

## HUTTON ROOF PARISH COUNCIL

### Minutes of the Annual Meeting of the Parish Council held on Wednesday 8 May 2018 at 7.00pm at Hutton Roof Village Hall

**Present:** Cllrs S Travis, P Huntington, D Travis and N Hall.

Also present were Ms J Saunders (Clerk), Cllr R Bingham, Cllr B Cooper and 1 member of the public.

#### **1/18 Election of Chairman**

Previous Chairman Cllr S Travis took the chair for this item.

Cllr S Travis was proposed, seconded and unanimously elected Chair of Hutton Roof Parish Council for the municipal year 2018/19. Cllr Travis signed the Declaration of Acceptance of Office of Chairman, witnessed by the Clerk, and this was received by the Council.

#### **2/18 Election of Vice-Chairman**

Cllr P Huntington was proposed, seconded and unanimously elected Vice-Chair of Hutton Roof Parish Council for the municipal year 2018/19. Cllr Huntington signed a Declaration of Acceptance of Office of Vice-Chairman (not mandatory), witnessed by the Clerk, and this was received by the Council.

#### **3/18 Apologies**

All members were present.

Apologies were received from two members of the public and newly elected District Cllr Tom Harvey.

#### **4/18 Declarations of Interest / Dispensation Requests**

None.

#### **5/18 Minutes**

It was resolved for the Chairman to sign the minutes of the meeting held on Tuesday 9 January 2018 as a true record.

#### **6/18 Public Participation**

In response to inquiries from a member of the public, the Council confirmed that it was in contact with Peter Standing who had recently given a talk at the Village Hall regarding his proposed Restoring the Rakes Project. The Council also confirmed that various potholes had been reported but that no remedial action had yet been taken by Cumbria Highways.

#### **7/18 Appointment of Representatives**

It was resolved to confirm the following appointments:

- (i) South Westmorland Local Area Partnership; ad hoc representation.
- (ii) Hutton Roof Village Hall; main contact, Cllr D Travis.
- (iii) CALC South Lakeland District Association; ad hoc representation, Cllr N Hall to attend initially.

#### **8/18 Policies and Procedures**

- (i) New draft Standing Orders and three amendments were considered. It was resolved to approve the Standing Orders including the amendments;
- (ii) New draft Financial Regulations were considered and approved;
- (iii) The Code of Conduct (view at <https://www.huttonroofpc.co.uk/information.html>) was noted and accepted. It was noted that the production of other policy documents is an ongoing task.

#### **9/18 General Data Protection Regulation 2018**

Clerk's Report on GDPR 2018 was noted and the recommendations therein were accepted (ie to allocate time to Clerk re completion of data audit, production of Privacy Notices,

documenting practices, data minimisation and data disposal/deletion). It was also resolved to register with the Information Commissioner's Office as a Data Controller and complete a new direct debit instruction (£35 this year, in future a data protection fee of £40 p/a).

A draft Retention of Documents Policy and a draft Data Protection Policy were considered and approved.

Clerk quoted a statement from the ICO on 11 April 2018 that 'the GDPR is a journey rather than a destination' and advised that Councils need to demonstrate they are making progress towards getting processes and procedures in place and taking steps towards compliance. Other Councils are viewing this work as long term, ie involving a 1 year action plan. Advice had been received from NALC on 26 April 2018 re a proposed amendment to the Data Protection Bill to exempt parish councils from the requirement to appoint a DPO, but all other measures would still apply. It was stressed that someone, whether designated DPO or Clerk, would still have to work on compliance. Clerk had obtained a range of useful toolkits and templates from the ICO, NALC/CALC and SLCC. The workload and costs involved in compliance were noted. It was resolved to authorise the Clerk to continue with GDPR work, allocating a maximum of 4 additional hours per month, to be reviewed in August 2018.

#### **10/18 Future meetings**

- (i) The dates of Council meetings for 2018/19 were confirmed as Wednesday 1 August 2018, Thursday 1 November 2018 and Tuesday 8 January 2019;
- (ii) It was confirmed that meetings will usually commence at 7.00pm and be held at Hutton Roof Village Hall.

#### **11/18 Annual Governance and Accountability Return 2017/18 - Certificate of Exemption**

It was resolved to approve completion of the Certificate of Exemption from limited assurance review and to authorise the Clerk to submit the Certificate of Exemption to the external auditor.

#### **12/18 Annual Internal Audit Report 2017/18**

The Annual Internal Audit Report 2017/18 for the Annual Governance and Accountability Return was received. It was reported that a thorough internal audit had been undertaken on 17 April 2018 and that the accounts were found to be accurate, proper arrangements for budgetary control were in place, payroll was performed correctly via HMRC online, risk management and asset management were in place and action was being taken towards compliance with the Transparency Code and new Data Protection legislation.

The Report had identified some outstanding issues:

- The Council had no Standing Orders or Financial Regulations in place - both now in place;
- Authorisation of online payments by one councillor - changes to bank mandate and authorisation procedures to be made;
- Failure to meet statutory timescales for approval of 16/17 accounts and advertising exercise of electors' rights/period of public inspection - arrangements in place to meet timescales for 17/18 accounts.

The Annual Internal Audit Report 2017/18 for the Annual Governance and Accountability Return was noted and approved.

#### **13/18 Annual Governance Statement 2017/18**

Clerk advised that in view of the internal auditor's findings, the Council could be confident in agreeing that an adequate system of internal control was in place and could therefore answer yes to all statements 1 - 8 except for 4 re exercise of electors' rights in 17/18 (statement 9 was n/a). It was resolved to approve the Annual Governance Statement 2017/18 for the Annual Governance and Accountability Return.

#### **14/18 Accounting Statements 2017/18**

- (i) The Bank Reconciliation and Budget Monitoring Statement for the year ended 31 March

2018 were received and noted.

(ii) The Accounting Statements 2017/18 for the Annual Governance and Accountability Return were received and approved, having noted that Box 9 (Fixed assets) for previous financial year had been re-stated in accordance with recommendation in the external audit report for 16/17 and updated to include addition of laptop and software in 17/18.

(iii) The Budget for 2018/19 and receipt of the Precept and CTSG were noted.

### **15/18 Notice of the period for the exercise of public rights relating to the annual accounts**

It was noted that the period for the exercise of public rights would be Monday 4 June - Friday 13 July 2018.

### **16/18 Reports**

- i. Cllr S Travis noted changes in the last year: Alison Travis hard work as former clerk was noted; Nick Hall's contribution since becoming a Councillor was also appreciated; the Council was moving forward; there is still a vacancy to fill and there would be an election in 2019.
- ii. District Councillors - Following recent District Council elections, it was reported that there are now three councillors for the ward, with Tom Harvey having been elected alongside Roger Bingham and Brian Cooper. The main issues raised by voters during the election were potholes, speeding and planning. It was further reported that SLDC would be holding its Annual Meeting later in May. District Cllrs Bingham and Cooper also recognised the contribution of the Travis family to the Parish Council over the years.
- iii. County Councillor R Bingham noted the friendly reception he had had from local people he had visited and met recently. He reported on women taking on a number of high profile roles at the County Council, improvements to Children's Services and the Police and the ongoing public concern about potholes in roads.
- iv. Clerk's Report and Correspondence - Clerk reported on recent workload re finance: year end tasks re accounts, HMRC VAT refund claim (for last 3 years), HMRC PAYE finishing old year P60 and starting new year, internal audit and new AGAR arrangements and changes to banking arrangements. Additional hours had also been worked re policies and procedures to ensure Council's compliance with Financial & Audit Regulations, the Transparency Code and new Data Protection legislation.
- v. Hutton Roof Village Hall - Eve Simpson reported on Village Hall activities and compliments and grants received.

### **17/18 Highways and Public Rights of Way**

It was noted that the poor state of some local roads remains unchanged, including Badger Gate Bridge and Green Lane. It was noted that a disintegrating culvert at the bridge at the bottom of Mill Lane needed replacing and that there were large potholes on Clawthorpe Road. Cllr R Bingham advised he would be undertaking site visits with Peter Hosking (Cumbria Highways) in the next few weeks.

### **18/18 Planning**

The following planning application was considered:

(view applications, responses and decisions online at

<http://applications.southlakeland.gov.uk/planningapplications/welcome.asp>):

- i. SL/2018/51340258 – Nessfield Gale Barn, Hutton Roof – Demolition of garage, single storey extension to south elevation and two storey extension to the west elevation and conversion and extension of outbuilding to form annexe accommodation. **No comments.**

### **19/18 Parish Land**

i. Cllrs S Travis and N Hall had nothing further to report in respect of efforts to identify land which may be owned by the Parish Council. It was concluded that ownership of the land lies with the charities. It was resolved therefore to take no further action with regard to this land.

ii. A copy of the Environmental Stewardship Agreement in respect of Hutton Roof Crag had been obtained from Natural England and circulated previously. It was believed that no scrub management work had been undertaken recently. Cllr S Travis stated that under the Agreement payments are made for work done and that a scheme of work should be published but he had been unable to find this. It was resolved to ask invite Natural England to the next meeting on 1 August 2018 and to request a report on work undertaken during the 5 years of the Agreement to date. It was understood that reports go between the commoners and Natural England, but it was felt that the Council should also be kept informed as the custodian of the Crag. It was further understood that there is a break clause in the Agreement after 5 years and also that an audit would be completed in December. It was suggested that the Council could submit an application for a new 5 year agreement. It was resolved that Cllr D Travis would contact Natural England regarding a possible application, and authority was delegated to Cllr S Travis to complete and submit an application if appropriate. It was reported that work was ongoing to keep paths clear in preparation for the Fell Race.

A copy of Peter Standing's Proposed Restoring the Rakes Project 2018 document had been received recently and circulated. There was considerable interest in the proposed project, in particular its emphasis on geology and the potential opportunities for volunteer involvement. It was understood that Natural England is keen to work with Peter on the project. It was resolved to invite Peter Standing to the next meeting on 1 August 2018. It was further suggested that the document could be published on the website with Peter's consent. (Cllrs R Bingham and B Cooper left the meeting).

**20/18 Staffing**

- i. Clerk's report on the Council's legal duties as an employer with regard to workplace pensions was received and noted; it was resolved to authorise the Chairman to sign a letter to the Clerk advising that she is not eligible for automatic enrolment in a pension scheme and to authorise the Clerk to complete the Council's declaration of compliance by the deadline of 2 July 2018.
- ii. The National Salary Award 2018/19 for local government employees was noted. It was resolved to approve the new pay scale for the Clerk with effect from 1 April 2018 in accordance with her contract of employment and to authorise the amendment of the standing order re Clerk's salary to £189.85 p/m wef May 2018.

**21/18 Finance**

- a) The following payments were authorised:
  - i. Jane Saunders (Clerk's salary, paid by monthly SO) £189.85
  - ii. Jane Saunders (Clerk's salary, pay scale adjustment and additional hours, 01/01/18 - 30/04/18) £252.62
  - iii. Jane Saunders (Clerk's expenses, 01/02/18 - 30/04/18) £45.89
  - iv. Julie Hartley (Internal Audit fee) £75.00
  - v. Hutton Roof Village Hall (annual contribution to newsletter) £25.00
  - vi. Helsington Parish Council (contribution to cost of Data Protection course) £35.00
  - vii. CALC (Annual Subscription 2018/19) £111.00
  - viii. SLCC (Annual Subscription 2018/19 - full cost £115) £40.00
  - ix. Information Commissioner's Office (Data Protection registration fee, DD) £35.00
- b) Clerk reported that the Bank Mandate Change had not yet been implemented due to the Bank awaiting ID and address verification from two councillors.

The meeting closed at 20.44 pm.

Signed: ..... (Chairman)  
 Date: 1 August 2018