

21. Batsworthy Cross Wind Farm - update

22. Highways & Footpaths

22.1 Footpaths – Council to note an application is being made for P3 funding for 2017/18

22.2 Common/Children's Play Area: ROSPA report and recommendations for repairs

23. War Memorial Trust grant application: Council to consider works required to the War Memorial, approve the submission of a grant application and subject to grant being awarded and sufficient quotes being received, approve remedial works required.

24. Correspondence

- North Devon Against Domestic Abuse requesting a site for their Respect Bus when visiting the parish.
- NDCAB –thank you letter for grant awarded
- South Molton News – thank you letter for grant awarded

25. Shop/Post Office/School

26. Trinity Well – Council is requested to approve repairs to the Well up to a limit of £500, subject to satisfactory quotes being received. If estimated costs are higher than £500, to report back to Council.

27. Code of Conduct training: Cllr Grugeon to provide feedback on recent event hosted by NDDC

28. Matters of Urgency raised by the Chairman for noting only

29. Next Meeting

Tuesday 4th July 2017 at 7.30pm

Karen Ward (Clerk) Dated: 24 April 2017

Rackenford and Creacombe Parish Council

Supplementary Information 1: 2nd May 2017

Agenda item 7.1: Planning Committee Delegation and Terms of Reference

Standing Order 14 Committees

Planning matters

vii The planning committee shall consist of at least three members, which is the quorum. Other councillors may be invited at the chairman's discretion to the meeting to decide applications of which they have special knowledge but no personal interest. The chairman will be elected at the first meeting of the year if not already elected at the Annual Meeting of the Parish Council. The chairman shall have a casting vote.

viii. The committee will determine the Parish Council's response to small and/or uncontroversial planning applications whenever it would be impossible to meet the District Council Planning Officer's 21 day deadline, and/or any other application that the Parish Council wish to delegate to it, without holding a special meeting of the whole Parish Council. The Parish Council chairman and the Planning Committee chairman will make the decision as to whether an application falls into the former category jointly. If they are unable to agree, or if any other councillor raises an objection to an application being referred to the committee, the application will be referred to a full council meeting.

ix That the Clerk be delegated to respond to a LPA or other body on all planning or similar applications such as a footpath diversion, unless a councillor asks for such application to be referred to a full PC or Planning Sub Committee meeting. The Chairman or Chair of the Planning Sub Committee will read all applications. A list of current applications and their status will be kept up to date on the notice board and the website, with an invitation to members of the public to comment. The Clerk will take account of any representations made to her and will give reasons for any response other than a "no objection."

Agenda item 9.1: Standing Order 26 Freedom of Information Act 2000

a All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000.

b Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the chairman of the Council. The Council shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the Proper Officer in respect of Freedom of Information requests set out under standing order 3(b)(x) above.

Agenda item 9.2: Standing Order 27 Relations with the press/media

a All requests from the press or other media for an oral or written statement or comment from the Council shall be processed in accordance with the Council's policy in respect of dealing with the press and/or other media.

b In accordance with the Council's policy in respect to dealing with the press and/or other media, councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media.

Agenda item 9.3: Complaints Procedure

Before processing a complaint:

1. All formal complaints against the Parish Council must be communicated in writing.
2. The complainant must state if he/she wants the complaint to be treated confidentially. The Council will comply with its obligations under the Data Protection Act 1998 to safeguard against the unlawful disclosure of personal data.
3. Complaints to be addressed to the Clerk.

Receipt of the complaint:

4. Receipt of the complaint will be acknowledged in writing within one week of the date of receipt.
5. The next steps in the complaints procedure will be explained.

Investigating the complaint:

6. The Parish Council will need to investigate the facts of the complaint and collate relevant evidence and advice.
7. The Parish Council's complaints procedure permits the complainant to make verbal representations, the complainant will be invited to the next Parish Council Meeting or a meeting arranged with a sub-committee – complaints (Clerk/Chairman and nominated Councillor). Before the meeting and within the period specified (i) the complainant shall provide the Clerk with any new information or other evidence relevant to the complaint and (ii) the Clerk shall provide the complainant with new information or evidence relevant to the complaint.

Meetings with the complainant (if applicable):

8. The Chairman of the meeting will explain how the meeting will proceed.
9. The complainant should outline the grounds for complaint and, thereafter, questions may be asked by chairman or by members if this is a parish council meeting or a meeting of the complaints committee.
10. The Chairman or nominated officer will have an opportunity to explain the Council's position and questions may be asked by the complainant.
11. The Chairman or nominated officer and then the complainant should be offered the opportunity to summarise their respective positions.
12. The complainant will be advised when a decision about the complaint is likely to be made and when it is likely to be communicated to them.

After the complaint has been decided:

13. Within the timeframe agreed, the council will write to the complainant to confirm whether or not it has upheld the complaint. The council will give reasons for its decision together with details of any action to be taken by the council if this is appropriate.

FIXED ASSETS AND INSURANCE VALUES 31 MARCH 2017

SUPPLEMENTARY INFORMATION 2, Annual Meeting of the Council, 2 May 2017

DESCRIPTION	LOCATION	DATE OF ACQUISITION	COST OF ACQUISITION (OR PROXY)	Insurance value at 1 June 2016	
Common land (5 ha)	Centre of Rackenford village	In phases between 2002-2010	£1 gifted		
Hard court & surrounding fencing	On the Common	2008	£25,000	£3,030	Gates & fences
				£7,070	Hard court surface
Play equipment	On the Common	1996/97	£1	£7,070	
Trinity Well	On the Common	2009	£20,000	£25,818	
War Memorial	Rackenford Cross	Approx 1920	£1	£12,909	
Defibrillator	On the shop/post office	2015	£1,800	£5,000	
Tarmac parking area	On the Common	2015	£1 gifted		
			<u>£46,804</u>	<u>£60,896</u>	

Rackenford and Creacombe Parish Council Risk Assessment – Supplementary Information 3

Review date 2 May 2017, Annual Meeting of the Council

Risk assessment is a systematic general examination of working conditions, workplace activities and environmental factors that will enable the Parish Council to identify any and all potential inherent risks. The Parish Council, based on a recorded assessment, will take all practical and necessary steps to reduce or eliminate the risks, insofar as is practically possible.

This document has been produced to enable the Council to assess the risks that it faces and satisfy itself that it has taken adequate steps to minimise them.

FINANCIAL AND MANAGEMENT

Subject	Risk(s) identified	H/M/L	Management/control of Risk	Review/Assess/Revise
Precept	Adequacy of precept in order for the Council to Carry out its Statutory duties	L	To determine the precept amount required, the Council regularly receives budget update information monthly. At the precept meeting Council receives a budget report, including actual position and projected position to the end of year and indicative figures or costings obtained by the Clerk. With this information the Council maps out the required monies for standing costs and projects for the following year and applies specific figures to budget headings, the total of which is resolved to be the precept amount to be requested from Devon County Council. The Clerk in writing then submits the figure. The Clerk informs the Council when the monies are received.	Existing procedure adequate.
Financial Records	Inadequate records Financial irregularities	L L	The Council has guidelines, which sets out the requirements.	Existing procedure adequate Review the guidelines when necessary
Bank and banking	Inadequate checks Banks mistakes	L L	The Council has guidelines which set out banking requirements Monthly reconciliation & financial report	Existing procedure adequate Existing procedure adequate
Reporting and auditing	Information communication	L	Financial information is a regular agenda item (Finance Report) and discussed/reviewed and approved at each meeting.	Existing procedures adequate.

Grants	Receipt of grant	L	Parish Council receives a specified grant as part of precept. There are no other grants.	Procedure would be formed, if required
Grants and support payable	Power to pay Authorisation of Council to pay	L	All such expenditure goes through the required Council process of approval, minuted and listed accordingly if a payment is made using S137 powers of expenditure.	Existing procedure adequate.
Best value accountability	Work awarded Incorrectly. Overspend on services.	L M	Normal Parish Council practice would be to seek, if possible, more than one quotation for any substantial work to be undertaken. For major work competitive tenders would be sought. If problems encountered with a contract the Clerk would investigate the situation and report to the Council.	Existing procedure adequate. Include when reviewing Financial regulations.
Salaries and assoc. costs	Salary paid incorrectly. Unpaid Tax to Inland Revenue.	L L	The Council has one employee, the Clerk. The RFO (Clerk) calculates the salary and makes appropriate returns to HMRC.	Existing procedure adequate. Include when reviewing Financial regulations.
Employees	Fraud by staff Health and safety	L L	Requirements of Fidelity Guarantee insurance adhered to with regards to fraud. All employees to be provided adequate direction and safety equipment needed to undertake their roles	Existing procedures adequate. Monitor health and safety requirements and insurance annually.
VAT	Reclaiming/charging	L	The Council has Financial Regulations which set out the requirements.	Existing procedures adequate
Annual Returns	Submit within time limits	L	Annual Return is completed and submitted online with the prescribed time frame by the RFO. Annual Return completed by the RFO and signed by the Council, submitted to internal auditor for completion and signing then checked and sent to External Auditor within time frame.	Existing procedures adequate.
Legal Powers	Illegal activity or payments	L	All activity and payments within the powers of the Parish Council to be resolved at full Council Meetings, including reference to the power used under the Finance section of agenda and Finance report monthly.	Existing procedures adequate

Minutes/agendas/ Notices Statutory Documents`	Accuracy and legality Business conduct		Minutes and agenda are produced in the prescribed manor by the Clerk and adhere to the legal requirements. Minutes are approved and signed at the next Council meeting. Agenda displayed according to legal requirements. Business conducted at Council meetings should be managed by the Chair	Existing procedures adequate. Members adhere to Code of Conduct
Members interests	Conflict of interests Register of members interests	L M	Declarations of interest by members at Council meetings. Register of members' interests forms reviewed regularly.	Existing procedures adequate. Members take responsibility to update register.
Insurance	Adequacy Cost Compliance Fidelity Guarantee	L L L M	An annual review is undertaken of all insurance arrangements. Employers and Employee liabilities a necessity and within policies. Ensure compliance measures are in place. Fidelity checks in place.	Existing procedure adequate. Insurance reviewed annually.
Data protection	Policy provision	L	The Parish Council is not registered with the Data Protection Agency. One employee.	Review need to register and procedures annually and/or as necessary.
Freedom of Information	Policy Provision	L M	To date there has been no requests under FOI. The Parish Council is aware that if a substantial request came in it could create a number of additional hours work. The Parish Council can request a fee to supplement the extra hours	Monitor any requests made under FOI. Review the situation annually.
PHYSICAL EQUIPMENT OR AREAS				
Assets	Loss or damage Risk/damage to third party (ies) property	L L	An annual review of assets is undertaken for insurance provision	Existing procedures adequate
Maintenance	Poor performance of assets or amenities	L	All assets owned by the Parish Council are regularly reviewed and maintained. All repairs and relevant expenditure for any repair is actioned/authorised in accordance with the correct procedures of the Parish Council. Assets are insured.	Existing procedures adequate

Notice Board	Risk of damage	L	The Parish Council currently has a notice board. No formal inspection procedures are in place but any reports of damage or faults are reported to the Parish Council and dealt with in accordance of the correct procedures of the Council.	Existing procedures adequate
Meeting locations	Adequacy Health & Safety	L M	The Parish Council meeting is held in a venue considered to have appropriate facilities for the Clerk, members and the general public.	Existing procedures adequate
Council records – paper	Loss through: Theft Fire Damage	L M L	The Parish Council records are stored at the home of the Chair/Clerk. Records include historical correspondences, minutes, insurance, and bank records. The documents are stored in lockable cabinets.	Damage (apart from fire) and theft is unlikely and so provision is adequate.
Council records – electronic	Loss through: Theft, fire damage or corruption of external drive	L M	The Parish Council electronic records are stored on a USB stick, password protected, at the Chair/Clerk at home. Back ups of electronic data is made at regular intervals	Existing procedures considered adequate

Rackenford and Creacombe Parish Council - Statement of Financial Controls

The Parish Council Financial year runs from 1st April to 31st March

- 1 The clerk to maintain a financial file containing all invoices reconciled to cheque numbers and to log all remittance advices
- 2 Cheques need the signature of two Parish Councillors
- 3 Cheque stubs to be initialled by signatory
- 4 All payments and receipts to be entered into the cash book or computerized file.
- 5 The clerk should present a financial summary at each Parish Council meeting
- 6 At quarterly intervals the accounts should be available for inspection, including Bank Statements, Cheque Books and Pass Books.
- 7 The clerk to apply for the Precept in a timely manner.
- 8 Draw up the draft Budget for the following financial year
- 9 Prepare and present the annual accounts for inspection by the Internal and External Auditors.
- 10 Renew any insurance policies as required.
- 11 Prepare and review the Risk Assessment Report as required
- 12 Maintain and submit HMRC Real Time payments
- 13 Maintain VAT records and reclaim VAT at least annually.