

SCARISBRICK PARISH COUNCIL

Minutes of the Meeting of the Parish Council held in the Scarisbrick Village Hall at 7.30pm on Monday 5th December 2022.

PRESENT:

Councillor J Herbert (in the Chair)
Councillor J Marshall
Councillor N Makin
Councillor C Berks
Councillor M Wood
Councillor S Roberts
Councillor C Marshall (arrived 7:31pm)

Mrs J Smith (Clerk) in attendance

There were no members of the public present

22/209 APOLOGIES:

Apologies were received from Cllr A Blundell, Cllr S Brake, Cllr A Pickersgill and County Councillor D O'Toole

22/210 DECLARATIONS OF INTEREST:

There were no declarations of interest.

22/211 MINUTES:

It was resolved that:

The minutes of the Parish Council meeting held on 7th November 2022 were a true record and should be signed by the Chairman.

22/212 ADJOURNMENT OF THE MEETING:

The meeting was not adjourned.

22/213 PLANNING:

The following applications were considered, and the decisions taken as shown:

Reference	Details	Applicant	Address	Resolution
2022/1146/FUL Response deadline: 09/12/22	Orangery extension to rear of property	Mr Garry Van	45 Pool Hey Lane, Scarisbrick, Southport, Lancashire, PR8 5HS	No objection
2022/1137/FUL Response deadline: 09/12/22	Application for removal of conditions 7 _ 8 of planning permission 2021/0915/FUL in relation to Noise Assessment and Vibration Survey	Mr Carl Melia	11 Bescar Lane, Scarisbrick, Ormskirk, Lancashire, L40 9QN.	No objection
2022/1174/FUL Response deadline: 23/12/22	Demolition of existing bungalow and erection of new 5 bedroom, 2 storey dwelling	Mr David Smith	33 Hall Road, Scarisbrick, Ormskirk, Lancashire, L40 9QB.	Objection: Proposed development is not in keeping with the conservation area.

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22/214 FINANCE:

It was resolved to approve the following accounts for payment:

	Payee	Detail	Amount Payable £ (inc VAT where applicable)	Authority	Payment Type
1	The scheduled payment of the Clerk's salary as per contract of employment for December 22.			LGA 1972, s112 (2)	Electronic 30/11/22
2	Ormsby Memorials	Cleaning of War Memorial. Inv 5164	150.00	War Memorials (LA Powers) Act 1923, S1 as extended by LGA 1948, S133	Electronic
3	Scarisbrick Village Hall	Hire of Hall Remembrance Sunday Event for the local community. Inv: 1001	48.00	LGA 1972, s111 (1)	Electronic
4	Microsoft	MS365 2nd Oct to 1st Nov. Inv : E0200KPJHN	19.92	LGA 1972, s111 (1)	Credit Card
5	M Winnard Landscapes	Grass Cutting as per contract. Inv 136	3150.00	Open Spaces Act 1906,s 10	Electronic

22/215 SPC WORKING GROUPS:

ROAD TRAFFIC WORKING GROUP (RTWG):

The Speeding on Southport Rd Options and Recommendations report was considered.

It was resolved to:

Install 2 SPID columns on Southport Rd A570 at locations to be identified by RTWG in conjunction with Lancashire County Council Highways Dept.

Delegate authority to the Clerk, as the Proper Officer of the Council, to arrange purchase and installation of columns within the available budget.

MILLENNIUM WOOD WORKING GROUP (MWWG)

The installation of signage in the Wood, as recommended by the arboricultural survey was considered.

It was resolved to:

Delegate authority to the Clerk, as the Proper Officer of the Council, to arrange purchase and installation of signage within the available budget.

Approve the disbanding of the working group as all tasks have been completed

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22/216 INTERIM INTERNAL AUDIT REPORT APRIL TO SEPTEMBER 2022:

The interim internal audit report was considered and is attached to these minutes. The auditor's comments on the effective systems of financial control and excellent transparent systems and documentation were noted and the Clerk was congratulated on, again, achieving a high standard of financial management.

There was further discussion on the other recommendations/findings included in the report as follows:

Recommendation 1: It was noted that some 67% of the Council's budgeted expenditure was in relation to own administration; this is considered to be high although for smaller Councils this is always problematic.

Council Response: The auditor's concern is noted. However, the Council believes that this assessment is more appropriately made at year end as many non-administrative invoices are presented and settled in the second half of the year.

Recommendation 2: The filed copy of the budget should be noted as approved at a dated meeting and signed by the Chairman. *Council Response: A copy of the budget is approved, signed by the Chair, dated and filed. This is in the form of the minutes for the January finance meeting. It is also published on the Council website.*

Recommendation 3: Consideration should be given to making Agenda items specific in looking for Council's approval or otherwise. Words like "To consider" must be avoided. Similarly, Minutes must be precise as these form the authority of a Council's work and expenditure; for example, "It was resolved to: Approve the amendments to financial regulations" is not specific nor acceptable. An absent Councillor could rightly claim that a decision taken resultant on an Agenda item to 'only' consider was unlawfully taken; this applies to a large number of 'Resolutions' taken.

It is always worth remembering that the Clerk sets the Agenda and Summonses Councillors to make decisions; the Council meeting is not a 'Talking Shop'. It therefore follows that the Agenda item should be so phrased. For example, "To receive a Proposition that the Bus Shelter at Dam Wood be replaced at a cost of £2,000". An erroneous example appears at Agenda Item 22/188 is described as an 'update' yet the Minutes state that a Resolution was made. In this case it is of little consequence yet never the less is 'illegal'.

Council Response: The auditor has stated his view that Council decisions resultant on the agenda instruction "to consider" are unlawful. The term is in common usage and no evidence has been offered in terms of statute or case law, neither was any supplied on further enquiry. However, the auditor's suggestions with regard to agenda construction are noted and will be taken under consideration. The Council accepts that a minor procedural anomaly occurred at item 22/188 but is disappointed that the word "illegal" is being used in this context

Recommendation 4: The law requires that loose-leaf minutes should be consecutively numbered as if in a folio book. *Council Response: Noted*

Recommendation 5: Minutes are the official record of decisions taken by the Council; they should not be a record of any detailed discussions or deliberations. All the necessary information from Councillors to be able to make informed decisions should be contained in the Agenda and supporting documentation. Verbosity in the minutes should be avoided. *Council Response: Auditor's comments noted and will be taken under consideration.*

Recommendation 6: Many Councils find that, in the interests of efficiency, it is useful to delegate the approved Budget to the Clerk so that approved matters may be dealt with without constant referral back to the Council; The Council may wish to consider this. *Council Response: Auditor's suggestion noted and will be taken under consideration as a future agenda item.*

Recommendation 7: With in excess of 90% of Planning Applications being dealt with by Officers at the Principal Authority, rather than a Planning Committee, most Town and Parish Councils have now opted to operate a similar "Call-in" system where Councillors are notified of Applications on receipt and then have the option to request the Clerk to include any contentious proposals on the Agenda. Applications not so dealt with are simply notes as "No Comment". *Council Response: Suggestion noted but concern expressed that this does not translate easily from principal authorities to a small parish council.*

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It was resolved that:

The Clerk should seek further guidance regarding the lawfulness of using the term 'to consider' for agenda items.

22/217 BUS SHELTER CLEANING:

The quote for the cleaning of the Perspex and wooden bus shelters was considered. Cleaning will be carried out twice per year at a cost of £450 per clean.

It was resolved to:

Accept the quote, with the first clean due in January 2023

Consider the delegation of the maintenance budget to the Clerk, as Proper Officer, to enable the agreed maintenance schedule to be completed.

22/218 FLOOD EQUIPMENT AND SHOPPING LIST:

There was a discussion regarding the location of units to store flood equipment for use by residents who needed to access it.

It was acknowledged that, due to delays and order times, the units will not be installed until the new year

It was resolved to:

Install the storage units at St Marks and St Elizabeth's

Delegate authority to the Clerk, as the Proper Officer of the Council, to arrange purchase and installation within the available budget.

Defer the consideration to purchase a temporary stock of equipment until January SPC meeting.

22/219 PARISH COUNCIL NEWSLETTER:

It was confirmed that there are volunteers who are willing to deliver a quarterly newsletter around Scarisbrick.

It was resolved that:

The quote from Replica Print be accepted

A small editorial group consisting of Cllr Makin and Cllr Berks will formulate editorial policy and manage publication. It will report back to the January SPC meeting.

The Clerk, as Proper Officer, has the final veto on the content of the newsletters.

22/220 LANCASHIRE COUNTY COUNCIL PUBLIC REALM AGREEMENT:

LCC delegate some public works to WLBC who then delegate to contractors. The standard of the works carried out are variable and quality control is missing from the system. For example, clearance of footpaths is very hit and miss and some footpaths are not accessible to all.

It was resolved to:

Provide feedback to LCC – Clerk to action

22/221 SPC MEETING DATES APRIL 2023 TO MARCH 2024

The draft meeting schedule was discussed.

It was resolved that:

Scarisbrick Parish Council Meeting 5th December 2022

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Due to the two bank holidays in May 2023 the Annual Parish Assembly should be held on Tuesday 9th May and the Clerk should contact Scarisbrick Hall School to establish if it would be possible to hold these meetings there.

The meetings on the schedule will be rotated around different venues in Scarisbrick to encourage residents to attend.

Clerk should arrange bookings at Scarisbrick Village Hall, St Marks Parish Centre, and Bescar Lane Methodist Church, and make further contact with other venues to establish availability.

22/222 CLERKS REPORT:

The Clerk's report was noted.

22/223 COUNCILLORS REPORTS AND ITEMS FOR FUTURE AGENDAS:

Cllr J Marshall reported that she had highlighted the issues in Hillock Lane with Borough Councillors.

Cllr Herbert reported that he had attended the WLBC Planning Committee to speak about the Mushroom Factory temporary access application. The Planning Committee had voted unanimously against the proposal but action has been deferred pending legal advice.

Cllr Makin reported on the data collected from the SPIDs located on Smithy Lane. A number of vehicles passing the SPIDs had been recorded at over 100 mph. This data will need to be reported in the newsletter and to the Police.

Cllr Herbert requested that the delegation of the maintenance budget to the Clerk be included as a future agenda item,

CLOSURE OF MEETING: The Chair closed the meeting at 9:15pm.