

ALBRIGHTON PARISH COUNCIL MINUTES – 12th May 2021

Minutes of meeting

Minutes of the Albrighton Parish Council AGM and business meeting held on Wednesday 12th May 2021 at 6.00 pm in the Red House.

Present

Cllrs. D Beechey, P Illes, M Medlyn, S Pledger, A Straney (left after 5 mins due to emergency at RAF Cosford), A Robinson, N Lumby

In attendance:

S Reynolds Clerk to Albrighton Parish Council, Rod Smith (Former Chairman)

6 members of the public

The Meeting was opened by Rod Smith who thanked everyone for their attendance.

21000. Election of the Chairman of Albrighton Parish Council.

Cllr. Sylvia Pledger was nominated and seconded as Chairman - Cllr. Pledger was duly elected chairman by the council.

21001. Declaration and Acceptance of Office.

The Declaration of Office must be signed by the newly elected Chairman.

21002. Cllr. Pledger signed the declaration of office for Chairman which was witnessed by the Parish Clerk.

21003. Election of Vice Chairman of Albrighton Parish Council.

Nominations were received for Cllr Nigel Lumby and Cllr A Robinson, who were both seconded and then the nominations were put to the vote.

Cllr. A Robinson 3 in favour, Cllr N Lumby 2 in favour - Cllr. Robinson was duly elected Vice Chairman by the council.

21004. Declaration and Acceptance of Office.

The Declaration of Office must be signed by the newly elected Vice Chairman.

21005. Cllr. Robinson signed the declaration of office for Vice Chairman which was witnessed by the Parish Clerk.

21006. Review of members' declaration of interests.

The Clerk reminded Councillors of their duty to ensure their disclosable pecuniary interests form were up dated as necessary. She explained that the forms should be submitted to the Parish Council who have to keep a copy on file, she would then ensure a copy was also sent to Shropshire Council, within the timeframe of 28 days of the election.

21007. To confirm the Responsible Financial Officer to the Parish Council.

Resolved: It was PROPOSED, SECONDED and AGREED by Councillors that Shirley Reynolds, Clerk to the Council be appointed as the Responsible Financial Officer for Albrighton Parish Council.

21008. To appoint an internal auditor for the 2021/22 financial year.

The Clerk informed Council that a thorough internal audit had taken place and it was agreed that this contract be renewed again this year.

Resolved: It was PROPOSED, SECONDED and AGREED that DM Payroll be appointed as internal auditors for the year 2021/22.

Action - Clerk

21009. To consider the Power of Competence

The Clerk explained that whilst the Council had a qualified Clerk in herself it did not have the two thirds elected Councillors which was required by law to enact this power. The loss of this power would mean that Albrighton Parish Council's expenditure under the Local Government Act (s137) would now be limited to only £8.41 per elector for the year 2021-2022 for items for which there was not a 'power' or law on which to spend. All monies spent under s137 would also have to be accounted for separately within the financial systems and the published accounts. Expenditure would be restricted and could not be used to benefit a single individual and amounts spent under s137 must be commensurate with the benefit to its area or residents. The Clerk gave an example of a purchase that the Council would now not have the authority to spend on and would need to use s137 which was for the purchase of the wreath for Remembrance Day.

21010. To elect committee members to council approved committees.

It was agreed to elect the proportionate number of members to the approved committees until vacancies are filled. The Clerk explained that as per guidance of s.99 of the 1972 Act it was good practice of most Councils and had been of Albrighton Parish Council to appoint an independent Chair of this committee and NOT the Chair of the Council. Members agreed to this and the Chairman asked Cllr Beechey if he would be Chairman of Finance & Personnel but it was left for this to be finalised at the first committee meeting.

Finance & Personnel Committee – Councillors Beechey, Pledger, Lumby, Illes – 1 vacancy

21011. To elect members to council approved working parties and outside organisations and members serving on them.

It was agreed that not all positions would be filled at this time to allow vacancies for newly co-opted members.

Council Working Parties

- Planning Working Party – Councillors Straney, Beechey, Robinson
- Flyer – Councillors Illes, Pledger – 2 vacancies
- Grants – Councillors Medlyn, Robinson, Straney – 1 vacancy
- Place Plan Working Party – Councillors Beechey – 3 vacancies

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Non-council bodies with council representation

- Albrighton & Donington Liaison Committee – Chair & Vice Chair.
- Albrighton in Relief Charity Committee – Councillor Medlyn.
- Area Committee of Local Councils – Councillor Beechey.
- Crime Prevention Panel – Councillor Lumby.
- Footpaths Committee – Councillor Illes.
- Local Joint Committee – Councillor Lumby.
- Local Nature Reserve – Councillor Illes.
- Melville Club – Councillor Illes.
- Albrighton Swimming Pool Action Group – Councillors Robinson, Pledger.
- Village Hall Committee – Councillor Illes.

21012. Closure of the Annual Meeting of Albrighton Parish Council.

ORDINARY BUSINESS MEETING OF THE PARISH COUNCIL.

21013. Apologies

To receive and approve apologies for absence. Members are asked to give their apologies direct to the Clerk.

Apologies received from: Cllr: A Straney (emergency at work)

21014. Declarations of Interest

To receive declarations under consideration on this agenda in accordance with the Localism Act 2011 s32 and The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012. Members must fill out the declarations of Interests Forms for submission.

Where a member indicates that they have a prejudicial interest but wish to make representation regarding the item before leaving the meeting, they must do so under item 4(D) of Public Participation.

None received

21015. Public Participation

Members of the public are invited to ask questions, make representations or submit comments on any item on the agenda. This is **LIMITED TO THREE MINUTES PER PERSON** – at the sole discretion of the Chairman.

A resident asked which Councillor had made the Subject Access Request (SAR) and why? The Clerk informed the resident that due to GDPR constraints she was unable to provide this information.

A further question was then asked by the resident, what were the financial implications of this request and who would pay for it? The Clerk informed the resident that the time and resources involved in complying with the request could be quite involved, the Parish Council could request a time extension to meet the request and it would be the Parish Council would have to bear the costs of meeting this request.

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Another resident asked about the vacancies on the council and how they could apply for these.

The Chairman said that these would be advertised in the parish magazine, but the Clerk explained that she had been tasked with filling these 8 vacancies by Shropshire Council, it was a requirement that they be filled within 35 days of the election. The Clerk had already advertised the vacancies in various ways, on all online social media platforms and also posters on the notice board and library window, she informed members that she had already received applications from interested parties.

It was agreed by the council that the closing date be extended for applications until 4pm 19th May 2021.

21016. Minutes of previous meetings:

To receive the minutes of the meeting held on 7th April 2021 & 5th May 2021

The Clerk had circulated the minutes to all Councillors and all comments received had been included, the minutes just required formal agreement.

Resolved: It was AGREED that the minutes of 7th April 2021 and 5th May 2021 were adopted as true and accurate records.

21017 To consider the receipts & payments up to 30th April 2021.

Expenditure

Date	Cheque	To Whom Payable	Reason	Amount
07/04/21	FPM	Grenkeleasing Ltd	Qtrly lease charge Equipment	118.80
13/04/21	DD	West Mercia Energy	Gas charges	155.60
13/04/21	DD	West Mercia Energy	Electricity charges	107.06
13/04/21	DD	Fuel Genie	Flyer fuel charges March 2021	134.38
14/04/21	FPM	Amazon	PC Peripherals	24.22
14/04/21	FPM	Keith Gibson Cars	AD Blue for Flyer	16.50
14/04/21	FPM	Viking Ltd	Copy paper, stamps, staples etc.	61.24
14/04/21	DD	Mainstream Digital	Fraud prot & call charges	3.55
19/04/21	FPM	TFM Farm & Country Ltd	Jeyes Fluid 5 litres	32.48
19/04/21	FPM	WaterPlus	Surface water chg Nov- March 21	157.67
19/04/21	FPM	AJ & AP Field Signs	Engraving of Honour Boards in gold leaf	350.00
19/04/21	FPM	BT PLC	Qrtly Line charge	27.86
19/04/21	FPM	HMRC	PAYE/NI Contributions March 21	1332.24
22/04/21	FPM	Shropshire Council	Pension Contributions April 21	1708.95
23/04/21	FPM	Mike Nicholls	Window Cleaning April 21	50.00
23/04/21	FPM	GB Copier Systems	Meter reading inv 113086	31.20
23/04/21	DD	BT PLC	CCTV & Library line charge	94.80
23/04/21	FPM	Albrighton Parish Council	Salaries – April 2021	5113.82
26/04/21	DD	Ald Auto	Flyer April 21 lease charge	713.41
27/04/21	FPM	SALC	ALC Affiliation fees 2021-2022	1535.86
27/04/21	FPM	DM Payroll Services Ltd	Internal Audit Review 20/21	210.00
28/04/21	DD	Veolia Ltd	Duty of Care March 21	4.00
30/04/21	FPM	B G Ground Maintenance	Patshull green 2 cuts April 21	140.00
30/04/21	FPM	Shropshire Council	HR Fees Invoice 7111699	480.00
				Chairman's Initials

Income

	Payment			
Date	Type	Payer	Reason	Amount
01/04/21	BACS	Nationwide Building Society	Interest on business account	3.61
07/04/21	Cash	Albrighton Parish Council	Flyer cash 23 – 26 March 21	30.00
13/04/21	Cash	Albrighton Parish Council	Flyer cash 30 March – 1 April 21	56.00
19/04/21	BACS	HMRC VTR	Vat reclaims Jan- March 21	3571.19
21/04/21	Cash	Albrighton Parish Council	Library cash 12 – 17 April 21	94.85
21/04/21	Cash	Albrighton Parish Council	Flyer cash 6 – 9 April 21	29.00
23/04/21	BACS	Shropshire Council	Precept 2021/2022	163,800
28/04/21	Cash	Albrighton Parish Council	Flyer cash 13 – 16 April 21	54.00
28/04/21	Cash	Albrighton Parish Council	Library cash 19 – 24 April 21	35.56
28/04/21	Cash	Shropshire Council	Flyer subsidy 2021/2022	9,600

The Clerk asked members if they had any questions, Cllr Illes stated that he was relieved to see that the subsidy had been received from Shropshire Council for the Flyer, the Clerk agreed and said that no commitment had been made for any future subsidy in the coming years. Members approved the income & expenditure for the month together with all internet banking transactions.

Resolved: It was PROPOSED, SECONDED and AGREED unanimously that the income & expenditure for the month together with all online banking transactions be approved.

21018. To consider the internal audit report

The Chairman asked the Clerk to take members through the report. The Clerk stated that the Internal Audit report had been circulated to all councillors for their consideration and that the only comment to note from the auditor was regarding the way the Flyer income was currently being received. In the previous year, the cash had been handed into the office, however, this was not happening and the cash sheets were being handed to a councillor or put in an envelope posted through a letterbox. The auditor drew Council's attention for the protection of the driver, other staff members and councillors it was important the cash was brought to the office by the driver so the cash amount can be agreed in the driver's presence.

The auditor highlighted that the council procedures are well organised and the accounting records are sound, and she thanked the Clerk, Shirley Reynolds, for her assistance in the internal audit review.

Cllr Illes stated that the current system for paying in the Flyer cash was not the correct process but it was only a sticking plaster and should be short term.

Resolved: It was proposed, seconded and agreed unanimously that the audit report be accepted.

21019. Correspondence

For action:

To consider resignation received from the Clerk

Cllr Medlyn stated that the Clerk should not be allowed to carry over her leave, she said that other staff members had used their leave and it had been custom and practice at Albrighton Parish Council that leave should be used within the year and she felt that the leave should not be allowed.

The Clerk explained that she had leave due from last year which she was entitled to take under The Working Time (Coronavirus) (Amendment) Regulations 2020 which gives employees the right to carry over up to 4 weeks leave to be taken over the next 2 years. The Clerk stressed that all key workers, of which the Clerk to the Council was, had the legal right to carry over leave and explained to council that the workload over the last year had been unprecedented and unlike other employees she had been unable to take leave as that would have left the council in a vulnerable position and financial systems/payroll would not have actioned. The Clerk also explained that this had been raised earlier in the year with both the Finance & Personnel Committee and Chairman, she had received an email from the Chairman in March agreeing that the leave would be carried over. Cllr Robinson then questioned the Clerk over the amount of leave she had and what her finishing date was, querying the date stated and how the leave had been calculated, she was then questioned further over what leave she had taken after Easter and where that leave was from. The Clerk said that she didn't have these details with her but her leave had always been agreed and signed off by the Chairman. She also reminded members that she was not prepared to have this grilling and to discuss her private employment details in a public forum. The Clerk had followed government guidance and had postponed her leave to the benefit of the Council. Council is obliged to follow the government legal directive over this matter.

Cllr Beechey stated that the most important thing was that a Locum Clerk was found and that he had contacted SALC over this, they had told him that many councils were experiencing difficulties in obtaining the services of a Locum Clerk so he had also contacted the councils' former clerk to see if he was available on a temporary basis. Cllr Illes stated that Albrighton Parish Council was faced with a position where it was losing a lot of knowledge and that the transition would be difficult and he asked that the former councillors and Clerk helped the council with this. The Clerk said she had received hostile emails from some Councillors, and the Clerk stated that she would be willing to help the council if she was treated with respect but was unwilling to help if she was not treated her in the correct manner. She explained that she could not give a firm commitment of availability as she did not know what her circumstances would be then as she would have commenced her new employment as a Chief Officer. The Clerk advised the council that the newly formed Finance & Personnel Committee should arrange to meet to discuss the way forward with the process of advertising the position.

Email:

To consider Subject Access Request received from an Albrighton Parish Councillor

The Clerk informed Albrighton Parish Council that she had received a Subject Access Request from a Councillor and that she needed to bring it to the attention of the council. The Chairman Cllr S Pledger then informed everyone that she had submitted this request and that she wanted copies of all the old minutes, emails, telephone calls, letters, notes of discussions etc. since 2018. The Clerk informed members that some documents are not retained by the council, those which are required to be kept are shown in Albrighton Parish Councils 'Document Retention Policy' which outlines all the documents the council have to retain legally. Not all supporting documents from past council and committee meetings would still be available, this policy is common with all other Town & Parish councils, otherwise Albrighton Parish Council would need a warehouse for storage. The Council only had a duty to retain certain documents and once minutes were approved some supporting documents would not be kept, and if documents were not now available it did not mean that they were not available at the time or that evidence hadn't been presented to committees at the time.

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The Clerk then explained especially for the benefit of new councillors that the responsibility to comply with the Subject Access Request lay with the council and not the Clerk and then read out the discussion she had had with the Information Commissioners Office who clearly explained that it was the council who were responsible in ensuring the Data Protection Act is complied with and the Subject Access Request fulfilled by providing adequate resources and staff to the Clerk who would have the task of searching the files. Councillors are not allowed to access files and other documents this is the responsibility only of the Clerk and her staff. The Clerk said she had already been through this activity with another Subject Access Request previously and that the resources and hours of time it would take for this Subject Access Request to be complied with, the cost of which would fall on this council.

Cllr Illes said that we are now on a new journey, with a new council and soon to have a new Clerk and he asked if Cllr S Pledger would withdraw the Subject Access Request but she said absolutely not, she wanted to see what evidence the council had, as she believed comments by previous Councillors recorded in minutes were untrue.

21019. Date of next meeting:

- a) Albrighton Parish Council meeting – Wednesday 2nd June 2021 at 6.00pm

It was asked that the meeting time be changed, the Clerk explained that this is a decision for the council and it should be included on the next agenda for discussion.

Cllr Illes then said that he would ask that former Senior Councillors provide information of projects that are currently underway to give the council a fighting chance moving forward.

Signed..... Date.....