APPROVED

MANATON PARISH COUNCIL

MINUTES OF THE MEETING HELD ON 14 SEPTEMBER 2015

Present: M Hardwick (Chair), R Drysdale, M Eveleigh, S Kirkup, M Richards.
In attendance: M Jeffery, M Wylie (Clerk).
Apologies for absence received: C Butcher.

Minutes of Previous Meeting
The Minutes of the previous meeting held on 13 July 2015 were approved.
Matters Arising
There were no matters arising.

Resignation of Councillor
The Clerk reported that Cllr Hydon had resigned with effect from 3rd September . The procurement of a co-opted member to replace her was discussed and it was agreed that the matter be considered again at the next meeting. Cllr Richards agreed to take over responsibility for planning matters pending a replacement being found.

Annual Return for 2014/15
The Clerk tabled the draft Annual Return for 2014/15. The Clerk noted that her record-keeping systems had been inspected by the internal auditor, SW & W Internal Audit, and found to be satisfactory.
IT WAS RESOLVED that the Annual Return be approved and signed by the Chairman on behalf of the Council for submission by the Clerk to the Council's auditors.

Adoption of Governance Procedures
The Chairman referred to the package of proposed governance documents circulated prior to the meeting comprising an amended set of standing orders, financial regulations, code of conduct and complaints procedure. The Clerk was asked to check and report back at the next meeting as to whether a member's home address had to be disclosed under the code of conduct rules if such member had no other disclosures to make.
IT WAS RESOLVED that all such governance documents be formally adopted in full without amendment.

2015/16 Budget
The Chairman noted a formal budget for the current year had not been approved by the Council even though the precept had been set for the year. The Clerk tabled a cash flow analysis of year-to-date income and expenditure noting that the Council could expect to have a residual credit balance in its bank account by of the end of the current year of at least £2,000 taking into account all expected cash flows.
IT WAS RESOLVED that the situation needed to be regularised and a formal budget in the form attached to these minutes was approved

Schedule of Payments Due
The Clerk tabled a schedule of payments due a copy of which is attached. t was noted that this schedule would be required to be presented by the Clerk at every meeting in the future and that it would have to be authorised and signed by a member of the Council other than the Chairman prior to any payments being made. It was also noted that in accordance with the financial regulations that had been adopted, the Clerk was required to present on a quarterly basis (i) a statement of receipts, payments and balances against budget, and (ii) a bank reconciliation which had to be verified and signed by a member other than the Chairman. The next such quarterly statement and bank reconciliation were due at the next meeting in October.
IT WAS RESOLVED that the schedule of payments due be approved and that Cllr Drysdale authorise and sign the said schedule.

APPROVED

Signing of Cheques

The Clerk reported that Lloyds Bank had still not confirmed the new signatories on the Council's bank accounts so the only way in which cheques could be drawn to make payments was if the second signatory was one of the previous members of the Council who were still on the signatory list. It was noted that it would be highly irregular to allow the authorisation of payments of public money to be in the hands of people who were not elected members of the Council and that it was quite likely that the auditor and/or internal auditor would regard this as a significant breach of regulations.

IT WAS RESOLVED nevertheless that in this instance past members of the Council who were still signatories would be asked to sign the cheques in settlement of the payments currently due as second signatory but that this would not permitted in future.

The Playground

The Chairman reported on his findings with regard to the apparent uncertainty as to whether the Council was actually liable for the maintenance and insurance of the playground next to the cricket field and that after consultation with other members, he had padlocked the gate to the playground and put up a notice of closure in order to eliminate any risk until the matter was resolved. The question of whether the Council's safety inspection protocol was adequate was also discussed and Cllr Jeffrey agreed to investigate whether Teignbridge District Council could provide advice on this matter. The Chairman agreed to report on progress at the next meeting.

IT WAS RESOLVED that the Council's decision to close the playground on 1 September and keep it closed until these matters were resolved be ratified.

Insurance Schedule & Asset Register

It was noted that the Council's asset register and schedule of insured assets were out of date and contained errors. The Clerk was asked to correct the register and notify the insurers of the following errors: (i) the Clerk had no equipment at her home belonging to the Council, and (ii) no replacement cost was shown against playground equipment even though it appeared to be insured against third party claims.

Planning

The Clerk reported that an application to prune the trees at St. Winifreds had been received. Members had no comments to make on this application and it was agreed that the Clerk would respond accordingly.

Cllr Eveleigh reported that there was a tree overhanging telephone wires next to the road near Mellowmead and there was a danger that it could fall and cut the cable as well as cause injury to passing cars and pedestrians.

IT WAS RESOLVED that in view of the urgency of the situation Cllr Eveleigh be authorised to find a contractor to cut the tree down safely without further reference to the Council and that a budget of up to £200 be approved for this purpose.

Assets

Cllr Eveleigh reported on the continuing risk of the deep ditches in the woodland behind the tennis court at Mellowmead and on the potential for injury to the public from overgrown trees. It was agreed that Cllr Eveleigh would investigate the situation further and obtain information on who might be able to undertake a professional risk assessment on behalf of the Council. The question of what might be done generally with the Mellowmead land for the benefit of the community was also discussed.

Manaton Games Court Association ("MGCA")

Cllr Kirkup raised the question of whether the Council would be happy to renew the arrangements with the MGCA for the management and maintenance of the tennis court on behalf of the Council when the existing lease expires in 2017 and it was agreed that the Council would be happy to do so in principle subject to a review of detailed terms at the time. The Chairman reported that he had reviewed the constitution of the MGCA and received confirmation that their insurance against third

party risks was in place. He then reported on his findings with regard to the continuing dispute over £120 claimed by the MGCA and recommended that the payment be made.
It WAS RESOLVED that the outstanding amount of £120 accordingly be paid thereby settling the dispute.

Parish Hall Committee
The Chairman reported that following consultation with and the agreement of other members, he had provided a letter of support on behalf of the Council to Viridor Credit to whom the Parish Hall Committee had submitted a grant application for the funding of improvements to the Parish Hall.

Transparency Code
The Chairman reported that he had only recently been advised that all councils in England were now subject to a new set of laws called the Transparency Code with effect from 1 April this year. The effect of these new laws was to require more detailed public disclosure of the finances and activities of councils principally through websites. It was noted that grant funding was available to meet the additional costs of compliance and Cllr Drysdale agreed to look into the implementation of the new requirements on the Council's web pages and into making an application for funds if appropriate. In this connection it was also noted that the Clerk was using her own computer and related equipment for her work for the Council and that this was not considered good practice from the point of view of Data Protection law. It was agreed that recommended guidelines should be followed and that she should have a separate computer with a separate password dedicated exclusively to the Council's business. The Clerk agreed to look into the possibility of getting funding for the cost of this equipment.

Correspondence Received
The Clerk reported that a letter had been received from the former tree warden requesting that the cider apples in the orchard be picked and it was agreed that the Clerk should respond confirming the Council's agreement.

Other Business
The Chairman raised the issue of the confusing status of the different charities that own or lease various parcels of land in the village and the question of who the trustees in each case actually are. It was agreed that this would need further investigation.2

Next Meeting
To be held on Monday 12 October at 7.30pm in Manaton Parish Hall.

Signed…………………………………….. Date…………………………..

Manaton Parish Council Chairman