

KIRKANDREWS ON ESK PARISH COUNCIL

MINUTES of the MEETING of KIRKANDREWS ON ESK PARISH COUNCIL held in MOAT VILLAGE HALL on MONDAY 10th JANUARY 2022 at 7.30pm.

PRESENT: Cllrs W. Bundred (Chairman), P. Armstrong, Z. Armstrong, L. Cragg and A Wallis.

IN ATTENDANCE: Clerk

ALSO ATTENDING: Carlisle City Councillor Mallinson

090/21 APOLOGIES FOR ABSENCE

RESOLVED to note that apologies for absence were received and agreed from Councillors Richardson, Rutherford and Wilson.

County Councillor Tarbitt also submitted apologies.

091/21 REQUESTS FOR DISPENSATION

RESOLVED to note that no requests for dispensation were received.

092/21 DECLARATIONS OF INTEREST

RESOLVED to note there were no declarations of interest made.

093/21 MINUTES

093/21.1 MINUTES OF THE MEETING HELD ON 10TH NOVEMBER 2021 WERE SUBMITTED.

RESOLVED to authorise the Chairman to sign the minutes of the meeting held on 10th November 2021, confirmed as a true and accurate record.

ACTION: WB

094/21 PUBLIC PARTICIPATION SESSION -

094/21.1 PUBLIC PARTICIPATION

RESOLVED to note there were no members of the public present.

094/21.2 CITY AND COUNTY COUNCILLOR REPORTS

RESOLVED to note there were no reports submitted from City or County Councillors.

095/21 REPRESENTATIVES' REPORTS

RESOLVED to note that Councillor Bundred had attended grant panels for both the Beck Burn and Hallburn wind farm funds. There was nothing of relevance to Kirkandrews on Esk parish.

096/21 TOWN AND COUNTRY PLANNING – APPLICATIONS -

RESOLVED to advise the appropriate Planning Authority of the Council's comments as follows:-

096/21.1 CARWINLEY MILL HOUSE, CARWINLEY (21/1132) – Variation of condition 1 (approved documents) of previously approved application 20/0677 (erection of building for use as a function room in support of self-catered holiday lets; erection of a timber-framed shelter for wedding ceremonies) to change the material from timber-framed to steel-framed.

No observations.

097/21 FINANCIAL MATTERS**097/21.1 BANK RECONCILIATION to 29.11.21**

There was submitted a report by the Clerk on the reconciliation of the Council's financial records with its bank account statements.

RESOLVED to receive and note the bank reconciliation and balances to 29th November 2021 of £28,627.65.

097/21.2 EXPENDITURE TO APPROVE

RESOLVED to authorise the following expenditure for payment:-

- £537.60 A. Riddell – Net wage to 26.01.22 cheque number 101028
- £218.40 HMRC – PAYE cheque number 101029
- £5.99 A Riddell (Amazon)– Magnetic pins cheque number 101030
- £61.80 Carlisle CC – Play area inspection cheque number 101031
- £22.00 J Robb – bus shelter cleaning cheque number 101032

098/21 PLAY AREA ANNUAL INSPECTION

The annual inspection report for the Moat play area was submitted to the meeting.

RESOLVED to note the report and that the Clerk would request quotes for the timber work and pressure washing. The clerk would ask Councillor Richardson whether the willow work had been carried out.

ACTION: Clerk

099/21 CATTLE GRIDS

Councillor Bundred reported that the cattle grids on the road to St. Andrews Church were too narrow for larger vehicles that were regularly using the road to travel to the church. The Parochial Church Council (PCC) also felt that the cattle grids were too narrow and should be widened.

RESOLVED that the clerk would request highways to have a look at the cattle grids to ascertain if they could be widened. Councillor Bundred would ask the PCC to send a similar request to highways.

ACTION: Clerk/WB

100/21 QUEEN'S GREEN CANOPY

Members gave consideration to planting a tree as part of the Platinum Jubilee project, the Queen's Green Canopy.

RESOLVED to authorise Councillors Bundred and Wilson to arrange the purchase and planting of 3 pale pink cherry trees (with rabbit guards) within the cemetery walls at St. Andrew's Church within a budget of £1,000.00. A plaque would also be purchased and erected to commemorate the planting and councillors would liaise with the PCC.

ACTION: WB/DW

101/21 CALC

The following correspondence from CALC was received and noted:-

101/21.1 LOCAL GOVERNMENT REORGANISATION**101/21.2 NOVEMBER/DECEMBER 2021 NEWSLETTER****101/21.3 NEW CHIEF OFFICER**

101/21.4 CHANGES TO CORONAVIRUS RESTRICTIONS

101/21.5 TRAINING

101/21.6 CARLISLE – ECONOMY AND GROWTH 'STRATEGY, PROJECTS AND INITIATIVES'

102/21 CORRESPONDENCE RECEIVED BY THE CLERK –

RESOLVED to note the following correspondence had been received: -

102/21.1 CONNECTING CUMBRIA NEWSLETTER - December 2021.

103/21 LITERATURE AVAILABLE FROM CLERK –

103/21.1 NOTICE OF EXECUTIVE KEY DECISIONS – 17th December 2021.

104/21 AGENDA ITEMS FOR NEXT MEETING

RESOLVED to note that any items for consideration should be submitted to the Clerk on or before 7th March 2022.

105/21 DATE OF NEXT MEETING - Monday 14th March 2022, Moat Village Hall, 7.30pm.

106/21 PUBLIC BODIES (ADMISSION TO MEETINGS) ACT 1960

To consider resolving, in terms of the Public Bodies (Admission to Meetings) Act 1960, that, in view of the confidential nature of the business to be transacted (contract terms), it is advisable in the public interest that the public be temporarily excluded and that they be instructed to withdraw for the following agenda items.

107/21 GRASS CUTTING CONTRACT 2022

Consideration was given to the tenders received for the grass cutting season 2022.

RESOLVED, unanimously, to accept the tender submitted by W. Carruthers in the sum of £960.00

Meeting closed at 8.00pm.

TOWN AND COUNTRY PLANNING NOTIFICATION OF DECISIONS

1. SUMMARY OF REPORT

This report advises members of the decisions of the appropriate planning authority on applications on which the Parish Council has previously commented.

2. RECOMMENDATIONS

That the Council **NOTES** the information.

3. REPORT

Members are asked to note that Carlisle City Council has advised of its decisions on planning applications on which the Parish Council has already commented as follows:-

Location	Proposal	Decision
Becklees Farm, Longtown	Change of use of part field to form a horse riding arena for private and domestic purposes	Granted subject to conditions regarding commencement of development, approved documents, use of the premises & floodlight direction.
Carwinley Mill House, Carwinley, Longtown	Variation of condition 1 (approved documents) of previously approved application 20/0677 (erection of building for use as a function room in support of self-catering holiday lets; erection of a timber-framed shelter for wedding ceremonies) to change the material from timber-framed to steel-framed.	Granted subject to conditions regarding approved documents, drainage provision & noise monitoring scheme.

KIRKANDREWS ON ESK PARISH COUNCIL

BANK RECONCILIATION AT 25th FEBRUARY 2022

Barclays Community Account - 40548464

Balance b/f at 29/11/21	27,837.32		
Income	499.00	Expenditure	845.79
		Balance c/f	27,490.53
	<u>28,336.32</u>		<u>28,336.32</u>

Bank Reconciliation

Balance per statement @ 25.02.22 27,496.52

Less o/s cheques

A Riddell	5.99	
	<u>5.99</u>	
	<u>27,490.53</u>	

Income			Expenditure		
Date		£	Date	Detail	£
18.2.22	Carlisle City Council	499.00	10.1.22	A Riddell	537.60
			10.1.22	HMRC	218.40
			10.1.22	A Riddell (Amazon)	5.99
			10.1.22	Carlisle City Council	61.80
			10.1.22	J. Robb	22.00
		<u>499.00</u>			<u>845.79</u>

Barclays Business Saver Account - 40548472 -

Balance b/f at 29/11/21	790.33		
		Expenditure	0.00
Interest rec'd 6.12.21	0.02	Balance c/f	790.35
	<u>790.35</u>		<u>790.35</u>

BANK BALANCES

	B/F	C/F
Community Account - 40548464	27,837.32	27,490.53
Business Saver Account - 40548472	790.33	790.35
£	<u>28,627.65</u>	<u>28,280.88</u>

I certify that I have checked the above figures and am satisfied, to the best of my belief and knowledge, that they accurately represent the financial position of the Parish Council at the end of the month indicated.

CONDITIONS OF SERVICE CLERK'S SALARY AWARD 2021-22

1. SUMMARY OF REPORT

This report advises of the recent pay award which has been agreed at the National Joint Council for Local Government Services (NJC) for the financial year 1st April 2021 to 31st March 2022.

2. RECOMMENDATIONS

That the Committee

2.1 **NOTES** the award; and

2.2 **AGREES** to its implementation.

3. REPORT

3.1 Parish Council staff are employed (as are the majority of local authority employees in Britain) on terms and conditions agreed by the National Joint Council for Local Government Services. These conditions are reviewed regularly and wage and salary rates are agreed annually and recommended by the NJC and Society of Local Council Clerks for implementation.

3.2 The wage and salary structure consists of a scale of wage/salary rates (known as the spinal column) and employees' wage/salary rates are determined by reference to points on this scale. For Parish Councils the scale for the salary of Clerks commences at spinal column point (scp) 5 and normally terminates at scp 62. The Parish Council has already determined that the salary scale applicable to the post of Clerk to the Parish Council is scp 14.

3.3 The spinal column points relate to an annual salary based on a 37 hour week and where a Clerk works for less this, the actual salary is calculated by reference to the hourly rate. Accordingly, the salary for the Clerk to this Parish Council, working a 7 hour week will be:-

Spinal Column Point	Annual Full Time Salary	Hourly Rate
14	£4,444.44	£12.21 (previously £12.00)

3.4 Whilst the Clerk's conditions of service specify that the salary shall be on the NJC Salary Scale scp 14 and the Clerk has a legal right to be remunerated on that scale, Members are, nevertheless, asked to approve implementation of the new rates.

KIRKANDREWS ON ESK PARISH COUNCIL RISK ASSESSMENT SCHEDULE 2022/23

Definition of Risk Management

Risk is the threat that an event of action will adversely affect an organisation's ability to achieve its objectives and to successfully execute its strategies. Risk management is the process by which risks are identified, evaluated and controlled. It is a key element of the framework of governance together with community focus, structure and processes, standards of conduct and service delivery arrangements.

Audit Commission – Worth the Risk: Improving Risk Management in Local Government (2001:5)

This document has been produced to enable the Parish Council to assess the risks that it faces and satisfy itself that it has taken adequate steps to minimise them. The Council is aware that although some risks can never be eliminated fully, it has in place a strategy that provides a structured, systematic and focused approach to managing risk, which:

- Identifies the subject
- Identifies what the risk may be
- Identifies the level of risk
- Evaluates the management and control of the risk and records findings
- Reviews, assesses and revises procedures if required

MANAGEMENT				
Subject	Risk(s) identified	H/M/L	Management/Control of Risk	Review/Assess/Revise
Business Continuity	Council not being able to continue its business due to an unexpected or tragic circumstance	L	All current files and records are kept at the office of Brampton Parish Council. The Clerk makes both a daily & monthly back up of files. Word files are stored remotely in OneDrive In the event of the Clerk being indisposed the Chairman to contact CALC for advice and Brampton Rural Housing Society (016977 2323) for access to office.	Review when necessary. Ensure procedures detailed are undertaken.
Councillors	Insufficient Council members to function legally	M	When a vacancy arises there is a legal process to follow. This either leads to a by-election or into a co-option process. An election is out of the Parish Council's control. The co-option process begins with an advert, acceptance of applications, consideration of applicants and co-option vote at a Council meeting then appointment. If there are more than 8 vacancies at any one time on the Council it becomes inquorate. The legal process of Carlisle District Council appointing members takes place	Existing procedures adequate. Council to actively recruit new volunteers Procedures of another body are adequate
Meeting location	Adequacy Health and Safety	L	Meetings are held in Moat Village Hall. Councillor Bundred or Richardson collect the keys for access for meetings. The Hall and facilities are considered to be adequate for the Clerk, Councillors and any	Existing procedure adequate

			Public who attend, from a health and safety and comfort aspect.	
Council Records	Loss through theft, fire or damage	L	The Parish Council's current records are stored at the office of Brampton Parish Council. The building is alarmed.	Damage or theft is unlikely and so provision adequate
Council Records - electronic	Loss through theft, fire, damage or corruption of computer	LM	The Parish Council's electronic records are stored on the office computer and on onedrive. Back-ups of the files are taken daily & monthly on a usb pen which is stored in a locked cabinet	Existing procedure adequate
Transparency code	Not publishing required information	L	Smaller authorities should publish on a website: a. all items of expenditure above £100, b. end of year accounts, c. annual governance statement, d. internal audit report, e. list of councillors or member responsibilities, and f. the details of public land and building assets, g. Minutes, agendas and meeting papers of formal meetings. The required information is uploaded onto the website by a volunteer who manages the website. Clerk and Chair also have access to the website.	Existing procedure adequate

FINANCE

Subject	Risk(s) identified	H/M/L	Management/Control of Risk	Review/Assess/Revise
Precept	Adequacy of precept Requirements not submitted to CCC Amount not received by CCC	L L L	The precept is an agenda item usually at the November or January meeting. To determine the precept amount required, the Parish Council receives budget update report, including actual position and projected position to 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 Carlisle City Council. This figure is submitted by the Clerk in writing to CCC. The Clerk informs Council when the monies are received (approx April/May time).	Existing procedure adequate
Insurance	Adequacy Cost Compliance Fidelity Guarantee	L L L M	An annual review is taken (before the time of the policy renewal) of all insurance arrangements in place. Employers/Employee Liability, Public Liability and Fidelity Guarantee are a statutory requirement. Ensure	Existing procedure adequate. Review insurance provision annually. Review compliance annually.

			compliance measures and fidelity checks are in place.	
Banking	Inadequate checks Bank mistakes Loss Charges	L L L L	The Council has Financial Regulations which set out the requirements for banking, cheques and reconciliation of account.	Existing procedure adequate. Review the Financial Regulations when necessary and bank signatory list when necessary especially after an AGM and an election. Monitor the bank statements monthly.
Cash	Loss through theft or dishonesty	L	The Council has Financial Regulations which set out the requirements. The Council has no petty cash or float. Any cash transactions made by the Clerk, are fully receipted and then reimbursed by cheque on receipt of an invoice.	Existing procedure adequate. Review the Financial Regulations when necessary
Financial controls and records	Inadequate checks	L	Bi-monthly reconciliation prepared by RFO and checked at meeting and signed by a member of the Parish Council. Two signatories on cheques. Internal audit. If income & expenditure is under £25k, the council can certify itself exempt from a limited assurance review (external audit) but must publish all required financial and accounting information on its website. Any financial obligation must be resolved and clearly minuted before any commitment. All payments must be resolved and clearly minuted before any commitment. Any s137 payments must be recorded at time of approval.	Existing procedure adequate.
Freedom of Information Act	Policy Provision	L M	The Council has a model publication scheme for Local Councils in place. There have been no requests for information to date but the Clerk is aware that if a substantial request arrives then this may require many hours of additional work. The Council is able to request a fee if the work will take more than 15 hours but the applicant also has the right to re-submit the request broken down into sections, thus negating the payment of a fee.	Monitor and report any impacts of requests made under the F of I Act.
Clerk	Loss of Clerk	M	A contingency fund should be established to enable training for the Cilca qualification in the event of the Clerk resigning.	Include in financial statement when setting precept.
	Fraud	L	The requirements of the Fidelity Guarantee insurance must be adhered to.	
	Actions Undertaken	L	Clerk should be provided with relevant training, reference	Membership of CALC maintained.

	Salary paid incorrectly	L	books, access to assistance and legal advice The Clerks salary is set by a formula agreed with NALC and the SLCC and is reviewed annually. Tax is calculated using an Inland Revenue computer programme updated by HMR&C on a regular basis. All tax payment are submitted as required and detailed in the Inland Revenue Annual Return.	Purchase revised books. Monitor working conditions. Existing payment scheme is adequate.
VAT	Re-claiming	L	The Council has financial regulations which set out the requirements.	Existing procedures adequate
Annual Return	Not submitted within time limits	L	Annual Return is completed and signed by the Council, submitted to the Internal Auditor for completion and signing then checked and sent out to the External Auditor within time limit.	Existing procedures adequate
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 the S137 power of expenditure.	Existing procedure adequate. Parish Councillors request a copy of S137 rules if required.
Grants - receivable	Receipts of Grant	L	The Parish Council doesn't receive an annual grant. Any one-off grants awarded would come with terms and conditions to be satisfied. The Beck Burn community grant is allocated as per conditions from the Cumbria Community Foundation.	Existing procedures adequate
Best value Accountability	Work awarded incorrectly Overspend on services	L M	As per Financial Regulations normal Parish Council practice would be to seek, if possible, more than one quotation for any substantial work required to be undertaken or goods. For major contract services, formal competitive tenders would be sought. If a problem is encountered with a contract the Clerk would investigate the situation, check the quotation/tender, research the problem and report to Council.	Existing procedure adequate. Review Financial Regulations regularly.

ASSETS

Subject	Risk(s) identified	H/M/L	Management/Control of Risk	Review/Assess/Revise
Assets	Loss or damage Risk/damage to third part(ies)/property	L L	An annual review is undertaken for insurance provision, storage and maintenance provision.	Existing procedures adequate

LIABILITY

Subject	Risk(s) identified	H/M/L	Management/Control of Risk	Review/Assess/Revise
Legal Powers	Illegal activity or payments	L	All activity and payments made within the powers of the Parish Council to be resolved and minuted at Parish Council Meetings, including a reference to the power used.	Existing procedures adequate
Minutes/Agendas/ Statutory Documents	Accuracy and legality Business conduct	L L	Minutes and agenda are produced in the prescribed method by the Clerk and adhere to the legal requirements. Minutes are approved and signed at next meeting. Minutes and agenda are displayed according to legal requirements. Business conducted at Council meetings should be managed by the Chair.	Existing procedures adequate Undertake adequate training Members to adhere to Code of Conduct.
Public Liability	Risk to third party, property or individuals	M	Insurance is in place.	Existing procedures adequate
Employer Liability	Non-compliance with employment law	L	Undertake adequate training and seek advice from CALC or CCC.	Existing procedures adequate
Legal Liability	Legality of activities	M	Clerk to clarify legal position on proposals and to seek advice if necessary	Existing procedures adequate
Members Interests	Conflict of interest	M	Councillors have a duty to declare any interest at the start of a meeting.	Existing procedures adequate
	Register of Members Interests	L	Register of Members Interest form should be reviewed regularly by Councillors.	Members to take responsibility to update their register
Election Costs	Risk of election cost	LM	Risk is higher in an election year. There are no measures which can be adopted to minimise the risk of having a contested election as this is a democratic process. When an election is due the Clerk will obtain an estimate of costs from CCC for a full election and an uncontested election.	Existing procedure adequate
Play area	Inadequate maintenance of records	L	Ensure that proper records of all complaints/injuries are maintained	Existing procedure adequate
	Inadequate insurance cover	L	Include all relevant risks on the councils insurance policy	
	Inadequate budget provision	L	Ensure that service requirements are detailed in annual budget process	
	Personal Injury	L	Define responsibility for regular inspection of play areas. Define responsibility for and ensure regular inspection of play equipment & play surfaces. Arrange periodical inspection and report by suitably qualified professional.	

			Ensure that inspection timetable is adhered to and inspection log completed. Maintain records of all inspections/maintenance. Ensure that a maintenance contract is in place.	required action undertaken promptly.
Village Hall	Damage/Injury	L	Village Hall Committee is responsible for the Village Hall. Adequate insurance cover. Parish Council representation on Management Committee (Management Committee to ensure proper procedures with regard to Health and Safety are followed.)	Existing procedure adequate Councillor Richardson is the Parish Council's representative on the Committee and regularly reports to the Parish Council.
Open Spaces/bus shelters	Vandalism	L	Regular inspections are undertaken and any vandalism to be reported to the local police and appropriate action taken against offenders	Existing procedure adequate
	Fly tipping	L	Regular inspections are carried out and reported to the appropriate authority.	
	Inadequate budget provision	L	Service income/expenditure to be detailed in budgetary process.	
	Property maintenance	L	Property is maintained through regular inspection/servicing	
Data protection	Policy provision	L	The Parish Council is registered with the Information Commissioner	Ensure annual renewal of registration

The information given above was agreed as being a correct record.

Signed

Chairman

Clerk

Dated