STRENSALL with TOWTHORPE PARISH COUNCIL

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MINUTES OF THE ANNUAL MEETING OF THE PARISH COUNCIL held on Tuesday 14TH May 2019 at 6.30pm at the Village Hall, Strensall

PRESENT

Cllrs Fisher (Chair), Baxter, Bolton, Chambers, Dr Cox, Maher, Mattinson, Mrs Nunn, Ogilvy

and 0 members of the public

1. Annual election of Chairman

Cllr Fisher, proposed by Cllr Mattison, seconded by Cllr Chambers, unanimous

2. Declaration of Acceptance of Office signed by Cllr Fisher and the Parish Clerk

3. Election of Vice Chairman

Cllr Chambers, proposed by Cllr Bolton, seconded by Cllr Mattison, unanimous

4. Apologies for Absence – Parish Councillors Chapman and Mrs Smith

5. Declarations of Interest - strictly in accordance with the definition of the declaration, all members of the Committee, as Council Tax payers, declared a personal interest in the subject of the meeting.

6. Election of Committees and adoption/review of terms or reference:

 (i) Planning Committee

Cllrs Baxter, Bolton, Chambers, Chapman, Dr Cox, Fisher, Maher, Mattinson, Mrs Smith

Terms of reference approved, subject to two amendments highlighted, as attached

 (ii) Finance Committee

 Cllrs Bolton, Dr Cox, Fisher, Maher, Mrs Nunn and Mrs Smith

 Terms of reference approved, as attached

(iii) Playground Committee

 Cllrs Chapman, Fisher, Mrs Nunn and Ogilvy

 Terms of reference approved, as attached

 (iv) Cemetery Committee

 Cllrs Chambers, Dr Cox, Fisher, Mrs Nunn and Mrs Smith

 Terms of reference approved, as attached

 (v) Trees, Allotments & Open Spaces Committee

 Cllrs Chambers, Chapman, Fisher, Hill and Ogilvy

 Terms of reference approved, as attached

(vi) Neighbourhood Planning Working Group

Cllrs Bolton, Chapman, Fisher and Mrs Nunn

Terms of reference approved, as attached

7. To appoint representatives to attend YLCA branch meetings and SCYSA

 YLCA – Chairman, Vice- Chairman Substitute – Cllr Mrs Nunn

 SCYSA – Cllr Mrs Nunn

8. To discuss adoption of General Power of Competence

 The Government introduced the General Power of Competence (GPC) in the Localism Act 2011 to give eligible councils the power “to do anything individuals may generally do” as long as it is not prohibited by other legislation or restrictions.

It is a power of first resort so the power may be used without having to consider other powers first.

There are three conditions for eligibility:

1. Resolution: the council must resolve at a meeting that it meets the criteria for eligibility relating to the electoral mandate and relevant training of the clerk.
2. Electoral Mandate: at the time the resolution is passed, as least two thirds of the council must hold office as a result of being declared elected (i.e. not co-opted).
3. Qualified clerk: At the time that the resolution is passed, the clerk must hold a recognised professional qualification (e.g. Certificate in Local Council Administration, CiLCA) AND pass the 2012 CiLCA module relating to the general power of competence.

Eligibility must be re-confirmed at each annual meeting following an ordinary election.

In using the GPC councils must have regard to any relevant legislation, restriction and potential risk to the council; they should also act within the general principle of “reasonableness”.

It was unanimously agreed to adopt the GPC, as the Parish Council fulfilled all criteria.

9. To conduct review of Parish Council polices

In the February 2019 edition of the White Rose Update, Yorkshire Local Councils Association advised – *If your council has not already done so, it is recommended that all policies are reviewed in May 2019 when many councils will be going through the election process. Looking at all policies now will ensure that the council gets off to a flying start at the Annual meeting in May.*

The Parish Clerk obtained a definitive list of policies from the YLCA and a copy is attached to these minutes.

The Parish Clerk would now use this list to ensure the Parish Council had all policies necessary.

**Strensall with Towthorpe Parish Council**

Planning Committee

Terms of Reference

Approved by Full Council at the APCM on 08May18

1. **Objectives**

The objective of the Planning Committee is to represent the views of the community with regard to planning related matters.

1. **Purpose**

The purpose of the Planning Committee is to be consulted on planning applications in the parish of Strensall, Towthorpe and surrounding areas, to pass comment on these applications to planning authorities and to liaise with other agencies on Transportation matters for the benefit of the local community.

1. **Membership**

The Committee shall consist of up to nine councillors appointed at the Annual Meeting of the Parish Council each May. The Chairman and vice chairman of SWTPC will be ex - officio members unless they are committee members. The Committee will elect a Chair from Councillor Members at its first meeting after the Annual Meeting of the Parish Council.

1. **Meetings**
	1. The Committee meets on a twice-monthly basis
	2. The committee will produce a Schedule of Monthly Meetings at its first meeting after the Annual
2. **Voting**
	1. The Non-voting & Ex-officio members may not vote on resolutions, unless they are committee members
	2. The Quorum for a meeting will be a minimum of three Councillor Members
	3. Rules & Regulations
		* The Councillors’ Code of Conduct will apply to all members of the Committee.
		* The conduct of meetings (declaration of interests, debate, voting etc) will be governed by the Council’s standing orders.
3. **Rights & Powers**
	1. The Committee will have limited delegated powers:
		* May make recommendations to the Council for consideration and approval.
	2. The Committee may appoint
		* Appropriate sub-committee or Working Group(s) members to facilitate the work of the committee unless previously appointed by the Council.
		* Convene Special Meetings in accordance with the Council’s Standing Orders.
4. **Responsibilities**
	1. The Committee shall:
		* Develop and recommend to Council relevant policies and procedures for planning management
		* Recommend to Council public consultations relating to planning and development issues
		* Consider and make representations to the Local Planning Authority on planning applications and other related applications
		* Make representations on appeals and to attend public inquiries
		* Make representations on land use
		* Consider and make representations upon all matters relating to development plans including structure and planning policy proposals
		* ~~Determine all matters relating to street naming~~
		* Make requests for Section 106 payments that would benefit the Parish Council and community
		* Co-ordinate and put into practice planning applications of the Parish Council Committees
	2. The Committee's remit further extends to undertake any other functions as may be required by the Council working with other agencies on Transportation matters and may include:
		* Highways
		* Road crossings
		* Bus shelters
		* Winter plan
		* Road maintenance
		* ~~Speeding~~ Speed Limits
		* Trains
	3. When recommending undertaking of a new activity/event/service provision to KHPC, the Committee will provide an assessment of potential risks/benefits and estimated cost of the undertaking.

The Committee must also ascertain that the Council has the power to spend from the Clerk.

**Strensall with Towthorpe Parish Council**

Finance Committee

Terms of Reference

Approved by Full Council at the APCM on 08May18

1. **Role**

The role of the Finance Committee is to oversee all aspects of the Financial Administration of the Parish Council including arrangements for the preparation, audit of the Council’s systems and accounts and human resource (HR) activities for both Employees and Councillors.

1. **Objectives**
	1. To ensure compliance with the Parish Council’s Financial Regulations and relevant Statutory Regulations
	2. To report to Council any issues or areas of concern for corrective action
	3. To ensure that staffing levels and competencies for both Staff and Councillors, are sufficient to professionally discharge the work of the council
	4. That pay and working conditions are in line with the sector and meet all relevant statutory UK regulations and legislation and that the Council follows good working practices as defined by the Chartered Institute of Personnel and Development.
2. **Membership**
	1. The Committee shall consist of a minimum of three Councillors and a maximum of six Councillors appointed by the Full Council
	2. The Parish Council Chair or Vice Chair should be a member of the committee. If the chair is not a member of the committee they will be an ex-officio member of the committee
	3. The Committee may not appoint anyone other than Parish Councillors
	4. The Committee may appoint sub committees to undertake any specific project work as necessary. The Sub-committee may co-opt no more than one third of its membership from suitably qualified external specialists
	5. The Committee’s ability to independently monitor and audit Council finances shall be assured by adopting and applying relevant paragraphs of the Council’s Standing Orders. Article 18: Interests in particular shall apply however the definition shall be broadened to include interests both internal and external to Council.
3. **Meetings**
	1. The committee is required to hold meetings quarterly.
	2. The Responsible Financial Officer shall attend all Committee meetings
4. **Voting**
	1. The co-opted and ex-officio members may not vote on resolutions, unless they are committee members
	2. The quorum for a meeting will be a minimum of three councillor members
	3. All decisions of the committee shall be determined by majority vote. The Chairman has the casting vote when there are equal numbers of votes,
5. **Rights and Powers**

The Finance and HR Committee will have delegated powers to:

* 1. **FINANCE**
		1. Develop and recommend to Council policies and procedures for the financial management of the Council
		2. Carry out an annual review of the Financial Regulations and Finance Committee’s Terms of Reference and present them to Council for adoption
		3. Monitor reserves to ensure that surpluses are not built up other than for working capital or for earmarked projects and known liabilities, ensuring that sufficient reserves are retained for future maintenance, replacement or upgrading of items for which the Council is responsible
		4. Receive and consider annual budgets prepared by each Committee or budget holders
		5. Prepare an annual budget for the Council and recommend an annual precept
		6. Monitor each Committee’s performance against budget and report significant variances to Council with recommendations for appropriate action
		7. Undertake a quarterly review and reconciliations of the Accounts
		8. Monitor purchasing decisions to ensure value for money as agreed in the Financial Regulations
		9. To review any lease or legal arrangement and make recommendations to Full Council
		10. Undertake a financial risk analysis annually and review the Council’s insurance arrangements to ensure that property and identified risks are adequately insured
		11. Receive and review Audit Reports and ensure the implementation of any recommendations
		12. Consider and determine requests for community and other grants within agreed annual budgets.
	2. **ORGANISATION**
		1. To determine and recommend to Council, policies and procedures for the line management of the Council’s human resources
		2. To undertake reviews of the working practices of the Council and to make recommendations to Full Council
		3. To determine the staffing levels and positions that will efficiently discharge the work of the Council and to review workloads periodically
		4. To agree Job Descriptions and Skills requirements for all positions
		5. To submit the HR Financial Budget for the following year and oversee actual costs to budgeted levels.
	3. **SELECTION OF STAFF**
		1. To agree recruitment procedures that do not discriminate against sex, age, race, colour or disability and that consider both the needs of the job and that of Council
		2. To advertise, select, interview and ultimately appoint staff in conjunction with the line manger having taken due regard to the HR budget
		3. To encourage residents to participate in the work of the Parish Council and to promote suitable candidates to become prospective Councillors according to the needs and the work of the council.
	4. **PROFESSIONAL DEVELOPMENT AND TRAINING**
		1. To promote and lead the continuous professional development and training of both staff and councillors
	5. **PAY AND CONDITIONS**
		1. To determine pay and contractual conditions of employment and review/update these as necessary to comply with UK Employment Law as well as good practice
		2. To set the expenses policy for both staff and councillors
		3. To recommend ex-gratia payments, honoraria or exceptional increments.
	6. **APPRAISAL**
		1. To oversee and agree the appraisal of all Parish Council staff through their appropriate reporting lines
		2. To attend the appraisal of the Clerk, the Responsible Financial Officer, the Assistant Clerk and the Community Centre manager
	7. **Grievance, Misconduct and Dismissal**
		1. To oversee the grievance, misconduct and dismissal procedures and make recommendation to Full Council when appropriate.
	8. **Health and Safety**
		1. To ensure that Health and Safety of all involved in the work of the Council by providing appropriate workspaces, tools and equipment and to train staff as necessary to safeguard their health & safety at work
		2. To further assess personnel risks as defined by the Audit Commission and provide appropriate recommendations to Full Council
1. **Rules and Regulations**
	1. The councillor’s code of conduct will apply to all members of the committee
	2. The conduct of the meeting (declaration of interests, debate, voting etc) will be governed by the Council’s standing orders.

**Strensall with Towthorpe Parish Council**

**Terms of Reference**

**Play Area Committee**

1. Authority

The Play Area Committee is appointed by, and solely responsible to, Strensall with Towthorpe Parish Council (Parish Council). The Committee’s duties are defined and agreed by the Parish Council, which may vote, at any time, to modify the Committee’s powers. Meetings to be on a needs basis.

2. Membership

The Committee will consist of no fewer than four Parish Councillors, and at the Annual Parish Council Meeting will elect a Chairman to preside over future meetings– to be re-elected each year. Up to 3 members who are not members of the Parish Council may be co-opted to provide expertise and guidance – non-voting. It will also elect a Vice Chairman if thought appropriate, although any elected member can preside by agreement in the Chairman’s absence. A quorum will be a minimum of three elected Members. Chairman & Vice Chairman of Full Council will have automatic membership and full voting rights.

3. Records of Proceedings

Written minutes will be taken to record the Committee’s decisions and will be circulated to all Councillors with recommendations for the next Full Council meeting. The Parish Clerk will be responsible for arranging the distribution of the agenda & minutes. The minutes may be recorded by the Clerk or a member of the committee.

4. Responsibilities

The committee is responsible for making recommendations with regard to all the Parish Council Play Areas specifically:

(a) The maintenance and development of the children’s play areas

(b) To be responsible for risk assessment on the play areas.

Clear and concise formal resolutions are required at all times to avoid ambiguity in the minutes and to ensure that the intention of the resolution is conveyed to the members for them to vote on.

**STRENSALL WITH TOWTHORPE PARISH COUNCIL**

**Cemetery Committee**

**Terms of Reference**

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| --- | --- |
| Appointed by | **Full Council** |
| Number of Members | **5** |
| Membership Renewed | **Annually at Annual Parish Council Meeting** |
| Minimum number of meetings | **1 per annum, other on a needs basis** |
| Delegated authority for decisions | **No** |
| Delegated authority for own budget | **No** |
| Can appoint Sub-Committee | **No** |

**Areas of responsibility**

1. To keep under review the provision of existing burial and interment facilities for the residents of Strensall with Towthorpe at the Burial Ground on Sheriff Hutton Road, Strensall.
2. To oversee the day to day maintenance of the Burial Ground except where delegated to the Burial Clerk.
3. To review and draft annually the Burial Ground structure of fees, rules and regulations for services provided in the Burial Ground, for approve by the Parish Council.

**Strensall with Towthorpe Parish Council**

TREES, ALLOTMENTS AND OPEN SPACES COMMITTEE

Terms of Reference

 Membership:

Up to 5 Parish Councillors.

Members of the public may be appointed to the Committee.

Purpose:

To deal will all matters in relation to trees and grounds maintenance on those pieces of land that the Parish Council owns or leases.

Records:

The Committee shall keep up-to-date records of actions and decisions and these actions and decisions shall be reported to the full Parish Council meeting.

Finance:

The Committee shall have a remit to commit/spend up to £100.

Any amount over that value will be reported to the full Parish Council meeting for their approval.

Meetings:

Meetings will be held on a needs basis, but at least twice times a year.

At the Annual Meeting of the Parish Council a Chairman and Vice Chairman of the committee will be elected for the ensuing year.

Quorum:

Not less than 50% of the membership. If a quorum is not present no business can be conducted or recommendations made.

Clerk:

Where the Parish Clerk or the Responsible Financial Officer is not available a member present will be elected to take the minutes of the meeting.

Strensall with Towthorpe Parish Council

Neighbourhood Plan *Steering* Group

Terms of Reference

1.       Purpose of the *Steering* Group

Strensall with Towthorpe Parish Council is the qualifying body for the preparation of a Neighbourhood Plan for their civil parish area. The Parish Council has agreed to establish separate project management arrangements to facilitate the delivery of this plan-making function through a Neighbourhood Planning *Steering* Group.

The purpose of the *Steering* Group is to design and oversee a process that will result in the preparation of a draft Plan in order to:

“Preserve and enhance the quality of life, environmental attributes, economic growth and characteristics of the neighbourhood through the empowerment of local people and communities”

The process will be:

-        Inclusive: offering the opportunity to participate to everyone who lives or works in Strensall with Towthorpe,

-        Comprehensive: identifying all the important aspects of life in Strensall with Towthorpe for which we need to plan for the future, and

-        Positive: bringing forward proposals which will improve the quality of life in Strensall with Towthorpe.

2.       Tasks

The Steering Group will:

-        Recommend an outline process for producing the Neighbourhood Plan to the Parish Council for their approval,

-        Promote the process of preparing the Plan to encourage participation and the submission of views and ideas, providing updates on the village website and in the newsletter,

-        Organise meetings and appoint sub-groups as required,

-        Assess existing evidence about the needs and aspirations of the village, advising and making recommendations to the Parish Council,

-        Liaise with relevant organisations to secure their input in the process,

-        Analyse the views, ideas and proposals received during the planning process, and use them to prepare a draft Plan to present to the Parish Council for their consideration,

-        Provide progress reports to every meeting of the Parish Council, and

-        Keep the Parish Council informed of ongoing budgetary requirements.

3.       Membership

Members include the members of the Parish Council Neighbourhood Planning Working Party (currently 7), and up to seven other members.  The group shall be considered quorate when one third of members are present. If less than three members are present, the meeting shall be adjourned.

Residents and any other relevant people may be appointed to the group. New members will be brought up to be speed by existing group members so as not to hinder progress.

4.       Meetings

The Steering Group will meet regularly whenever appropriate and timed to report to the Parish Council monthly meetings. The agenda and associated papers will be despatched two clear days before the date of the meeting by e-mail or post.

The *Steering* Group will elect a Chairman and Vice Chairman from current members of the group and will consult with the Parish Council for the approval of those elected. If the Chairman is not present, the Vice Chairman shall take the meeting. If neither is present, members will elect a Chairman for the meeting from those present.

If the meetings are not to be serviced by the Parish Clerk, then a secretary must be elected.

If members of the public would like to sit in on the meetings, they may do so, but any comments must be made through the Chairman. Notes will be taken to assist reporting to the Parish Council.

Decisions made by the group will be by consensus. Where a vote is required, each member will have one vote. A minimum of three members shall be present where matters are presented for decisions to be taken. A simple majority will be required to support any motion. The Chairman, or in their absence the Vice Chairman will have one casting vote.

All recommendations made by the *Steering* Group are subject to adoption by the Council, and no actions can be taken until that has happened.

 5.       Conduct

When undertaking the task of preparing the Neighbourhood Plan, the *Steering* Group will apply the following principles:

 To ensure that the probity of the group and the plan is open and transparent, all members of the *Steering* Group must declare any personal interest that may be perceived as being relevant to any decisions or recommendations made by the group. This may include membership of an organisation, ownership of interest in land (directly or indirectly) or a business or indeed any other matter likely to be relevant to the work undertaken by the *Steering* Group.

Ensure that there is no discrimination in the plan making process and that it is an inclusive open and transparent process to all groups in the local community and those wishing to undertake development or be involved in the process in the community.

Members of the group will work together for the benefit of their community; treat other members of the group with dignity, courtesy and respect, allowing members to air their views without prejudice and interruption.

6.       Financial Arrangements

All expenditure must be approved by the Parish Council

**YLCA POLICIES LIST**

**DOCUMENT: KEY:** Mandatory/Statutory Requirement (SR) Best Practice (BP) Audit Requirement (AR)

**BASIC GOVERNANCE** Standing Orders BP (SR for SO on contracts and procurement of goods and services) Financial Regulations SR Code of Conduct SR Member’s Register of Interests Log BP Dispensation Request form BP Member’s Dispensations Log BP Member’s Allowance Policy BP Councillor attendance register BP Planning register BP Co-option Policy and procedure BP Committee Terms of Reference SR

**OPENNESS AND ACCOUNTABILITY** FOI Publication Scheme SR Recording of Meetings Policy BP FOI Policy BP FOI Vexatious Requests Policy BP Rules for public session BP Complaints Policy/Procedure SR Social media Policy BP Media/Communications Policy BP Transparency Code compliance checklist BP

**DATA PROTECTION/GDPR** Data/information audit BP to enable the council to demonstrate compliance with GDPR/DPA Documents management (disposal and retention) Policy BP to enable the council to demonstrate compliance with GDPR/DPA Privacy notice – general SR Privacy notice – employees, councillors, role holders and volunteers SR Security Incident Policy BP to enable the council to demonstrate compliance with GDPR/DPA Security Incident recording form and log BP to enable the council to demonstrate compliance with GDPR/DPA Consent form log BP to enable the council to demonstrate compliance with GDPR/DPA

**FINANCIAL** Financial Regulations (see above) SR Asset Register AR Risk Assessment/management Policy AR Insurance register AR Grant awarding Policy BP Grant application form BP Internal Controls Policy AR

**EMPLOYMENT/PERSONNEL** Contract of Employment/ Written Statement of Particulars SR Recruitment Policy BP Appraisal procedure Policy BP Equal Opportunities Policy BP Expenses Policy BP Working from home Policy BP Sickness and Absence Policy BP Equality and Diversity Policy BP Grievance and Disciplinary Policy BP Health and Safety Policy BP SR if more than 5 employees Computer use Policy BP Mobile phone use Policy BP Bullying and Harassment/Dignity at Work Policy BP Procedure for requesting annual leave BP Training and Development Policy BP Pensions Policy SR Substance Misuse Policy BP Lone worker Policy BP

Flexible working Policy BP

**ENVIRONMENT** Green space/open space audit AR Tree audit AR Green/open space management policy BP

**PLAY AREAS** Play area inspection policy BP for compliance with insurance provision Play area inspection log BP for compliance with insurance provision

BURIAL AUTHORITIES Register and record of burials BP Register of graves BP Record of exclusive rights of burial SR Cemetery rules and charges BP

**ALLOTMENTS** Register of allotments/plots and plot holders BP Waiting list policy BP Copy of Allotment rules BP