

**MINUTES OF THE PART I FINANCE, AUDIT & PERSONNEL MEETING
OF BIRCHWOOD TOWN COUNCIL, HELD AT
PARKERS FARM COMMUNITY CENTRE, 23RD JANUARY 2018 AT 6PM**

Present: Councillor Ellis in the Chair
Councillors Allman, Bowden, Evans, Fitzsimmons, Nelson and Reeves

Clerk – Mrs. F. McDonald
Deputy Clerk – Mrs. C Caddock
Business and Finance Officer - Mr. G. Crowe

Apologies: Councillors Atkin, M. Hearldon and T. Hearldon

Councillor Evans proposed, Councillor Reeves seconded and it was resolved that: The Minutes of the Council Part I Finance, Precept 2018/2019 Meeting held on 19th December 2017 be approved as an accurate record and signed by the Chair.

Code of Conduct – Declaration of Interests

The Chair reminded members of their responsibility to declare any personal interest or prejudicial interest which they have in any item of business on the agenda, no later than when the item is reached.

Councillors Ellis and Nelson – the Youth & Community Centre Committee

Councillor Allman – Spectrum Striders

Councillor, Bowden, Ellis and Nelson – Birchwood Carnival Committee

397/17-18 PAYMENT OF ACCOUNTS

Members were asked to consider and approve the payment of accounts schedule (see pages 225 and 226 below).

Councillor Evans **proposed** the Payment of Accounts be approved; Councillor Reeves **seconded** the proposal. This was **resolved** by those Members present.

PROGRESS REPORTS ON CURRENT FINANCE, AUDIT & PERSONNEL ITEMS

398/17-18 PRECEPT 2018/2019

The BAFO asked Members to note that, as authorised at the December 2017 Precept Meeting, a letter has been sent to Warrington Borough Council notifying it of the Town Council's precept requirement for the 2018/2019 financial year (£367,977).

The BAFO added that we have asked for the payment to go straight into our Nationwide Account when it is paid. This account has interest paid on it.

Money is moved across into our Co-operative account when necessary – keeping the Co-operative bank balance at around £85,000 maximum.

399/17-18 **BIRCHWOOD YOUTH AND COMMUNITY CENTRE**

For information, Councillor Nelson reported that the Youth and Community Centre Committee bank account is currently 'in the black'. There are, however, gas and electricity bills due.

Councillor Nelson said that the Youth and Community Centre Committee has put in an application to Galliford Try for grant aid, either in kind or financial, for assistance with clearing the gutters, maintaining the boiler and with portable appliance (PAT) testing. This application is going to their board on 31st January 2018.

The BAFO stated that when we asked for a quotation for repairs to our roof, he had enquired how much it would cost for the contractor to clean out the community centre's gutters. He was quoted £150 plus VAT.

Members thought that this was a reasonable quote given the size and height of the building.

It was suggested that if the grant application to Galliford Try is not successful, that the Town Council might consider paying the contractor to undertake the gutter cleaning as the building is situated on land owned by the Town Council and is available for the benefit of the whole community. Members agreed, in principal, that the Town Council would arrange and pay for this work to be undertaken, if necessary.

Councillor Ellis noted that the ceiling of the Youth and Community Centre is not insulated, which makes the building difficult and expensive to heat.

Councillor Nelson said that the potential for installing a false ceiling has been looked into, but it was decided that it would not be economical to do.

Councillor Ellis said that he would like to see the Youth and Community Centre being used for additional activities, such as a Repair Café.

It was agreed that this would be discussed further by the Youth and Community Centre Committee outside of tonight's meeting.

400/17-18 **BIRCHWOOD FOREST PARK RECREATION SCHEME/PROPOSED LIGHTING SCHEME**

The BAFO stated that further enquiries have not yet been made regarding this matter. It is not high on the list of the Town Council's priorities at present as there are currently so many unknown outcomes to other issues that might impact significantly on the Town Council's finances.

The BAFO stated that enquiries will be made with Spectrum Striders to ascertain if they would be interested in helping to fund the potential new lights in the park; however, we do not know what level of financial support they might be able to offer.

There is around £14k to £15k of funding required for the proposed scheme. It is not certain if the suggested number of lights would give sufficient additional illumination on the section of the path; enough to make it safer for pedestrians, cyclists, etc. to use during darker mornings and evenings and at night time.

Action Clerk's office to make enquiries with Spectrum Striders regarding the above.

401/17-18 **POLICE COMMUNITY SUPPORT OFFICERS (PCSOs)**

At the December 2017 meeting, the BAFO reported the Town Council has informed Cheshire Constabulary that it will not participate in the new scheme for 2018/2019, which invited Councils to consider employing a full time PCSO at approximately £33,000 per annum.

At tonight's meeting the BAFO asked Members to note that a further email had been received from the Cheshire Constabulary, confirming that the part funding option for PCSOs will cease on 31st March 2018. The email asked for a final acknowledgement that the Town Council intends to cease funding a PCSO from this date.

An email has been sent in reply, confirming that the Town Council will not fund an additional PCSO during the 2018/2019 financial year. The reasons for this were copied to the Police again, from the original email sent to them on 2nd November 2017.

402/17-18 **REPAIRS TO THE MEETING ROOM**

To note that the contractor who will be carrying out the internal repairs to the meeting room ceiling and part of a wall in the downstairs office, has indicated that he is able to undertake this work on 28th and 29th March 2018.

403/17-18 **BIRCHWOOD CARNIVAL**

The BAFO informed Members that the Birchwood Carnival Committee AGM took place earlier in the afternoon (23rd January 2018).

The BAFO said, as auditor for the Carnival Committee, he presented a financial statement to the meeting. A surplus of £1,925.21 was accrued from the 2017 carnival event, leaving the Carnival Account at £5,349.23. The account balance for the previous year was £3,424.02.

The BAFO stated that in May 2017, the Town Council resolved to underwrite the 2017 Carnival with a £4,000 grant to enable there to be a cash flow to book acts. The Carnival Committee has reimbursed the Town Council the surplus £1,925.21.

Therefore, the total amount of funding that the Town Council put towards supporting the 2017 Carnival was £2,074.79 plus the £1,604.46 (inc. VAT) for the portaloos and marquee/tables and chairs hire (total £3,679.25).

The BAFO said that last year's event had included improved attractions and the feedback had been good. He added that the Carnival Committee is looking at working along similar lines this year, offering different and varied attractions once more, in addition to the charity and local stall holders and food vendors and the fair.

The BAFO stated that in order to ensure various acts are available for the 2018 Birchwood Carnival, several have to be booked almost immediately. This requires the Town Council, as the main funder of the Carnival, either making a (grant) payment in full or paying a (grant) deposit within the 2017/2018 financial year for the following:

- (a) A payment of £395 plus £79 VAT (total £474) has already been made to secure the booking for the Rodeo Bull for the 2018 Carnival.
- (b) A payment of £225 plus £45 VAT (total £270) is required as a 50% deposit to secure the booking for the Stilt Walker/Bubble Performer for the 2018 Carnival.

- (c) A deposit payment of £253.50 plus £79 will need to be made in order to secure the booking for the Climbing Wall for the 2018 Carnival.
- (d) Although not yet notified of the percentage amount required, it is likely that a deposit will need to be made to secure the booking for the llamas – the total cost is £1,350.

Members **resolved** to formally approve the payments listed above to secure these acts for the 2018 Birchwood Carnival.

A general discussion took place regarding the Town Council's mechanism for supporting the Carnival annually.

The BAFO stated that it is unlikely that the Carnival will become a self-financing event. There is the possibility that Asda, Birchwood, will be able to sponsor one of the attractions and maybe able to offer some volunteers to assist on the day.

There is a £500 grant that was expected from the Community Chest for the 2017 Carnival which has not yet been forthcoming. This is being chased up by the Borough Council Rangers, Gaynor Kerry (Treasurer of the Carnival Committee) and Dave Hazlehurst.

The BAFO asked whether, in addition to the attractions listed above, Members wished to 'underwrite' other payments that will need to be made for the 2018 Carnival on the basis that it is a community event which is well-attended and much appreciated by both residents and visitors. An arrangement could be put in place, similar to that made for the 2017 Carnival, that any 'surplus' could be paid back to the Town Council, if that is what it wishes.

Councillor Reeves **proposed** and Councillor Allman **seconded** that the Town Council will underwrite the 2018 Birchwood Carnival, with an upper limit of £4,000. This was **unanimously agreed** by those Members present.

Councillor Nelson reported that the organisers of Woolston's annual event put a grant application in to Warrington Borough Council in the amount of £3,000 and were successful.

Councillor Ellis suggested that other local businesses could be approached by the Carnival Committee, possibly through Birchwood Forum, to ask if any would be able to help fund this community event.

Councillor Bowden suggested that the Carnival Committee could also contact Birchwood Park's Management Company, Patrizia.

Councillor Ellis said that he would be happy to speak to a representative of Sellafield.

Councillor Reeves said he would be happy to approach his employer, Wood Group (previously AMEC Foster Wheeler) to ask if they would be interested in sponsoring the Carnival.

Action Councillors Ellis and Reeves to make enquiries as noted above.

Councillor Ellis suggested that perhaps some local companies might like to have a careers stand at the Carnival.

The BAFO reported that the internal auditor undertook the interim audit review of the accounts for 2017/2018 on 15th January 2018. We are still awaiting the receipt of the auditor's formal report.

The BAFO said that he had spoken to the auditor on the day of the audit and he had given us a steer on three issues:

- (a) Whilst the auditor remains happy with the mechanism for payments to be approved and made, he suggested that in the interests of further transparency, perhaps once a month a Member of the Council could select five random payments, to double check that the amount on the invoices matches the amount listed on the bank statements.

The Council's accounting documentation has always been open for any Member of the Council to check, should they wish to.

Following discussion, it was agreed that Members of the Finance Committee could take on the role of a more formal monthly check.

- (b) The auditor noted that the Town Council is starting to make progress towards the upcoming changes to General Data Protection Regulations (GDPR) coming into force on 25th May 2018.

The auditor commented that he audits a lot of Local Councils and it is surprising how many seem to know nothing about the changes; which will potentially have a huge effect both in administrative time and financially on all organisations which handle personal data. There are also legal implications that everyone should be aware of.

The auditor appreciates that despite being so close to the implementation date for the new GDPR, there are still many unanswered questions from Government and the Information Commissioner's Office, in relation to the changes and how they will impact on Local Councils.

The auditor is aware of some guidance being given that Clerks/Council Officers should not take on the role of Data Protection Officers. (See also Minute 409/17-18 below).

- (c) The BAFO stated that the auditor had noted that there is a potential for the Town Council to 'lose' around £52,000 next year due to the proposed changes to the way the Council Tax Support Scheme is paid for.

At present the Borough Council pays this, but it has proposed that from the 2019/2020 financial year the Local Parish and Town Councils should have to absorb the loss of the grant that the Borough Council receives from Central Government to fund the scheme. The amount will vary per Council; it is dependent on the amount of residents affected within each specific Parish and various property 'bands'.

Until the Borough Council has formally made a decision in February 2018, we do not yet know if the Town Council will be financially affected.

The auditor asked the BAFO what the Town Council's strategy is should it find it is affected by this income loss.

The BAFO said he informed the auditor that he has done some modelling of possible financial situations and with the use of some reserves he believes that the Town Council will be able to continue offering similar services as it does now, with a modest precept increase.

Councillor Ellis said that he thinks a formal consultation with our residents would be required regarding the precept and services should the Town Council be subjected to the £52,000 decrease in income.

The BAFO said that the auditor has noted that the Town Council's reserves are well below the level that it is allowed to maintain. The auditor has advised that it would be acceptable for the Town Council to keep that same amount as our annual precept in reserves – which are approximately 25% of the precept at present.

The auditor had commented that if the Town Council, would as a policy, use its reserves to cushion the impact of the expected loss of income in 2019/2020, he would advise that the Council pass a resolution to formalise that reserves would be used to balance expenditure and acknowledge its potential impact on the Council's reserves and current earmarked reserves to meet service delivery commitments.

405/17-18 **ELECTRICITY – LOCKING STUMPS MULTI USE GAMES AREA**

The BAFO asked Members to note that, as agreed, a renewed 2 year fixed price plan costing approximately £108.99 per year (estimated) has been entered into with E-on, the company that we currently use to supply electricity for lighting at the MUGA.

406/17-18 **GRANT APPLICATION**

The BAFO asked Members to note that a replacement payment needs to be made to The Birchwood Lions in the amount of £100 – this is a grant donation towards the 2017 Community Remembrance Service.

The original cheque (501874) was presented to their bank by the Lions and came out of our bank account on 8th November 2017. However, whilst doing the banking reconciliation for December 2017 it was noted that an unaccounted for £100 was paid into our bank account on the same day.

Following queries made regarding our Co-operative Bank account and after speaking to The Lions, it appears that a banking error occurred; the £100 did not go into the Lion's account, but was somehow paid straight back into ours by mistake.

Members **resolved** that the replacement payment could be made to Birchwood Lions.

Action Clerk's office to make the £100 to Birchwood Lions via BACS.

407/17-18 **GENERAL ITEMS FOR REPORTING/NOTING**

To note that payment has been made for the annual renewal of the Clerk's subscription to the Society of Local Council Clerks (£233).

NEW FINANCE, AUDIT AND PERSONNEL ITEMS

408/17-18 BANK ACCOUNT RECONCILIATION

To receive from the Clerk the Town Council's Income and Expenditure Statements and Bank Reconciliation Schedules for the accounts period 1st April 2017 – 31st December 2017.

The payroll figure for November was £13,194.26 and £13,137.40 for December.

After consideration and approval by Members the schedules were signed by the Business and Finance Officer and the Chair.

409/17-18 GENERAL DATA PROTECTION REGULATIONS (GDPR)

The BAFO stated that there is a lot of information circulating at present regarding the new GDPR coming into force on 25th May 2018. Some of the information is contradictory; some appears to be quite technical. Nothing is confirmed at this point in time, which is a bit concerning so close to the date of implementation.

The BAFO asked Members to note the various documents received and articles that we have become aware of during the previous month regarding this matter:

- (a) To note an article published in LCR Winter 2017 written by NALC's Head of Legal regarding the latest updates relating to GDPR.
- (b) To note the content of an update issued by NALC in December 2017 re: GDPR. This suggests several possible options of ways in which Local Councils could be supported regarding this matter, as NALC is 'of the view that generally clerks cannot be data protection officers'.
- (c) Received – Information Commissioner's Newsletter – 11th January 2018.
- (d) From SLCC 14/12/2017 – 'GDPR: Can a Local Council's Clerk also be the Council's Data Protection Officer?' This article poses the question asked in its title – the answer to which is not yet certain, and suggests some alternative options.
- (e) From SLCC 18/01/2018 – 'GDPR – Important Information'. The SLCC is providing Data Protection webinars which summarise GDPR and provide information on how to ensure the Council is compliant.

The cost is £30 + VAT for SLCC members and £35 + VAT for non-members. We have booked a place on a webinar taking place on 8th February 2018, 10am-11.30am (£30 plus VAT).

The BAFO informed Members that various organisations are now offering their services as Data Protection Officers and it is possible that given the amount of detail that has to be considered 'independently' within this role, it is something that will need to be done by an organisation that has specialist knowledge.

SLCC has advised that 'It is essential that any person acting as DPO has expert knowledge of data protection law.'

The BAFO asked Members to receive and consider some information from our internal auditor regarding GDPR and services that they would be able to offer in regard to Data Protection Officer (DPO) and audit requirements relating to this matter.

The internal auditor made a specific note: *'It should be noted that it is the council that is responsible for compliance with data protection law and not the DPO whose key role is to independently assess compliance on an ongoing basis.'*

Our internal auditor is offering DPO services for £1,200 in year one, reducing to £1,000 in year two; from year three onwards there would be an annual increment to reflect consumer price inflation.

In comparison, NALC has looked at various organisations offering similar services, one of which appears to be looking to charge an £11,200 year one set-up fee to Councils with precepts of over £200k.

Members discussed the issue and, **in principal, resolved** that the Town Council does wish to employ specialist services from another organisation, to act as its DPO. However, at this point there is not enough information or alternative options to consider who this might be.

410/17-18 **EXTERNAL AUDITOR**

To note that the Clerk, Deputy Clerk and BAFO 'attended' a webinar earlier today; "PKF Littlejohn LLP - 2017/18 External Auditor Update for Smaller Authorities". This introduced the new external auditors and covered various issues relating to the submission of the Annual Governance and Accountability Return for the 2017/2018 financial year.

411/17-18 **GRANT AID TERMS AND CONDITIONS**

The Chair asked Members to consider the current Terms and Conditions of awarding grants, in particular item 10: "Grants will not be awarded for the payment of rent."

The Chair asked Members to consider a rewording of this condition as it could prevent some community groups, just starting up, from getting off the ground. Potential group members of new groups might find themselves in a situation whereby they cannot afford to pay for room hire to have a place to run the group, therefore they have no group to create an income, by whatever means, in order to become self-financing and to be able to pay the rent themselves.

Members discussed this matter and **resolved** that consideration could be put into the wording of the condition, to include some form of 'exception to the rule' and possibly a time limit, during which time (reasonable) rent could potentially be paid for groups just starting up.

Action Clerk's office to put together a suggested rewording of the condition to bring to the next meeting for approval by Members.

412/17-18 **2018 MOWING SEASON**

The Clerk/BAFO asked Members to consider whether they wish the Town Council to undertake the additional mowing services during the 2018 season.

Members resolved that they do want the Town Council to undertake the additional mowing services for the 2018 season

Action Clerk's office to inform the Borough Council of this decision.

413/17-18 **EMPLOYMENT LAW CONSULTANTS**

The BAFO asked Members to note that the renewal documentation has been received from SAS Daniels.

The BAFO asked Members to accept the Clerk and BAFO recommendation to remain with this supplier as our Employment Law consultants. The quote for renewal is £1,350 +VAT, i.e. the same as last year.

Members discussed the renewal quote and **resolved** that the Town Council will remain with SAS Daniels for Employment Law consultancy for the next year.

414/17-18 **GENERAL ITEMS FOR REPORTING/NOTING**

- (a) Received – from Zurich Insurance – information re: Risk Topic – Severe Weather Driving.
- (b) To note that ESI is booked to undertake our intruder alarm system, fire alarm system and equipment and emergency lighting annual services on 25th January 2018. There are 11 extinguishers that will require replacing during this service due to their ‘expiry’ dates (£399 +VAT for the extinguishers).
- (c) To note that Birchwood Town Council was selected to take part in a survey being undertaken by the Office for National Statistics to find out how businesses use flexible employment contracts. The Town Council is required by law to take part in the survey.
- (d) To note that the Fire, Health & Safety Audits were undertaken by Terrain, our specialist consultants, on 16th January 2018.

The BAFO reported that the Health and Safety and Fire Safety review documents have been received from Terrain following the audit. It is the Town Council’s statutory duty to ensure that issues raised in these documents, if any, are followed up and rectified where possible. The Clerk undertakes this responsibility.

- (e) To note that Terrain is supplying four training courses on 30th January 2018; the Working at Heights course will be undertaken by all staff. The Personal Safety and Manual Handling courses will be undertaken by all staff with the exception of the three most recent starters, who did the courses relatively recently. A Fire Safety Awareness course will be undertaken by one member of staff who was unable to attend the previous refresher course.

The BAFO stated that the Town Council has one more year on the current three-year contract with Terrain.

- (f) Received – included in one of the NALC Chief Executive Bulletins - details regarding the government’s intention to defer the setting of referendum principles for Town and Parish Councils for three years and information re: the Data Protection Bill and GDPR.

The meeting concluded at 7.30pm

Payment of Accounts:						
Resolved: that the following payments be approved as some of the residual November 2017 and part December 2017 accounts						
Date	Ref	Payee	Description	Net	VAT	Gross
29.11.2017	CHQ	Post Office Ltd	Vehicle Tax ND58 BZR	£ 240.00		£ 240.00
29.11.2017	CHQ	Post Office Ltd	Vehicle Tax ND09 VNL	£ 240.00		£ 240.00
29.11.2017	DD	Allstar	Fuel (office vans, mowers and equipment)	£ 18.92	£ 3.78	£ 22.70
30.11.2017	DD	Copyrite Digital	Photocopying services	£ 54.57	£ 10.91	£ 65.48
01.12.2017	DD	United Utilities	Water and wastewater services (4083868280)	£ 19.19		£ 19.19
01.12.2017	DD	Screwfix Direct	Cement, deckposts, sand, limestone, paint, etc.	£ 100.60	£ 20.09	£ 120.69
01.12.2017	DD	O2	Ref a/c 04760571 mobile phones	£ 102.58	£ 8.52	£ 111.10
04.12.2017	DD	SSE Southern Electric	Gas - Parkers Farm	£ 205.82	£ 10.29	£ 216.11
04.12.2017	DD	Legal and General	Ill health insurance	£ 76.95		£ 76.95
04.12.2017	DD	SSE Scottish Hydro	Electricity - Parkers Farm	£ 125.48	£ 6.27	£ 131.75
06.12.2017	DD	Allstar	Fuel (office vans, mowers and equipment)	£ 118.38	£ 23.67	£ 142.05
07.12.2017	*	December wages:	12 staff	£13,088.58		£13,088.58
07.12.2017	*	MC-ES Electrical	Supply and installation of new LED floodlight	£ 89.75	£ 17.95	£ 107.70
07.12.2017	*	Business Plus Office	Stationery and transfer cases	£ 59.82	£ 11.96	£ 71.78
12.12.2017	DD	Waterplus	Water/wastewater services (4083867607)	£ 19.58		£ 19.58
12.12.2017	*	Beers	17 x bags rock salt for gritting	£ 56.44	£ 11.29	£ 67.73
13.12.2017	*	WBC	Flower meadows 2017 - Oakwood Gate Island/Ordnance Ave	£ 626.37	125.27	£ 751.64
13.12.2017	DD	Allstar	Fuel (office vans, mowers and equipment)	£ 209.43	£ 41.88	£ 251.31
15.12.2017	DD	Financial Direct Fees	FD online charges	£ 40.20		£ 40.20
18.12.2017	DD	E-on	Electricity - Locking Stumps multi-use games area	£ 9.93	£ 0.50	£ 10.43
20.12.2017	DD	Allstar	Fuel (equipment)	£ 4.74	£ 0.95	£ 5.69
21.12.2017	*	Acumen Wages	December payroll services	£ 40.50	£ 8.10	£ 48.60
21.12.2017	*	ESI	Investigate fire alarm activation/replace faulty smoke head	£ 75.00	£ 15.00	£ 90.00
21.12.2017	*	Risley MOT and Truck	Two new tyres NH57 CZV	£ 151.90	£ 30.38	£ 182.28
21.12.2017	*	Aqua Solutions	Annual service/gas safety report and replace two faulty radiator valves	£ 185.98		£ 185.98
21.12.2017	*	Sunshire Events	Grant 2018 Carnival - rodeo bull hire	£ 395.00	£ 79.00	£ 474.00
21.12.2017	*	Cheshire Pension Fund	E'ee £644.36 E'er £2,265.82)	£ 2,910.18		£ 2,910.18
21.12.2017	*	HMRC	(Tax £1,602.60 NI £2,058.49)	£ 3,661.09		£ 3,661.09
27.12.2017	DD	Waterplus	Water/wastewater services (4032774195)	£ 67.24		£ 67.24
27.12.2017	DD	Telesis	Phone charges	£ 51.34	£ 10.27	£ 61.61
27.12.2017	DD	Allstar	Fuel (office vans, mowers and equipment)	£ 146.84	£ 29.36	£ 176.20
29.12.2017	DD	Copyrite Digital	Photocopying services	£ 33.18	£ 6.63	£ 39.81

