

# HEMINGSTONE PARISH COUNCIL

## Draft MINUTES of the Extraordinary meeting of the Parish Council held at The Hut on Thursday, June 23rd, 2022 at 7.30pm

PRESENT: Cllrs Mohammed Touman, David Byrnard, Jason Fayers and Dave Penny, (Cllr. Dave Penny acted as clerk).

### **1/230622 Apologies and approvals of absence**

District Cllrs. John Whitehead and Tim Passmore, County Cllr. Chris Chambers and Cllr. Claire Martin

### **2/230622 Declarations of Interest and dispensations requested** None.

### **3/230622 Approval of the minutes of the meeting held on May 12th, 2022**

The Minutes were approved.

### **4/230622 Public comments on matters on the Agenda**

No members of the public were present

### **5/230622 To review any planning updates from the including land adjoining 2 Rectory Cottages and no.2 Hare and Hounds Corner**

- The following update was received in respect of the land adjoining 2 Rectory Cottages

“The case remains ongoing. The owner believes he holds a Lawful Development Certificate for the caravan and can visit up to 28 days per calendar year. However, the Certificate he refers to allows for storage and occasional visits – it says nothing about a caravan or, indeed, the buildings that have also been observed on the site.

I am sending a further letter to advise that he has 28 days to remove the caravan. If he fails to comply with this request, an Enforcement Notice will be issued which will compel him to remove the caravan. The Enforcement Notice can of course be appealed, and it is my belief that the owner will do so.

All of this means that there is unlikely to be a resolution in the next few months. However, it is our belief that the caravan contravenes planning control, and we will continue to take enforcement action to remedy the issue. I appreciate the Parish Council’s patience while we follow due process.

I hope this helps and I will of course update you with any further details as appropriate.”

- No updates have been received with respect to 2 Hare and Hounds Corner
- Although not on the agenda Cllr. Touman wished to discuss further why the Parish Council was not pursuing any further action on the issues related to Retreat East and in particular the car park extension. Considerable discussion was had regarding the importance of adhering to the planning process in general, to which we were all in agreement. Nevertheless, taking into account

Signed: *Mohammed Touman*

Date: *7/07/2022*

BMSDC's response, Cllrs, Byrnard, Fayers and Penny were of the opinion that, in this case, there would be no benefit to anyone in the Parish Council taking any further action.

#### **6/230622 To consider any financial matters and deal with any payments due**

The clerk stated that as far as he was aware payments were still due to SALC Financial services, The Clerk and Councillor Penny for expenses incurred. In addition, payments were due to Peter Funnell for reimbursement of expenditure related the Hemingstone Environment Initiative localities grant funding award, and were also due to Gipping Valley Press. Receipts and invoices had been forwarded to Cllr. Touman on receipt. The chairman replied that there were only 2 cheques remaining and that he was not using them until he was able to arrange for a new cheque book.

Councillor Touman also informed the council that he had also been unable to obtain bank statements to date. The Parish Council, therefore, continue to be unable to produce bank reconciliations and validations

**ACTION: Councillor Touman has, as a matter of urgency, been making arrangements for the Parish Council to have a suitably functioning bank account since being actioned to do so at the Parish Council meeting on December 9<sup>th</sup> 2021 and will continue to do so**

#### **7/230622 To review any documentation necessary in preparation for the internal audit**

Following a review of the internal audit by the Acting Clerk in February / March of 2022 and in conjunction with a document produced by the previous Clerk entitled 'Issues arising from the SALC Audit 2020/21' that was presented to the Parish Council at the Parish Council meeting on 16<sup>th</sup> September 2021 under item 10, the following outstanding documents and actions were reviewed and actioned, having largely previously been read and also prior to this meeting by those present.

[Note: From the minutes of the Parish Council meeting held on 9<sup>th</sup> December 2021: **"3/091221 Approval of the minutes of the meeting held on September the 16<sup>th</sup>, 2021** Due to the sudden death of the Clerk and minute taker and the minutes not being found, it was not felt that any present could recall the minutes accurately enough. **ACTION: Councillor Touman to seek further guidance from SALC."**]

- Hemingstone Financial Regulations were formally adopted
- Hemingstone Parish Council is applying for an exemption –AGAR 2021/22 as it is a smaller authority where the neither the gross income nor gross expenditure exceeded £25,000 in the year of account ended 31<sup>st</sup> March 2021 under Section 9 of the Smaller Authorities Regulations 2015.  
Cllr. Touman had asked if the clerk could help with this prior to the meeting. However, he felt unable to properly do so as the document needs to be signed by the Chairman and the RFO. He had stood down as RFO in April as previously minuted.
- Although the Hemingstone Parish Council Risk Assessments were referred to in the agenda items and attached documents in the call for Councillors to attend the September 16<sup>th</sup> meeting, the Acting Clerk has not been able to locate the documentation. As the previous Clerk's paper documentation is stored at Councillor Touman's house, the Acting Clerk had asked Councillor

Touman if there was a paper copy available. At the time of the meeting this had not been found. Councillor Byrnand said he would also look and come back to us should he be successful. It is recommended that this is reviewed at the next meeting.

- The insurance cover was reviewed at the meeting on 16<sup>th</sup> September and records show that shortly after this meeting, cover was increased to £10,000 in order to include the picnic tables and waste bins.
- An analysis of variances should be published on the website, showing the difference between the current and previous year's expenditure and income with explanations. This has not been possible due to the financial information being unavailable.
- The asset register, having been reviewed and confirmed at the September 16<sup>th</sup> meeting was again reviewed and confirmed.
- It was confirmed that the correct CIL return, a link to the register of interests on the BMSDC website and accessibility statement were all available on the website
- Although the data protection policy had been reviewed and adopted at the September 16<sup>th</sup> meeting, it was again reviewed and adopted.
- Councillor Touman wished to go through the internal audit documentaion to see what might be required. However, it was felt that this had been largely covered by the above and the below and, in the Acting Clerk's opinion, the areas that we were likely to fall down on were related to incomplete financial documentation and oversight which had not been possible due to reasons previously explained.
- The Parish Council agreed to adopt the Model Councillor Code of Conduct 2020 as updated 17<sup>th</sup> May 2021
- Councillor Touman had had a preliminary meeting with Tina Newell, who we agree to employ to complete any possible further work in preparation for the internal audit and had been sent the documents that were sent to the Parish Councillors prior to this meeting. We agreed that she would be employed at a rate of £22.50 / hr for a maximum of 10 hours plus £5 office expenses per week over the next 2 weeks, commencing 27<sup>th</sup> June. She has asked for the following:
  - 1. Bank statements from 01.03.2021 up to and including 30.04.2022
  - 2. Copies of insurance certificates to cover the period 01 03 2021 to 31 03 2022.
  - 3. A list of Parish Council owned assets including purchase cost and insurance value if possible.
  - 4. Confirmation of your reserve account as at 01 03 2021
  - 5. A copy of the AGAR forms from 2020/21 if you have them.
  - 6. A copy of your risk assessments if you have them.
  - 7. Your login and password for the Parish Council website
  - 8. A copy of all sales invoices.

- The Parish Council agreed with Cllr. Touman's recommendation that we appoint Trevor Brown as our internal auditors due to the fact that it would be approximately £70 cheaper than SALC.

**ACTION: The Acting Clerk to complete these draft minutes as soon as possible and Councillor Penny to continue to update the village website, with particular urgent regard to publishing the documentation adopted or referred to above as appropriate**

**ACTION: Councillor Touman to contact Trevor Brown and to support Tina Newell as appropriate**

### **08/230622 Urgent matters to be brought to the attention of the Parish Council**

With respect to finding a new Clerk, the 2 leads that Councillor Penny followed up shortly after the last meeting were not successful. Councillor Touman has reviewed the advertisement on the SALC website and increased the pay offered.

Councillor Penny restated that he wished to stand down as Acting Clerk. He will, of course, provide any appropriate assistance that may be needed to Tina Newell and the Chairman in preparation for the internal audit and to the internal auditors. He will also provide a statement with the status of actions in progress and continue updating and improving the website.

Cllr. Penny also stated that he intends to stand down as Parish Councillor at the next meeting

Date of next meeting was set for 15<sup>th</sup> September 2022