

KIRKBY MALZEARD, LAVERTON AND DALLOWGILL PARISH COUNCIL

MINUTES OF THE ANNUAL MEETING OF THE GROUPED PARISH COUNCIL (SERVING KIRKBY MALZEARD AND LAVERTON PARISHES) 2020

on Monday 27th May 2020 held remotely

The meeting commenced at 7.30pm. Councillors Howard Mountain, Geoffrey Berry, Jane Aksut, Peter Saxon, Pippa Manson, and Alan Brownlee, together with the Clerk, took part in the video conference. Cllr Geoff Lobley was also connected via telephone link. No County/District Councillors or members of the public present.

Note: This meeting is being held remotely using video conferencing methods in accordance with legislation which came into force on April 4, 2020 as set out in 'The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020'.

It was confirmed by the Chair that all persons attending could hear and be heard prior to commencement of the meeting.

- 1. Election of Chair and Vice-Chair.** Having indicated that he was stepping down as Chair after over three years in office, Cllr Mountain then requested nominations for the position of Chair of the Council for the coming year. Cllr Brownlee proposed Cllr Manson, with Cllr Berry proposed by Cllr Mountain. A vote took place and as a result Cllr Manson was appointed Chairman of the Council by a majority decision. The Acceptance of Office form was signed and Cllr Manson presided over the rest of the meeting.
She proposed Cllr Saxon for the position of Vice-Chair. No other proposals were made and the Council voted to elect Cllr Saxon as Vice-Chair.
The newly elected Chair thanked both Cllr Mountain and Cllr Lobley, who had served as Vice-Chair for the previous two years, for their dedication and hard work.
- 2. Welcome.** The Chair officially welcomed everyone to the meeting and accepted apologies from County Cllr Margaret Atkinson.
- 3. Approve the Minutes.** The minutes of the previous Annual Meeting on May 20, 2019 were confirmed as an accurate account of the meeting and signed by the Chair. It was noted that,

under new guidance, the minutes of this year's meeting will be considered for approval at the next Parish Council meeting on June 29, 2020. **Action: Chair to post to Clerk.**

4. Annual Governance and Accountability Return 2019-20 – Exemption and Auditors Report.

- a) The Certification of Exemption (Page 3) confirming that the Council is exempt from External Audit was approved. Certificate signed by Chair. **Action: Chair to post to Clerk (RFO) for their signature. Chair to submit Certificate of Exemption and Contact detail sheet to the External Auditors within the deadline period.**
- b) The Annual Internal Audit Report (Page 4 of AGAR) provided by Janet Bennett of Yorkshire Internal Audit Services was considered together with the additional best practice guidance notes she provided. Consideration was also given as to whether there would be any benefits in preparing a 3-year financial planning model, but it was decided that this was not currently likely to be of any significant benefit.
- c) Payment of invoice for Auditors fee, payable to YIAS, of £225, was approved. **Action: Clerk to arrange payment.**
- d) The decision to continue to proceed with the creation of an internet banking service with HSBC, in accordance with the Auditors recommendations, was formally approved. It was agreed that the primary user will have access to the account online and be able to make payments solely, and that they would also be able to delegate access to other users.

5. Annual Governance and Accountability Return 2019-20 – Governance.

- a) Annual Governance Statement (Page 5 of AGAR) was considered and approved. Statement signed by Chair. **Action: Chair to post to Clerk for their signature.**

6. Finance Documents 2019-20. The following documents on which the Accountability Return is based were all considered and approved;

- a) Receipts
- b) Payments
- c) Bank Reconciliation
- d) Cash Book
- e) Asset and Investment Register as at 31 March 2020

7. Annual Governance and Accountability Return 2019-20 – Finance.

- a) The Accounting Statements 2019-20 (Page 6 of AGAR) were considered and approved. Statement signed by Chair. **Action: Chair to post to Clerk (RFO) for their signature.**

8. Annual Governance and Accountability Return 2019-20 – Publication.

- a) The publication of the AGAR documents on website and noticeboard in accordance with the requirements of Accounts and Audit Regulations 2015, the Local Audit (Smaller Authorities) Regulations 2015 and the Transparency Code for Smaller Authorities, to

include the Notice of the period for the Exercise of Public Rights, was approved. **Action: Clerk to arrange for publication of documents with the deadline period.**

9. Governance Documents for 2020 onwards – The approval of these documents was deferred to an Extraordinary meeting to take place on June 8, 2020 for further consideration. **Action: Clerk to place on Agenda.**

- a) Code of Conduct.
- b) Standing Orders (including Complaints procedure, Freedom of Information and Data Protection procedures and policy re Press/Media)
- c) Financial Regulations.
- d) Risk Assessments Register incorporating separate Risk Assessment for Play Area.
- e) Publication Scheme.

10. Financial matters –

- a) Insurance arrangements – The 2020 Schedule of Assets for Insurance Purposes was approved.
- b) Insurance arrangements – The renewal of policy with AVIVA from 01.06.20 for a premium of £574.18 payable to BHIB Insurance brokers was approved. **Action: Clerk to arrange for renewal of policy.**
- c) Expenditure incurred under s 137 of LGA 1972 for 2019-20. It was confirmed that the expenditure under this Power for the financial year is within the limits permissible. It was noted that the Council is currently unable to apply for General Power of Competence (as an alternative means of providing such funding) as it does not meet qualifying rules.
- d) Subscriptions to other bodies (Including YLCA). The only annual subscription is for YLCA. Confirmation of the previous approval by the Council was made.
- e) Cheque signatory arrangements. It was noted and agreed that signatories are to monitor bank account once on-line banking introduced. It was agreed and approved that the primary user will have access to the account online and be able to make payments solely. They will also be able to delegate access to other users. Current signatories of Cllrs Aksut, Berry, Mountain and Lobley were approved.
- e) Commuted sums currently available under s106 of Town and Country Planning Act 1990. It was noted that an amount of £430.10 allocated to the Highside Children's Play Area, must be used by 19.08.2020. An amount of £573.47 also allocated to the Play Area must be used by 03.07.2022. No other sums now available.

11. Register of Interests.

- a) There were no changes to the Register of Interests declared by the Councillors. **Action: Councillors to advise the Clerk of any revisions necessary to forms in the future.**

12. Representation by Councillors on other public bodies.

- a) Kirkby Malzeard Charity Trust. Cllr Berry was re-appointed as the Kirkby Malzeard Parish Council nominated trustee. Cllr Lobley was re-appointed as the Laverton Parish Council nominated Trustee.
- b) YLCA meetings. All Councillors can attend – as only two Councillors are allowed voting rights at meetings it was agreed that Cllrs Berry and Mountain would retain these rights for the coming year.
- c) It was agreed that Cllr Mountain would be the nominated Parish Council Trustee on the Kirkby Malzeard Area Community Association once it is registered as a Charity. **Action: Cllr Mountain to advise Clerk once in place, to add to Register of Interests.**

13. Committees. The Council has two advisory committees only. No delegation arrangements exist which require review.

- a) Cllrs Mountain, Brownlee, Berry, Saxon and Aksut were reappointed as members of the Neighbourhood Plan Steering Group, alongside Mr Michael Jordan, Mr Mike Hurford, Mrs Rebecca Mann, Mr Peter Cooper and Mrs Claire Walker. The Terms of Reference were considered and some amendments approved. **Action: Revised Terms of Reference document to be created and published by Cllr Mountain.**
- b) Consideration was given to the re-appointment of members to the Kirkby Malzeard Area Community Association Advisory Committee, but the Council approved a decision to dissolve the Committee, as its work had been completed. **Action: The proposed Constitution will be placed on the agenda for the Extraordinary meeting on June 8 for approval, prior to submission of the application for registering the body with the Charity Commission as a Charitable Incorporated Organisation. Cllr Mountain to advise Committee of decision and thank them for their work.**

14. General Data Protection Regulations - The re-adoption of the following documents with minor amendments, was approved;

- a) Data/Information Audit
- b) General Privacy Notice
- c) Privacy Notice for Staff, Councillors and Role Holders
- d) Records Management Policy
- e) Consent Form
- f) Incident Report form
- g) Subject Access Requests (SAR) Policy
- h) Security Incident (Breach) Policy

Action: Clerk (Data Protection Officer) to make available public documents via the Council Website.

15. Employment.

- a) Staff Appraisal – The appraisal document had been completed by the former Chair and by the Clerk and circulated to the Council. The contents were noted and the Clerk was thanked for her work over the previous year.
- b) Salary Review (including Homeworker Allowance). The Salary review was approved in principle but details deferred as the new NALC national Pay Scale is not currently available.
Action: Clerk to place on Agenda once the pay-scale is published.
- c) PAYE arrangements will continue to be undertaken by Cllr Berry.
- d) Equal Opportunities Policy was approved and re-adopted.
- e) Health and Safety Policy was approved and re-adopted. Clerk confirmed Office Risk Assessment annual review completed. **Action: Clerk to have Council equipment PAT tested once circumstances permit.**
- f) Workplace Pension Policy was approved and re-adopted.
- g) Sickness Policy was approved and re-adopted.
- h) Grievance Policy was approved and re-adopted.
- i) Disciplinary Policy was approved and re-adopted.

16. Review of Property Assets as detailed in current Asset Register.

- a) Pinfold, Main Street, Kirkby Malzeard – let to Mr P Johnson. No outstanding matters – tenancy ends 27.06.2021 with option for tenant to take a further five-year agreement.
Action: Agreed previously that rent review clause requires re-consideration in conjunction with new agreement.
- b) Coalpit Goal Woodyard, Kirkby Moor Road, Kirkby Malzeard – let to Mr B. Ward for 5 years until 31.10.2023. No outstanding matters - no rent review due during the term of the lease.
- c) Highways Yard, Laverton – let to NYCC Highways for 10 years until 31.08.2026. No outstanding matters - rent review due 01.09.2021.
- d) Other Assets – No outstanding matters.

17. Review of Communications - Website, Noticeboards and Social Media

- a) Compliance with Public Sector Bodies (Website and Mobile Appliances) No 2 Accessibility Regulations 2018 was reviewed and confirmed.

18. Approve dates and venues of:

- a) Ordinary meetings of the Parish Council until end 2021.
- b) 2021 Annual Parish Council meeting.

Suggested dates were considered and approved. **Action: Clerk to publish on Council website.**

PART 2 - Items included as responses required before next Ordinary meeting. Councillors had no Declarations of Interest to make in respect of these matters.

19. Planning – recent application made to Harrogate Borough Council. The Parish Council will provide a response on the following case:

a) 20/01643/FUL – The Paddock, Main Street (Laverton Road), Kirkby Malzeard – erection of rear porch – Noble. **Decision A – The Parish Council has no objections. Action: Clerk to forward decision to HBC.**

20. Traffic Safety –

- a) The installation of data loggers was considered and approved. It was agreed that the data loggers should be positioned at either end of the village as soon as practical. **Action: Chair to arrange for the data loggers to be installed.**
- b) The creation of Community Speed Watch scheme in Kirkby Malzeard was considered. It was decided that a decision be deferred until the Council has the results of the data loggers.

21. Work to improve Common Land areas – Lamberts Quarry and Laverton Quarry (South).

- a) An estimate of £110 plus VAT for undertaking spraying to control nettles at Lamberts Quarry was approved. **Action: Cllr Lobley to instruct contractor.**
- b) Cost of controlling bracken, balsam etc at Laverton Quarry (South) to be finalised prior to approval. **Action: Cllr Lobley to obtain costings – item to be placed on agenda for meeting on June 8.**

Date of next meeting: Extraordinary meeting scheduled for June 8 and ordinary meeting scheduled for June 29 to be held remotely commencing 7.30pm.

Meeting Closed at 21:40

Dated 30.05.2020

PARISH CLERK

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