

To be confirmed on 4th July 2022

Minutes of the meeting held on Monday 30th May 2022
at the Carus Centre, Hoddlesden

Welcome: Chair Welcomed all in attendance. Chair queried attendance of representative form BWDBC regarding declarations of interest. Acting Clerk advised no apologies had been received.

Present: Councillor S Pendry(SP) (in the Chair)
Councillors C Tyrie(CT), H Kershaw(HK), M Smalley(MS), L Taylor(LT)

Officers: G Cooper(GC) (Acting Clerk)

Members of the Public: unfortunately no members of the public were in attendance

RESOLUTIONS

0950 Apologies:

Non Received

0951 Declarations of Interest and Dispensation considerations

There were no declarations of interest.

Declaration of Interest Form received from Cllr LT

Action : All Councillors to complete Self Declarations prior and deliver to Clerk by next meeting. Clerk to contact Monitoring Officer at BWDBC around deliver of declaration forms.

0952 Minutes of last meeting

Resolved: That the minutes of the AGM meeting held on 16th May 2022 confirmed as a received, correct record **Prop:** Cllr HK **Sec:** Cllr CT. Approved by unanimous vote.

0953 Statutory Business

Elections: Nothing to report due to new council formed at May Election.

Planning: No Planning Received although Acting Clerk reported correspondence may not be being directed to New Council

Action: Acting Clerk to Contact BWDBC to confirm correspondence.

0954 Finance

a) Approval of Expenditure; Invoices received

Carus Centre Room Hire : £15

LALC Fees: £65:13

Zurich Insurance: 282:15

Cllrs Expressed concern regarding having invoices which the council are currently unable to pay and this was unsustainable. Acting Clerk referred to financial report as to the current financial position. Correspondence with the ERYCA committee confirmed they are comfortable to let the council use the centre for future meetings without payment until finances are resolved, invoices will be issued as normal. Correspondence with the Zurich confirmed 2months grace with the Insurance Policy to resolve finances.

Action: Acting Clerk to present fixed expenditure at next meeting to understand available expenditure for financial year 2022/23.

Financial Report

Acting Clerk reported the current financial position was unknown due to correspondence with Lloyds Bank being in regard to gaining access to the Parish Bank account. Until Access is gained the bank are unable to discuss the account. From records received Bank Statement dated 1st Feb 2022 stated Balance was £8328.18 however further cheques had been paid since this date and it is unclear if they had been cashed as no further records are available. Further to this Acting Clerk advised Mandate forms had been delivered to Monitoring Officer at BWDBC to assist in gaining Signature from previous council for the bank account. In addition, due to no 2021/22 accounts being available in the records the required governance audit is unable to proceed until this is resolved.

Cllrs again reiterated concern in the position the council has been left in and suggested support from officers at BWDBC was required to assist in recovering records to enable conducting business.

b) Receipt of Precept

Acting Clerk advised correspondence had been received from Finance officer at BWDBC that the precept of £2875.61 had been paid into the Parish Bank account 20/04/2022.

Cllrs expressed concern in how this could have happened and if the money could be recovered into a new bank account temporarily to be able to pay invoices and start conducting business in this financial year.

Action: Acting Clerk to contact Finance Officer to check if this is normal practice and explore the possibility of putting the precept into a new Parish Account.

c) Approval of year End Finances to 31st March 2022

Acting Clerk advised as in previous sections the information is not available from the previous council at the moment to be able to present information for an assistance is required to gather records that can be audited. The detail of gaps in the records is presented in the clerk's report and without this starting point, it will not be possible for the acting clerk to present evidence to an auditor.

0955 Matters Arising

a) Employment of new clerk

Chair advised that written permission had been received for his employer to be able to accept the position and that the offer had been made subject to contract. The contract is being prepared and should be available for the next meeting.

Action: Chair to confirm with LALC that contract is able to be used for the Clerks position.

b) Clerks report

See Report attached. Acting Clerk reported on correspondence to date and that 20hrs had been taken to date in conducting council business. Post this report Cllrs discussed that the current position was unsustainable and that this position was not what they had come on to the council to do. Cllrs expressed disappointment in the previous council and clerk in leaving the new council in this position where records were not available to continue business.

Cllrs expressed the need for this position to be limited as it was unsustainable. The Acting Clerk explained that the Monitoring officer at BWDBC mentioned about a Community Governance Review and that this could be explored in assisting the Parish going forward. Cllrs expressed disappointment in all supporting stakeholders (LALC, BWDBC, NALC) in the assistance given to date in recovering the state left from the previous council although were grateful in assistance in moving forward once this has been resolved.

Section in clerks report around correspondence from previous chair, Chair Cllr Pendry requested it be minuted that the allegation of assault by the previous chair as completely untrue and disappointment at the previous chair not responding to the query asked.

In final remarks the acting clerk stated that they were trying to create an inventory of records received from the previous council and that the notice Boards in the area are not in a good condition and require remedial work or replacement and that this should be considered at future meetings.

Meeting adjourned for 10 mins for refreshments break.

c) Completion of Parish AGM and Yearly Audit

On reopening the meeting the Chair declared the meeting in Special Measures with a suspension of all council business until the current issues are resolved. Councillors discussed the need for urgent support in resolving inherited issues was discussed. As described in the Clerks report the Yearly audit is unable to be achieved at present.

Action: Acting Clerk to write to Monitoring Officer BWDBC to request urgent meeting for assistance in recovering records and transferring bank account prior to next meeting.

d) Public Engagement and Future Council Business

Cllrs discussed possibilities for a summer fete, or Christmas event to re-engage with the public. Ideas on Councillor surgeries and reinvigorating previous council events like hampers for senior citizens and the garden competition were also discussed. However current financial restrictions mean that moving any of this forward cannot be done. Councillors then discussed how long they were prepared to manage the current situation. It was discussed that as there was no meeting in August if it was not resolved by then it was getting late in the year in September to do anything in this financial year. Therefore the council needs to conduct its due diligence to be able to move forward and if this is not possible the feeling was all councillors would be put in a position that will need to resign as they could not provide effective services to the community.

A Month was proposed until the next meeting before councillors were unable to sustain current deadlock.

Resolved: That one month would be given to resolve current finance and record issues before Councillors would consider resigning their positions. **Prop:** Cllr HK

Sec: Cllr CT. Approved by unanimous vote.

Chair accepted this position and referred to previous urgent action to contact BWDBC for support.

0956 Public Participation

As no public attended the meeting no participation available.

0957 Date and time of Next Meeting

4th July 2022 Carus Centre 7pm to 9pm.

0957 Close of Meeting

Chair thanked everyone for their attendance with a hope that current issues can be resolved quickly so the new council can move forward.

Councillor Scott Pendry,
Chair of the meeting.

The meeting closed at 8.25pm

DRAFT

Clerks Report 30th May 2022

Due to issues with the received Parish Records being incomplete since acting as clerk there has been a need to chase up numerous issues to move council business forward.

- Correspondence via the Chair 18th May with the previous clerk and chair regarding recovery of records the following is the pertinent part of the request

"This is an initial request as a result of trying to start gathering evidence for the internal audit, so I am sure you will understand how important it is that these records are recovered.

Rory in particular we appear to have gaps as below

1. *No accounts book available hard or soft copy listed as managed electronically*
2. *No soft copy electronic records of accounts as described in 2021 risk assessment mitigation statement*
3. *No bank statements from march 2022 inclusive*
4. *No visible PAYE records of clerk tax payments to HMRC as required by adopted finance guidance*
5. *No visible internal control payment procedures review to payments made as described in 2021 risk assessment mitigation statement*
6. *No visibility of correspondence with BWDBC of previous council members interest*
7. *No visibility of previous clerk contract of employment*
8. *No visibility of credit checks conducted on previous councillors as required by adopted financial guidance*
9. *No visible purchase orders or contracts for services provided to the parish as required by adopted financial guidance*
10. *No visible annual budget plan for finances to support precept payment for 2022/2023 or previous years*
11. *No visibility of payment of 2022/2023 precept*
12. *No records of quotes for services provided to parish council as required by adopted financial guidance*
13. *No visibility of Freedom of Information requests in records or monitoring of the risk identified in the 2020/21 risk assessment*
14. *No visibility of 2022 risk assessment*
15. *No visibility of business continuity plan as described in 2021 risk assessment mitigation statement*
16. *No visibility of VAT reclaiming procedure or records of previous claims as described in 2021 risk assessment mitigation statement*
17. *No visibility of clerks job description as described in 2021 risk assessment mitigation statement*
18. *No record of disposal records for previous years financial records*
19. *No visibility of insurance Policy, contact details and term for renewal*
20. *No visible records of correspondence between councillors, councillors to clerk etc. or previous councillor applicants interview records, CV etc.*
21. *No visible correspondence on complaints sighted in previous minutes*
22. *No visibility of soft electronic records of correspondence to the clerk and as described in 2021 risk assessment mitigation statement*

Matthew only issue is in regard to receipt of the backup electronic records as stated in the 2021 risk assessment.

Unfortunately The email received from the previous chair 18th May did not answer the request. The following is the substantive part of the reply.

"I find it incredulous that you should feel it appropriate to email me after your previous abhorrent displays as -

1) A member of the Parish Council

2) As a member of the public, after your resignation after assaulting me at a Parish Council meeting.

Further to the above, do not communicate again with me in any way. Furthermore, if you continue to do so, I will seek legal address. "

We are yet to receive a reply from the previous clerk.

- Correspondence with Lloyds Bank 19th May to gain access to the bank account and transfer signatures

Signature paperwork now with the Monitoring Officer at BWDBC due to Previous Parish Chairman being willing to deal direct with the new council

- Correspondence with the Lancashire association of local councils LALC 19th May through the chair. This has been very useful providing up to date Model standing Orders, financial regulations and Model clerks contract which need to be reviewed by councillors for adoption and update of existing documentation.
- Correspondence via the Chair from Easy Websites 19th May regarding a quotation for a Parish website including separate email addresses. Quotation received and forwarded to councillors for consideration it is recommend councillor discuss at future meetings.
- Correspondence with the ERYCA Committee 24th May who manage the Carus Centre to request continued use of the centre and delayed payment until financial activities can be resumed. Invoice received for AGM 16th May now pending payment.
- Correspondence with Zurich the parish insurer 18th May to 23rd May due to no record of the Insurance Policy being available. Policy has been received and confirmation that the policy will be extended for 2 months until financial activities can be resumed
- Correspondence with BWDBC 24th May regarding payment of the precept for 2022/23 to the Parish Bank account – **Still awaiting response**
- Correspondence from Paul Conlon BWDBC 25th May regarding completion of register of interest and the code of conduct. This was distributed to councillors 27th May for their consideration and information.