

# SENNEN PARISH COUNCIL

Chairman: Councillor Colin McClary

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26 July 2021

## MINUTES OF THE EXTRAORDINARY GENERAL MEETING OF SENNEN PARISH COUNCIL HELD IN CHURCHTOWN VILLAGE HALL ON MONDAY 26 JULY 2021 AT 7.00pm

### PRESENT

Councillors Mr C McClary (Chair), Mrs R Puddiphatt (Vice Chair), Mr D Angove, Mrs S Bevan, Professor M Brown, Mrs A Burt, Mrs N Gorvin, Mrs K Hann, Mrs S Rowe, Mrs K Shannon.

### ALSO PRESENT

Five members of the public.

Actions:

22-59	<p><b>APOLOGIES FOR ABSENCE</b></p> <p>Apologies were received from Councillor Mr B Clemens. No apologies were received from the Clerk, Mrs Alexis Male.</p>	
22-60	<p><b>DECLARATIONS OF INTEREST</b></p> <p>Councillor Shannon declared an interest in any discussions regarding the public toilets.</p>	
22-61	<p><b>DISPENSATION APPLICATIONS</b></p> <p>Councillor Shannon requested special dispensation to be present during any discussions relating to the public toilets as she was recording meeting minutes in the absence of the clerk. This was agreed.</p>	
22-62	<p><b>INFORMATION AND COMMENTS FROM THE PUBLIC</b></p> <p>A member of the public asked whether the Parish Council would discuss planning applications where a Planning Appeal had been lodged. The Chairman explained that Planning Appeals are not a matter for Parish Council consideration, and they are determined at County Council level and via the Planning Inspectorate in Bristol.</p>	
22-63	<p><b>MINUTES OF THE PREVIOUS MEETING</b></p> <p>The minutes of the previous meeting held on 2 July 2021 having been circulated by Councillor Puddiphatt, it was agreed that the minutes could not be agreed and signed as a true and correct record until the Clerk (Mrs Alexis Male) provides:</p> <ul style="list-style-type: none"> <li>(i) clarification of the comment provided to Cornwall Council Planning re planning application PA21/05630 (22-44) and</li> <li>(ii) clarification and insertion of the individual accounts payments approved in the meeting (22-54)</li> </ul> <p>It was resolved that the minutes would not be signed as a true and correct record and to defer signing of the minutes to the next Ordinary Meeting scheduled for 3 September 2021.</p> <p><b>ACTION:</b> To seek confirmation of the wording provided to Cornwall Council re PA21/05630 (22-44) and clarification of the missing figures at 22-54 from Mrs Alexis Male.</p>	CMc

<p><b>22-64</b></p>	<p><b>PARISH AMENITIES</b></p> <ul style="list-style-type: none"> <li>● <b>Footpaths &amp; Open Spaces</b></li> </ul> <p>The need to delegate a footpath audit and management review to a working group was questioned and discussed. Councillor Professor Brown has been in touch with a contact at the Ramblers Association who has been working on reasserting footpaths in the Parish and provided a note to Councillors to assist with an approach to any such audit. The Ramblers Association has suggested it would be a good idea to complete an audit to ascertain which footpaths the Parish Council would like to keep prior to the national deadline where they would be lost if not registered/claimed as footpaths. Councillor Professor Brown suggested that it could be a project included as part of the Neighbourhood Development Plan exercise and Councillors could walk the bounds with local resident input as a participative Parish.</p> <p>Councillor Gorvin commented that footpath use by locals may have changed over the years and a reclassification exercise could form part of the project as Parish Council decide footpath grading labelling.</p> <p>It was resolved that a working group be formed to perform a footpath audit and management review of the Parish footpath network, and the working group would engage and work with members of the local community as part of the process.</p> <p>Working Group members: Councillor Professor Brown (Joint Chair), Councillor Derek Angove (Joint Chair), Councillor Naomi Gorvin and Councillor Suzanne Rowe.</p>	
<p><b>22-65</b></p>	<p><b>FINANCE &amp; GOVERNANCE</b></p> <ul style="list-style-type: none"> <li>● <b>Accounting and Governance Review (AGAR)</b></li> </ul> <p><b>(i) To receive and approve internal audit and supporting financial information.</b></p> <p>Following receipt of further financial documentation from Mrs Alexis Male on 25 July 2021, the following observations were made by Councillors upon review:</p> <ul style="list-style-type: none"> <li>- Financial figures provided on 25 July do not match those provided to the Council on 3 June 2021.</li> <li>- A Financial Internal Audit has been satisfactorily completed and the auditor is satisfied the figures recorded are consistent with bank records.</li> <li>- A figure has been provided for the value of the total fixed assets but there is no supporting information detailing what the individual assets are. At present, the figure provided is for "Street Furniture" and there is also a disparity between the asset values recorded for 2020 and 2021.</li> </ul> <p>The value of play equipment has been removed from the schedule and the fixed assets box on Section 2 of the AGAR (Accounting Statements) has been left blank by the clerk with the suggestion that councillors decide whether to include the play equipment. It was agreed that play equipment does not belong to the Parish, and it is assumed that</p>	

	<p>previous meeting minutes would show that this may have been gifted. However, the Clerk previously informed Councillors that she was advised to remove the play equipment from the fixed assets register this year and it should not have been included the previous year.</p> <ul style="list-style-type: none"> <li>- Councillor Angove recalls a piece of land was bought by the Parish Council to form an extension to the burial ground and that this should be included on the fixed asset register (and presumably insured).</li> <li>- It was noted that the Parish Council are Trustees to the Community Centre Association.</li> <li>- It was agreed that the Parish fixed assets are unknown and cannot be audited, and that a land registry search should be undertaken to ascertain Parish landholdings.</li> </ul> <p><b>ACTION:</b> Land registry search to be undertaken to ascertain Parish Council land ownership.</p> <p><b>(ii) To receive the receipts and payments account year ending 31/3/2021</b></p> <p>The receipts and payments account for the year ending 31/3/2021 has been received but shows a disparity when compared to financial information provided to Councillors on 3 June 2021.</p> <p><b>(iii) To review, agree and sign the Annual Governance Statement 2020/21</b></p> <p>The Chairman ran through the individual criteria with Councillors in Section 1 of the Annual Governance Statement:</p> <p>On the basis that that the internal auditor has seen bank statements and prepared a financial audit based on those accounts:</p> <p><b>1: It was unanimously agreed to tick YES.</b></p> <p><b>2: It was unanimously agreed to tick NO.</b>  <i>Reason: Councillors have not been provided with evidence to show that an adequate system of internal control is in place and therefore unable to review its effectiveness.</i>  <i>Mitigating Action: A Finance &amp; Governance Committee will be created to put in place systems that conform with all legal and financial requirements.</i></p> <p><b>3: It was unanimously agreed to tick NO.</b>  <i>Reason: Councillors have not been provided with evidence to show that an adequate system of internal control is in place and therefore unable to review its effectiveness.</i>  <i>Mitigating Action: A Finance &amp; Governance Committee will be created to put in place systems that conform with all legal and financial requirements.</i></p> <p><b>4: Following advice from the external auditor it was unanimously agreed to tick NO.</b>  <i>Reason: The External Auditor Report and Certificate 2019/20 notes that the Council failed to make proper provision during the year 2020/21 for the exercise of public rights and instructs the Council to answer No to Assertion 4 of the Annual Governance Statement for 2020/21 and ensure that it makes proper provision for the exercise of public rights during 2021/22.</i></p>	<p>KS</p>
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*Mitigating Action: Proper provision for the exercise of public rights will be made during 2021/22. A Finance & Governance Committee will be created to put in place systems that conform with all legal and financial requirements.*

**5: It was unanimously agreed to tick NO.**

*Reason: No evidence of a risk assessment has been provided to Councillors.*

*Mitigating Action: A Finance & Governance Committee will be created to put in place systems that conform with all legal and financial requirements.*

**6: It was unanimously agreed to tick NO.**

*Reason: An adequate financial internal audit was completed but controls and procedures have not been provided for review.*

*Mitigating Action: A Finance & Governance Committee will be created to put in place systems that conform with all legal and financial requirements*

**7: It was unanimously agreed to tick YES.**

**8: It was unanimously agreed to tick NO.**

*Reason: Neither a fixed asset register nor detail of insurance(s) has been provided so Councillors are unaware of what potential financial impacts may be ahead.*

*Mitigating Action: A Finance & Governance Committee will be created to put in place systems that conform with all legal and financial requirements*

**9: It was unanimously agreed to tick NO.**

*Reason: Councillors are aware the Parish Council acts as Trustees to the Community Centre Association and have received a copy of the most recent accounts. Councillors are not apprised of their duties and responsibilities in this regard.*

*Mitigating Action: A Finance & Governance Committee will be created to put in place systems that conform with all legal and financial requirements*

It was resolved that the Chairman and Councillor Shannon (for the Clerk) would sign Section 1 of the Annual Governance Statement 2020/2021 as per the above and a cover letter would be appended to Section 1 to provide appropriate explanations where NO has been ticked.

**(iv) To review, agree and sign the Accounting Statements 2020/21 (Section 2 of the AGAR)**

The Clerk, Mrs Alexis Male, provided the completed Accounting Statements (Section 2) for signature by the Chairman and the below was noted:

- The document is not signed by Mrs Alexis Male following completion; and
- The "fixed asset" box for 2021 is blank.

It was unanimously agreed that the blank "fixed asset" box be marked "unknown," and a fixed asset audit be undertaken as soon as possible by the future Finance and Governance Committee.

**- To set a date for the Exercise of Public Rights**

	<p>Following discussion, it was agreed that to meet the requirements for transparency the accounts information provided by the clerk to the Council to date should be published, even though Councillors agree the detail is not entire and cannot wholly approve them. It was agreed that an explanatory cover letter will be provided to the external auditors and the documentation available be submitted to the external auditors, PKF Littlejohn by Councillors Hann and Shannon.</p> <p>It was resolved that the Notice of Public Rights and Publication of Unaudited Annual Governance and Accountability Return be completed as follows:</p> <ul style="list-style-type: none"> <li>- Date of Announcement: Thursday 29 July 2021 (publish on website / Notice Board)</li> <li>- Commencing on: Friday 30 July 2021</li> <li>- Ending on: Sunday 29 August 2021</li> </ul> <p>It was agreed that the internal auditor will be contacted and informed of the proposed calendar of events, and it will be communicated that the Council is satisfied that the internal financial audit completed is satisfactory.</p> <p><b><i>ACTION: Contact internal auditor on 27 July 2021</i></b></p> <p>● <b>Policies</b></p> <p><b>Draft Standing Orders:</b> Councillor Shannon reported that there was no feedback via email regarding the draft Standing Orders. It was agreed no further changes were required and the publicised draft should be put adopted, with a review to be set before the next AGM.</p> <p><b>Cornwall Council Code of Conduct:</b> It was unanimously agreed to adopt the Cornwall Council Code of Conduct with a review to be set before the next AGM.</p> <p><b>Litter and Bins Policy:</b> It was unanimously agreed that the comments and suggestions received from members of the public in response to the draft Litter and Bins policy would be added to the draft policy for adoption at the next Ordinary Meeting.</p> <p><b><i>ACTION: Add public comments to Litter and Bins Policy for review and adoption at the next Ordinary Meeting.</i></b></p> <p><b>Website and Social Media Policy:</b> It was unanimously agreed to adopt the draft Website and Social Media Policy as circulated in advance by Councillor Gorvin.</p> <p><b><i>ACTION: Standing Orders, Cornwall Council Code of Conduct and Website and Social Media Policy as adopted to be uploaded to Sennen Parish Council's website.</i></b></p>	<p>KH</p> <p>RP</p> <p>SB</p>
<p>22-66</p>	<p><b>STAFF MANAGEMENT</b></p> <p>It was unanimously agreed to appoint Councillor Hann and Councillor Shannon to an unpaid post with authority to act in the name of the Council in the absence of a clerk. It</p>	

	<p>was unanimously agreed to contact Mrs Alexis Male to obtain access to the Parish Council's current email account.</p> <p><b>ACTION:</b> Contact Mrs Male to receive login details for the <a href="mailto:sennenpc@btinternet.com">sennenpc@btinternet.com</a> email address.</p> <p>It was unanimously agreed to purchase a mobile telephone for use by the clerk following the departure of the current clerk. Councillor McClary will research and purchase a mobile phone that can also manage emails. It was agreed that up to £250 could be spent (annual cost) to secure a piece of quality equipment.</p> <p>It was agreed that Councillor Hann will hold the mobile phone in the interim period (supported by Councillor Shannon) and this contact number be publicised as the Council contact number and displayed on the public toilets in Sennen Cove car park.</p> <p><b>ACTION:</b> Research and purchase a mobile telephone for clerk use.</p> <p>The Chairman suggested that communications/complaints regarding the toilets be forwarded to Cornwall Councillor Clemens. Councillor Angove confirmed his recollection that the cleaning contract is with Cormac and is a 12-month contract that runs from April to April.</p> <p>● <b>Staff Management Committee</b></p> <p>It was unanimously agreed:</p> <ul style="list-style-type: none"> <li>- To form a Staff Management Committee of four Councillors (Councillors Bevan, Hann, Puddiphatt and Rowe);</li> <li>- To adopt the previously circulated Staff Management Committee Terms of Reference (Standard CALC Terms of Reference);</li> <li>- To delegate the recruitment process to the Staff Management Committee (which includes overseeing the recruitment and selection process, making the appointment, and dealing with appropriate necessary expenditure); and</li> <li>- Not to spend money on advertising the post but to use all free local online options available in the first instance.</li> </ul> <p>The Staff Management Committee will be the direct line managers of a clerk and have voting rights. All other Councillors may be involved in the Staff Management Committee meetings and have input into the interview process and meet potential candidates if desired.</p>	<p>KH /SR / KS</p> <p>CMc</p>
<p>22-67</p>	<p><b>ITEMS FOR INCLUSION ON NEXT MONTH'S AGENDA</b></p> <ul style="list-style-type: none"> <li>● Sennen Community Centre To receive and consider for approval the audited accounts 2019/2020 and to appoint a Councillor as a representative to the Community Centre Committee</li> <li>● Sennen School lights</li> </ul>	

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	<ul style="list-style-type: none"><li>• Water quality of streams in Vellandreath</li></ul>	
22-68	<p><b>DATE OF NEXT MEETING</b></p> <p>It was confirmed the next Ordinary Meeting would be Friday 3 September 2021, and planning applications will be dealt with during that meeting.</p>	
22-69	<p><b>CONFIDENTIAL MATTERS</b></p> <p>Under the 1976 Public Bodies (Admission to Meetings) Act the Chairman advised the Council and members of the public present that he proposed to exclude the press and public due to the confidential nature of the remaining business to be discussed, being Council Employment. This was unanimously approved by the Council.</p> <p>The members of the public present were thanked for their interest and attendance and politely asked to leave and did so.</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>There being no further business, the Chairman thanked all Councillors present for their time and closed the meeting at 8.32pm.</p>	<p>SM Ctte</p> <p>CMc</p>

Chairman  
3 September 2021