

Wybunbury Parish Council

12th February 2024

Commenced: 7.30 pm

Terminated: 9.40 pm

Present: Councillor Lightfoot (Chair)
Councillors Cheshire, Clark (Part), Denby, Ellison-Jones (Part),
Guilliard, Howcroft, Pike and Thomas

Councillor Clowes – Cheshire East Councillor

There were 5 Members of the Public in attendance at the meeting

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Buckingham.

2. DECLARATIONS OF INTEREST

Members were reminded of their individual responsibilities in declaring interests and their responsibilities relating to this matter as detailed in the Councillor Code of Conduct.

- (i) The Chair declared his interest in matters relating to the Village Hall, as he was a Trustee;
- (ii) Councillor Clark declared her interests in matters relating to Sally Clarke's Lane as land owned by the Parish Council was her neighbour and also in Brook House which was a planning matter on the Agenda;
- (iii) Councillor Pike declared his interest in matters relating to the Village Hall, as he was the Secretary of the Village Hall Committee;
- (iv) The Chair asked Councillor Ellison-Jones to declare an interest in matters relating to the Village Hall, as the Parish Council was a neighbour and his properties were listed on his Register of Interests, but he declined to declare his interest.

3. MINUTES

The Minutes of the proceedings of the Meeting of the Parish Council held on 8th January 2024 were approved as a correct record and signed by the Chair.

Councillor Ellison-Jones wished to record his objection to paragraph 3 on Minute 3, as he felt that because the Minutes were not a verbatim record, they did not represent a true reflection of the discussion. Three Members agreed that paragraph 3 was accurate; four Members abstained and two Members objected (one being Councillor Ellison-Jones).

4. WYBUNBURY VILLAGE HALL RENT REVIEW

At this juncture, Councillors Clark and Ellison-Jones left the meeting completely and did not return. Councillors Lightfoot and Pike left the room.

Councillor Howcroft, the Deputy Chair took the Chair.

Members discussed a report circulated by Councillor Buckingham proposing a Village Hall Rent Review. Detailed discussions ensued on the best way forward, in Councillor Buckingham's absence.

RESOLVED

- (i) That Councillor Buckingham be requested to present his report to the next meeting of the Parish Council;
- (ii) That the Village Hall Committee be invited to produce a written response to Councillor Buckingham's report, and present it to the next meeting of the Parish Council.

Councillors Lightfoot and Pike returned to meeting and Councillor Lightfoot resumed the Chair.

5. PUBLIC FORUM

There were no matters raised by Members of the Public.

6. CHESHIRE POLICE REPORT

The Clerk read a report from Cheshire Police, relating to the following Parish incidents in January 2024.

- 01/1. Violence: Moorlands Drive, no concerns for the wider public.
- 02/1. Highway Disruption: Winehill Road, flooding.
- 04/1. Assault; Annions Lane, more of a road rage incident.
- 13/1. Fraud: Bridge Street, vehicle related.
- 22/1. RTC: Junction Back lane, Bridge Street, no injuries.
- 23/1. Violence: Moorlands Drive.
- 26/1. Violence: Stock Lane, incident on Cockshades.
- 26/1. Domestic Incident.
- 28/1. Road Related Incident. Annions Lane, reports of a drink driver.
- 30/1. Suspicious Vehicle: Back Lane, vehicle seized, possibly used in crime.
- 30/1. Fire: Main Road, vehicle intentionally set on fire, ongoing investigation.
- 31/1. Criminal Damage: Main Road, extensive damage to vehicle.
- 31/1. Drugs: Main Road, information about drug taking.

RESOLVED

That the report be noted.

7. WYBUNBURY PARISH COUNCIL PUBLICATION SCHEME

Members were asked to consider and approve the circulated Publication Scheme. The Clerk explained that the Publication Scheme detailed the information published and to be published by the Parish Council, together with an explanation of where the information could be found. The scheme was based on a document from the Information Commissioner's Office.

RESOLVED

That the Wybunbury Parish Council Publication Scheme, as circulated, be approved.

8. WYBUNBURY PARISH COUNCIL GDPR POLICY

Members were asked to consider and approve the circulated Wybunbury Parish Council GDPR Policy. The Clerk explained that the GDPR Policy detailed the type of information held by the Parish Council.

RESOLVED

That the Wybunbury Parish Council GDPR Policy, as circulated, be approved.

9. EXTERNAL AUDITOR REPORT

The Clerk reported that the following documents had been published as requested by the External Auditor, following the completion of the External Audit:-

• External Auditor Reports for Publication

- (i) Document containing completion letter, a Notice of Conclusion of Audit template and fee invoice;
- (ii) Sections 1 & 2 of the Annual Governance & Accountability Return (AGAR) on which the External Auditor report was based;
- (iii) Section 3 of the AGAR which included the External Auditor's 'interim' report already issued to the Parish Council;
- (iv) Final External Auditor Report and Certificate.
- (v) Completed Notice of Conclusion of Audit.

- **Request from External Auditor to collate and take to Full Council for approval, the Council's formal response to her requests for information regarding ongoing issues that may impact on the 2023-2024 AGAR**

The Clerk reported that the Parish Council had been asked to formally respond to the requests of the External Auditor in relation to ongoing issues which might impact on the 2023-2024 AGAR. Responses were required for the following queries (italics copied and pasted queries from External Auditor):-

1. *Licence for access to rear of property.*
We have received an allegation that the access given to "XX" had also been applied for by other members of public but was refused. Please could you investigate this with the Council and inform us of the outcome of your investigation so we can take a view on whether it impacts the 2023/24 AGAR.

RESOLVED

That the following response to the External Auditor relating to her query, be approved:-

The Parish Councillors present at this meeting, are unaware of a formal request for access, over the last 9 years. Furthermore there is no evidence of this request on the Agenda or the Minutes.

2. *Assertion 3 – failure to declare interests by members of the Council. We have noted the following occasions when members have not declared their interests in agenda items. As a result, the Council must respond 'No' to Assertion 3 of the 2023/24 AGAR and we recommend that all members are reminded of their individual responsibilities in this regard.*

RESOLVED

That the following response to the External Auditor relating to her query, be approved:-

On 5th February 2024 the following Members of Wybunbury Parish Council attended comprehensive training from Mrs Jackie Weaver the Chief Officer of Cheshire Association of Local Councils: Councillors Buckingham, Cheshire, Clark, Denby, Guilliard, Howcroft, Lightfoot, Pike and Thomas;

As a result of this training, a Member of this Parish Council, has withdrawn from the Sally Clarke's Lane Group;

The Parish Council will abide by the Cheshire East Code of Conduct in relation to Members' Interests;

Each Member of this Parish Council will submit a Register of Interest form on an annual basis;

The Parish Council will be establishing an Internal Controls Sub-Committee.

10. MEMBER TRAINING BY CHALC

It was noted for the record, that the following Members of the Parish Council attended the training session with Mrs Jackie Weaver, the Chief Officer from Cheshire Association of Local Councils, in relation to internal controls of the Parish Council in particular, relating to the Councillor Code of Conduct:-

Councillors Buckingham, Cheshire, Clark, Denby, Guilliard, Howcroft, Lightfoot, Pike and Thomas.

RESOLVED

That the report be noted.

11. ASSET REGISTER

The Clerk circulated the 2024-2025 Asset Register for consideration and approval.

RESOLVED

That the Asset Register appended to these Minutes as Appendix 1 be approved, with the inclusion of a sum of £1800 for fencing, being allocated against the Sally Clarke's Site.

12. RISK ASSESSMENT

The Clerk circulated the 2024-2025 Risk Assessment for consideration and approval.

RESOLVED

That the Risk Assessment appended to these Minutes as Appendix 2, be approved.

13. INTERNAL CONTROLS SUB-COMMITTEE

To comply with Best Practice, it was agreed that an Internal Controls Sub-Committee be established. The Members appointed would meet in March 2024 to review and scrutinise the 2023-2024 procedures and in particular the AGAR. The Clerk would draft some Terms of Reference for approval at the next meeting of the Parish Council.

RESOLVED

- (i) That an Internal Controls Sub-Committee be established;**
- (ii) Councillors Thomas; Howcroft; Guilliard and Pike be appointed to sit on the Internal Controls Sub-Committee.**

14. FINANCE AND BUDGET 2023-2024

(i) Approval of Payments

Members were asked to approve the following payments:-

PAYEE	PURPOSE	£
PKF Littlejohn	External Audit	£1,317.00
PQR Shires	Additional invoice for backpay	£19.80
CHALC	Year End External Audit Training for Clerk	£30.00
Pension Scheme	Clerk Pension (Jan)	£203.33
Clerk	January Salary	£771.55
Clerk	Reimbursement for refreshments	£8.44
CHALC	Individualised Training	£337.50
R Bate	Lengthsman – Invoice 085	£70.00
R Bate	Lengthsman – Invoice 092	£50.00
R Bate	Lengthsman – Invoice 093	£50.00
R Bate	Lengthsman – Invoice 094	£50.00
R Bate	Lengthsman – Invoice 096	£50.00

RESOLVED

That the payments detailed in 14(i) above, be approved.

(ii) Royal Bank of Scotland – Bank Reconciliation

Members considered the future use of this bank account for Parish Council business.

RESOLVED

That a cheque be raised to close the Royal Bank of Scotland Bank Account and the funds be paid into the Unity Trust Bank.

(iii) Budget Head Expenditure – Royal Bank of Scotland and Unity Trust Bank

Members received the following Budget Head Expenditure 2023-2024 for the Royal Bank of Scotland and Unity Trust Banks at the 31st January 2024:-

Budget Head	RBS SPEND	UNITY BANK	BUDGET ALLOCATED
Clerk's Salary	£6,668.97	£2,393.48	£10,000.00
General Admin	£1,194.19	£144.00	£200.00
Member Expenses	£120.00	£0.00	£240.00
External Audit	£0.00	£1,317.00	£250.00
Internal Audit	£250.00	£0.00	£400.00
Insurance Parish Council	£1,174.01	£0.00	£600.00
Insurance Village Hall	£0.00	£750.08	£850.00
Subscriptions	£489.51	£0.00	£400.00
Lengthsman	£1,411.25	£0.00	£1,200.00
Training	£0.00	£30.00	£500.00
Sally Clarke's Lane Maintenance	£2,680.78	£0.00	£2,000.00
Planter Bedding Plants	£691.20	£0.00	£5,000.00
Christmas Decorations/Tree	£0.00	£0.00	£250.00
Village Hall	£0.00	£75.00	£1,000.00
Wi-Fi	£306.42	£0.00	£400.00
Grass cutting	£240.00	£0.00	£1,500.00
Additional SID	£5,315.98	£0.00	£1,500.00
Village Maintenance	£1,738.97	£214.39	£2,000.00
Shires Accountancy	£160.20	£0.00	£200.00
Poppy Wreaths	£40.00	£0.00	£70.00
Neighbourhood Plan	£0.00	£0.00	£1,000.00
Laptop for Clerk	£319.00	£0.00	£250.00
King's Coronation	£58.00	£0.00	£1,250.00
Chair's Allowance	£250.00	£0.00	£250.00
Unity Bank	£25,500.00	£2.35	£25,500.00
	£48,608.48	£4,926.30	£56,810.00

The Clerk suggested that in order to avoid spending funding allocated for other projects, the Parish Council should not spend more than £1,638.00 during each month of February and March.

RESOLVED

That the report be noted.

(v) Unity Trust Bank – Bank Reconciliation

Members received the following Bank Reconciliation for the Unity Trust Bank as at 31st January 2024:

<u>Bank Reconciliation 31st January 2024</u>	
WYBUNBURY PARISH COUNCIL	
Financial year ending 31 March 2024	
Prepared by: Muna Clough, Parish Clerk & RFO	
Balance per bank statements as at 31st January 2024	£
Current Account Number (20492216)	£28,553.88
Less: any unmade payments	£2,416.88
Add: any unbanked cash	£0.00
Net bank balances as at 31st January 2024	£26,137.00
The net balances reconcile to the Cash Book (receipts and payments account) for the year, as follows	
<u>CASH BOOK</u>	
Opening Balance @ 1st December 2023	£500.00
Add: Receipts in the year	£30,563.30
Less: Payments in the year	£4,926.30
Closing balance per cash book [receipts and payments book] must equal net bank balances above	£26,137.00

RESOLVED

That the Bank Reconciliation be received.

15. SALLY CLARKE'S LANE PROJECT

Councillor Denby reported on the following updates from the Sally Clarke's Lane Group:-

- Alternative funding was being sought since the unsuccessful bid for lottery funding;
- A public engagement survey had been created to support another bid for funding;
- The project specification was being tightened to reduce expenditure.

RESOLVED

That the report be noted.

16. PLANNING MATTERS

Members considered the following planning matters:-

- **New Planning Applications**

- (i) Reference Number 24/0382N: Location: Brook House, Sally Clarkes Lane, Wybunbury, CW5 7ND. Proposal: Partial demolition and rebuild to include internal and external modification and replacement garage

RESOLVED

The Parish Council recommends that this application be approved in principle, subject to any considerations that the officers may have in relation to design, drainage and access.

- (ii) Reference Number 24/0444N: Location: 5, Valebrook Drive, Wybunbury, CW5 7LT
Proposal: certificate of proposed lawful development to replace flat roof with pitched roof.

RESOLVED

The Parish Council raises no objections to this proposal subject to the new roof treatment matching the existing roofing.

- (iii) Reference Number 24/0238N: Location: 4, Churchfields, Wybunbury, CW5 7LL
Proposal: Rear single storey extension.

RESOLVED

The Parish Council notes that this application appears to be within permitted development rights, but asks that planning officers assess the remaining available amenity space.

- Decided Planning Applications
- (iv) Planning Application 23/3615N First floor extension to side over existing garage, single storey extension to front and changes to elevations, 24, Dig Lane, Wybunbury, CW5 7EZ. Members noted that this application had been approved with conditions on 23rd January 2024

17. HIGHWAYS GROUP REPORT

Councillor Thomas updated Members on matters relating to the SID on Bridge Street.

RESOLVED

That the report be noted.

18. PARISH COUNCILLOR REPORTS

Members received the following updates:-

Cemetery Maintenance

The Clerk reported that she had been advised that the condition of the cemetery gates would be considered at the next meeting of the Parochial Church Council, to be held in April.

The Chair referred to information received from ANSA which had been previously circulated, containing a programme of repair to the Church yard.

RESOLVED

- (i) **That the report be noted;**
- (ii) **That the Clerk advises the Parochial Church Council that if they can provide the oak posts then volunteers from the Parish Council will provide labour to install them, at no cost.**

19. BOROUGH COUNCILLOR'S REPORT

Councillor Clowes reported on the following matters relating to the Parish:-

- Whilst the maintenance of the cemetery was the responsibility of the Parochial Church Council, she would be looking to discuss the best ways to manage organic/green waste on the site. A suitable receptacle was required, together with appropriate management arrangements for its disposal;
- There would be a road closure in the Village due to the replacement of lead pipes;
- Councillor Clowes would continue to report potholes. She encouraged residents to take photos and send them to her, as these would add weight to her reports;
- The Cheshire East Council Budget Report would be discussed on 27th February. The financial situation remained bleak.

RESOLVED

That the report be noted.

20. DATE OF NEXT MEETING

It was noted that the next meeting of the Parish Council would be held on Monday, 11th March 2024 at 7.30 pm at Wybunbury Village Hall.

21. URGENT ITEMS

There were no items that required consideration as a matter of urgency.

22. LOCAL GOVERNMENT ACCESS TO INFORMATION ACT – EXEMPT ITEM

The Clerk updated Members on the request from a former employee.

RESOLVED

That the report be noted.

WYBUNBURY PARISH COUNCIL 2024-2025 ASSET REGISTER

ASSET	COST/VALUE
Wybunbury Village Hall	Rebuild cost £642,000
5 Notice Boards	£15,680.00
Defibrillator and cabinet	£1,400.00
Public seats (10)	£1,980.00
Tower floodlights	£2,500.00
Planters	£200.00
Tower lych gate light	£40.00
Portable SID	£2,000.00
4 SIDs	£17,000.00
Overhead projector and screen	£750.00
Grit bins	£1,140.00
Village signs	£7,400.00
Tree holder	£300.00
Christmas lights	£540.00
Bunting	£50.00
Storage container	£3,000.00
Gas Beacon	£1,350.00
CSW speed check device	£100.00
Laptop	£319.00
Laminator	£20.00
5 mixed Waste bins	£1,750.00
4 Dog waste bins	£1,400.00
Filing cabinet	£183.54
Sally Clarkes Lane Site	£1,800
Sally Clarkes Lane Sign	£156.00

TOTAL ASSETS - £703,058

Wybunbury Parish Parish Council Risk Assessment 2024-2025

Identified Risk	Potential consequence of risk	Assessment of impact (H/M/L)	Likelihood of risk occurring (H/M/L)	Controls in place to manage risk	Required Action
Loss or damage of physical assets owned by the Parish Council.	Assets unable to be used. Expense of replacing assets.	H	M	Regular inspections and appropriate maintenance take place. Adequate insurance of assets. An up to date register of assets.	Regularly review the insurance and update the register of assets accordingly.
The risk of damage to third party property or individuals as a consequence of the Parish Council providing services or amenities to the public.	Risk of litigation should an individual or third party property become injured or damaged.	H	M	Public liability insurance. The Parish Council does not provide any services to the public. The use of the Village Hall is covered by liability insurance.	Ensure adequate insurance. Parish Councillors and residents to report concerns to Cheshire East Council
Loss of cash through theft or dishonesty.	The Parish Council may be unable to provide its services. Damage to reputation of the Parish Council.	H	L	Monthly bank reconciliations are carried out. Internal audit carried out annually.	All payments recorded at Parish Council Meetings.
Security and maintenance of documents and equipment.	Risk of loss of Parish Council records or property.	H	L	Documents are backed up and Officer equipment safely stored when not in use.	Purchase of Microsoft 365 enables Cloud storage. The website provider keeps back ups.
Banking arrangements, including borrowing or lending.	Loss of income through poor investment of funds. Bank charges incurred through unauthorised borrowing.	L	L	The budget is monitored each month. The Clerk can request payments, but payments are authorised/released by two named Parish Councillors.	Regular bank reconciliations are carried out before each Parish Council meeting.
Keeping proper financial records in accordance with statutory requirements.	Qualification of accounts by external auditor.	M	M	Cash book is maintained throughout the year. At the year end, financial statements are produced from the cash book and adopted by the Parish Council. Files are maintained listing all invoices in order of payment.	Payments are presented at Parish Council Meetings.

APPENDIX 2

Identified Risk	Potential consequence of risk	Assessment of impact (H/M/L)	Likelihood of risk occurring (H/M/L)	Controls in place to manage risk	Required Action
Ensuring all business activities are within legal powers applicable to local Parish Councils.	Ultra-vires expenditure could lead to local elector challenge. Possible external auditor investigation / public interest report. This would result in increased fees and bad publicity for the Parish Council.	M	H	All payments are authorised by the Parish Council at Parish Council meetings.	The minutes record all decisions regarding spending
Ensuring that all requirements are met under employment law and HMRC regulations.	Fines for not meeting requirements. Liability for unpaid tax. Risk of legal action from employee.	H	M	Payroll records are maintained each month by an external provider. The Parish Clerk has a contract of employment which is reviewed annually.	Employment contract for Parish Clerk approved by Parish Council. Monthly Parish Council meetings confirm salary and associated HMRC payments.
Ensuring that all requirements are met under Customs and Excise regulations.	Entitlement to reclaim of VAT for a period being lost.	M	L	VAT is recorded separately in the cash book. VAT invoices are retained.	VAT returns are submitted regularly.
Ensuring the adequacy of the annual precept within sound budgeting arrangements.	The Parish Council would not be able to meet its objectives due to lack of funds.	H	L	The Parish Council set a budget annually in the annual budget meeting. Actual expenditure against budgeted expenditure is reported to Parish Council at each meeting.	Requirements of forthcoming year, discussed thoroughly at Parish Council Meeting and Precept agreed on the basis of future expenditure requirements.
Proper, timely and accurate reporting of Parish Council business in the minutes.	The Parish Council could be open to challenge if they do not have an accurate record of any decisions taken.	L	L	Minutes are taken at each Parish Council meeting by the Clerk, these are properly numbered and are approved at the next Parish Council meeting. Periodically, Minutes are taken to the official storage building at Cheshire Records Office.	To continue existing practices.
Responding to electors wishing to exercise their rights of inspection.	An elector could complain if they are not able to exercise their right of inspection.	L	M	A notice is put up on Parish Council noticeboards notifying electors of their right to inspection of the accounts during the relevant inspection period.	The Clerk to respond promptly to requests and to notify the Chair and Deputy Chair.

APPENDIX 2

Identified Risk	Potential consequence of risk	Assessment of impact (H/M/L)	Likelihood of risk occurring (H/M/L)	Controls in place to manage risk	Required Action
Proper document control.	Increased fee from the internal auditor or external auditor if there is a poor audit trail.	L	L	All documents are scanned and filed electronically. There is an audit trail from the cash book to supporting documentation.	All agenda items are now included on the website, so every document and decision is open and transparent
Register of members' interests and gifts and hospitality in place, complete, accurate and up to date.	Possible complaint by elector.	L	M	The Parish Council has adopted the Cheshire East Council Code of Conduct. Members have also received individualised training on Members Interests from CHALC	This is to be updated when necessary but always on an annual basis
Disaster Recovery	Loss of essential records	M	M	Secure online data storage.	Cloud storage
Restrictions on meetings imposed by COVID	Inability to conduct Parish Council business due to not being able to hold face:face meetings	H	H	Consider holding Parish Council meetings using zoom if preferable	Virtual meetings can be held if necessary
Supplier fraud including the adequacy of supplier onboarding controls	Loss of finances from goods paid for but not received	L	L	Payment is usually made via personal credit card. Reimbursement to the Officer or Parish Councillor is then made by the Parish Parish Council	Extra research if payment is to be made in advance

APPROVED AT MEETING HELD ON
12TH FEBRUARY 2024

SIGNED CHAIR:

SIGNED DEPUTY CHAIR: