

NORTH TAWTON TOWN COUNCIL

Town Clerk – Melanie Bickell

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Cllrs are summonsed to the Full Council Meeting of North Tawton Town Council:

Tuesday 7th May 2024 at 7.30pm – Town Council Office

Melanie Bickell (Town Clerk)

Date of issue 30th April 2024

PUBLIC NOTICE – RECORDING OF MEETINGS

The Council, members of the public and the press may film/record/photograph for live and/or subsequent broadcast this meeting only when the public and the press are not lawfully excluded.

Any member of the public who attends a public meeting and wishes to object to being filmed/recorded/photographed should raise their concerns with the any person recording the meeting. The Town Council are not recording this meeting and do not accept liability for any 3rd party recordings.

AGENDA

- 50.24 TO ELECT A CHAIRPERSON – LGA 1972 s.15.** As current chairperson, Cllr Lee will invite members to nominate themselves or propose a fellow member to stand for Chairperson. All Nominations require to be seconded. Nominees must accept the nomination prior to any voting. Chair to sign declaration of acceptance.
- 51.24 TO ELECT A VICE CHAIRPERSON –** Members to nominate themselves or propose a fellow member to stand for Chairperson. All Nominations require to be seconded. Voting will be in the order of nominations received by a show of hands with a majority decision. Vice-Chair to sign declaration of acceptance.
- 52.24 APOLOGIES FOR ABSENCE -** To receive apologies from Councillors unable to attend.
Cllr Ranford has tendered his apologies
- 53.24 DECLARATIONS OF INTEREST -** Councillors are invited to declare any personal or disclosable pecuniary interests, including the nature and extent of such interests they may have in any items to be considered at this meeting.
- 54.24 MINUTES to be approved as a true and accurate record**
54.1. 2nd April 2024 – Full Council Meeting
54.2. 10th April 2024 – Estates Committee Meeting
54.3. 18th April 2024 – Extra-Ordinary Council Meeting
- 55.24 PUBLIC PERIOD**
In accordance with standing Orders 3(f), Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend **in respect of the business on the agenda only.**
Please quote agenda item number where applicable. Time is limited to 2 minutes per person. In accordance with standing order 3(f), a question shall not require a response at the meeting nor start a debate on the question. The chair of the meeting may direct that a written or oral response be given.
- 56.24 REVIEW OF MEMBERSHIP OF COMMITTEES**
56.1. Finance Committee appointment of Members, Chairperson & Vice-Chair – Cllr Ranford wishes to remain on the Committee.
56.2. Estates Committee appointment of Members, Chairperson & Vice-Chair – Cllr Ranford wishes to remain on the Committee.
56.3. Transport Committee appointment of Members, Chairperson & Vice-Chair – Cllr Ranford wishes to remain on the Committee!
56.4. Personnel Committee appointment of Members, Chairperson & Vice-Chair
- 57.24 REVIEW OF SCHEME OF DELEGATIONS – (Doc 57.24)** To review the Scheme of Delegation to Town Clerk/ RFO and committees and resolve any changes or ratify existing document as fit for purpose
- 58.24 REVIEW OF COUNCIL POLICIES AND PROCEDURES**
58.1. Code of Conduct - Cllrs to review and ratify the current NTTC Code of Conduct as fit for purpose – paper copy personally issued to all Cllrs following election and available on council website

- 58.2. Standing Orders** Town Clerk advises members that new model Standing Orders are being released by NALC imminently and recommends the Council to defer a full review until that time.
Cllrs Ranford, Palfrey, Whiteley, Watson, Mathis asked for a special motion on 7th May 2024 to amend Standing Orders 3w that a meeting should not exceed 2 hours instead of 2.5 hours as currently.
paper copy personally issued to all Cllrs following election and available on council website
- 58.3. Financial Regulations** Town Clerk advises members that new model financial regulations are being released by NALC imminently and recommends the Council to defer a full review until that time.
Cllrs Ranford, Palfrey, Simmons and Mathis asked for a special motion on 7th May 2024 to amend Financial Regulations 1.14 and 4.1 to remove the Committees spending limit of £12,500 and raise it to £25,000 before formal tender process is required.
paper copy personally issued to all Cllrs following election and available on council website
- 58.4. Council Insurance** The insurance was renewed on 1st September 2023 under a current 3-year LTU, with Aviva (BHiB insurance brokers) which ends 31.8.25.
- 58.5. All remaining Council policies and procedures** (Doc 58.5.24) Members to prioritise policies they wish to be reviewed otherwise each remaining policy will be reviewed over a 2-year period on a rotational basis.

59.24 REVIEW ANNUAL SUBSCRIPTIONS AND REGULAR PAYMENT MANDATE (Doc 59.24)

To approve the list of pre-approved payments by the Council. These 'made' payments will still be reported to each full council meeting within the financial schedule

60.24 CLLR APPOINTMENTS TO BE CONFIRMED (Doc 60.24)

- 60.1. S.106 Monitoring Group
- 60.2. Denbrook Community Fund
- 60.3. Neighbourhood Plan Monitoring and Review Group
- 60.4. Climate Working Group
- 60.5. Project Development Group
- 60.6. Okerail
- 60.7. Patient Participation Group
- 60.8. PCC Councillor Advocates
- 60.9. North Tawton Schools Land Charity

61.24 2024-25 MEETING SCHEDULE (Doc 61.24) To approve the schedule of full council and committee meetings as per the agenda document

62.24 PLANNING APPLICATIONS for Council determination

- 62.1. [0774/24/FUL](#) 8 Letherens Meadow North Tawton EX20 2FQ, Full planning application to permit a new self-build single dwelling for Plot 7 (based on the outline approval 3043/15/OPA), applicant Sara Speers

63.24 YEAR END PROCEDURES AGAR 2023/24, required by Law (Annual Governance and Accounting Return) – to be presented by Town Clerk/RFO

- 63.1. **Internal Audit Report** (Doc 63.1.24) Cllrs to consider and approve the internal audit report for 2023/24 as per the agenda document. Cllrs will need to consider the internal audit work performed and internal audit arrangements in place between 1 April 2023 and 31 March 2024 before confirming compliance with assertions 2 and 6 of the Annual Governance Statement
- a. *I note that the Receipts and Payments method of accounting is currently being used and I recommend that a move to Income and Expenditure is investigated, depending on this current financial year's purchase and payment figures, in line with requirement.*
RFO Response – the RFO has prepared the 2023-24 accounts in Income and Expenditure on the prediction that the council turnover will continue to exceed £200,000 in the next financial year.
 - b. *the June 2023 minutes on the website are in draft format and I recommend that this is changed.*
Clerk Response – Completed
 - c. *The reason for Councillor absences at meetings are not being recorded and I recommend that this is considered for transparency reasons.*
Clerk response – this is being recorded in a separate public register which is published on the council's website at the end of the year. Reasons for absence are given at each meeting but not recorded in the Minutes for safeguarding purposes.
 - d. *Care should be taken not to enter the names of residents into the minutes as a usual practice, as advised by NALC.*

Clerk response – members of the public ask to be named in the minutes. Their request/consent is minuted.

- e. *A Locum Clerk has been used during the year and has been paid gross, as a contractor. I recommend that advice is sought from HMRC prior to any further payments of this type as it is NALC's understanding that Locum Clerks should usually be paid through a Council's PAYE system.*

Clerk response - The personnel committee will be meeting over the Summer to advertise for a deputy Town Clerk/RFO to erase the need for a locum (minuted 2nd April 2024). Personnel committee to meet and make recommendations for locum cover which could be sourced from a locum service provider who will payroll the locum and invoice the Town Council at approximately £25-£30 per hour.

- f. *PAYE 'in house' during the past financial year and 'outsourced' from 1/4/2024. The documents viewed appear to be in order with evidence of tax and employee/employer National Insurance deducted and paid to HMRC. I recommend that the Council checks the percentages paid for accuracy. [recommending that the Council checks the on-line HRMC PAYE system for correct input by the Clerk, as I have not done this, so checking that the correct NI and tax has been deducted. It's a double check and support for the Clerk mainly].*

Clerks' response – outsourced to external payroll provider.

- g. *year-end 31/03/2023 – the External Auditor's report highlighted 'the AGAR was not accurately completed before submission for review. Please ensure that amendments are corrected in the prior year comparatives when completing next year's AGAR:*

• *An outstanding credit card balance as at the year-end has been incorrectly included as a negative bank balance in the bank reconciliation, and the outstanding amounts incorrectly included as items of expenditure.*

The figures in Section 2, Boxes 6, 7 and 8 for the current year should read £168,807, £176,141 and £176,141 respectively.

• *The smaller authority has not restated the 2021/22 figure when revaluing assets in Section 2, Box 9. Please note that the Practitioners' Guide allows smaller authorities to use any reasonable valuation method, provided that the prior year figure is restated for consistency and comparability.*

Whilst the Clerk has confirmed that these actions have been accommodated, I recommend that the Council checks the documents prior to signing off this year's AGAR.

- h. *The AGAR documentation, although evidence of uploading to the website and publishing was seen, could not be easily accessed on the website at the time of this year's internal audit. The issue, a web manager matter, has now been resolved. I recommend that the website is checked regularly to ensure that all required documents are accessible.*

Clerks response – The upload history proved the date and time the documents were uploaded to the website in 2023, however, a fault on the web page commencing January 2024 would only allow financial documents uploaded in 2024 to be viewed – documents for previous years were available but the option to select was missing. This has now been corrected by the developer. The Council met its legal obligation to publish the AGAR documentation.

- i. *Year-end 31/03/2024 – the documents are currently being completed by the Clerk/RFO. The yearend bank reconciliation figures could not be fully checked due to a bank statement not being available at the time of the audit. I recommend that the Council checks the bank reconciliation figures for accuracy prior to AGAR sign off.*

Clerks' response – the cashbook and bank reconciliation are required to be 'signed off' prior to approving the year-end.

"Summary It is my opinion that proper practices have been followed by the Town Council during the past financial year and that robust systems of internal control are in place to support the lowering of risk. The recommendations listed within this report will, if followed, further support the lowering of risk to the Council going forward. I am pleased to report that the documentation viewed was in good order and that I have been able to sign off the AGAR Internal Report with no issues highlighted".

63.2. Annual Governance Statement assertions - AGAR Section 1 (Doc 63.2.24)

Cllrs to consider and approve the individual responses to assertions 1 to 9 of the agenda document, which is to be signed by the Chairperson and the Clerk upon resolution. During the external audit for 2023/24 NTTCC will be asked to give a public assurance in assertion 4 of 'Section 1 – Annual governance statement' of the AGAR, that we have done this in accordance with statutory requirements.

63.3. Annual Accounting Statement - AGAR Section 2 (Doc 63.3.24) agenda doc to follow pending receipt of NatWest bank statements for March 2024

Cllrs to consider and approve the annual accounting statement, bank reconciliation and significant variances as presented by the RFO in the agenda document, which is to be signed by the Chairperson upon resolution.

63.4. Exercise of Public Rights – Cllrs to approve the exercise of public rights between 3rd June to 12th July 2024 inclusive, to inspect the unaudited accounts of NTTC, to be published on the council website and noticeboard.

64.24 REPORTS & UPDATES

64.1. Clerks Delegated Authority report

- a. Freedom of information Requests** - Between 25th March and 18th April, 13 requests have been received for information and documents that are not available under the Council's Publication Scheme. The Council's approved and adopted Publication scheme, which was last reviewed December 2023, is the model publication scheme prepared and approved by the Information Commissioner (ICO) and will be valid until further notice. The scheme must set out the Council's commitment to make certain classes of information routinely available, such as policies and procedures, minutes of meetings, annual reports and financial information under the 7-classes of information.

Information held by the Council that is not published under this scheme can be requested and will be considered under the provisions of the Freedom of Information Act as stated in the policy document and ICO. <https://ico.org.uk/for-organisations/foi/publication-schemes-a-guide/>

The clerk requests that it be acknowledged and minuted that when considering all requests for information, she is acting in accordance with the Council's publication scheme and that the clerk has no authority to act outside of the council's approved policy or discretion to set aside the policy which is intended to protect the council and the clerk.

All outstanding freedom of information requests have been passed to Data Protection People to advise the Council on their response.

- b. Complaint of Direct discrimination by the Town Council** - On 25th March 2024, the council received a complaint of direct discrimination. On 5th April 2024 the complaint was dismissed with no case to answer on the advice of DAS Legal via the Town Council's insurers.
- c. GDPR Request for the right to be forgotten (erasure of personal data)** - On 10th April the council received a request for the right of erasure. On 19th April the request was refused following advice from ICO and DALC due to legal exemptions to the right of erasure.

64.2. Council Vacancy - WDBC have received sufficient signatures requesting a by-election but will not be publishing the notice of election for the existing vacancy until mid-May after the PCC Election.

64.3. Cemetery extension planning (Doc 64.3.24) - Clerk to provide an update following site visit with planning officer and planning consultant.

64.4. Annual Town Meeting – Matters raised for Council consideration to be added to the appropriate full council or committee future agendas.

64.5. Town Crier – 2 persons have been appointed, Brendan Cassells and Nigel Davies to share the role – Members to approve the working group to confirm costume colour, design, material and Clerk to obtain quotes based on final design for 2 garments - *Power to incur expenditure – Localism Act 2011 GPC, budget provision – general reserve.*

64.6. Clock Tower completion event – to mark the 137th anniversary of laying the foundation stone on 21st June 1887, an event will be held on Saturday 22nd June. Details to be provided at the meeting. *Power to incur expenditure – Localism Act 2011 GPC, budget provision – general reserve*

64.7. St Georges Day Flag – Complaint received from a member of the public that NTTC did not fly St George flag to commemorate St George's Day. Members to consider approval to purchase 6ftx3ft woven £60.42 + VAT – *power to incur expenditure – GPC, budget provision – general reserve*

64.8. Borough Councillors

65.24 FINANCE

65.1. 2023-24 Cash book (Doc 65.1.24) to be signed off by Chair *agenda doc to follow pending receipt of NatWest bank statements for March 2024*

65.2. Financial Statement (Doc 65.2.24) *agenda doc to follow pending receipt of NatWest bank statements for March 2024.* To receive and consider approval of the financial statement incorporating bank reconciliation, and invoices paid since last meeting.

65.3. Grant application – NT Bowling Club £233.00 installation of electrical supply to the defibrillator cabinet situated on the external wall North Street for public use. *Power to incur expenditure PHA 1936 s.234, budget provision – grants £4000 available*

66.24 DATE OF NEXT MEETING - Tuesday 4th June 2024 7.30pm Town Council Office