

**MINUTES of the Finance Committee of Melksham Without Parish Council held on Monday 24<sup>th</sup> May 2021 at 1 Swift Way, Bowerhill at 7.45p.m.**

**(DUE TO THE ON-GOING COVID 19 PUBLIC HEALTH CRISIS THIS MEETING WAS HELD FACE TO FACE WITH MEMBERS OF THE PUBLIC BEING ENCOURAGED TO JOIN THE MEETING VIA ZOOM. THE MEETING WAS ALSO LIVE STREAMED VIA YOUTUBE FOR MEMBERS OF THE PUBLIC TO WATCH.**

**Present:** Councillors John Glover (Chairman), David Pafford (Vice-Chair), Richard Wood, Alan Baines, Shona Holt and Robert Shea-Simonds.

Officers: Teresa Strange (Clerk) & Marianne Rossi (Finance & Amenities Officer)

Councillor Harris was observing, the Clerk advised members of the committee that as Councillor Harris was not a member of this committee, he was unable to take part on any voting items.

**Housekeeping:** The Clerk welcomed all to the meeting and explained the Covid measures that were in place. She advised members that the meeting was being streamed live on YouTube and members of the public may attend via Zoom and therefore needed to turn their speakers down and only un-mute when speaking to prevent feedback.

Nominations were invited for the Chair of the Finance Committee for 2021/22.

**37/21 To elect Chair of Finance Committee for 2021/22**

Councillor Glover stated that he was happy to stand as Chair of the Finance Committee. Councillor Wood proposed, seconded by Councillor Pafford that Councillor Glover was elected as Chair of the finance committee. There were no other nominations.

**Resolved:** The Council unanimously resolved that Councillor Glover be Chair of the Finance Committee for 2021/22.

Councillor Glover took the Chair

**38/21 To elect Vice- Chair of Finance Committee for 2021/22**

Councillor Glover invited nominations for the Vice-Chair of the Finance Committee for 2021/22. Councillor Glover proposed, seconded by Councillor Wood that Councillor Baines was elected as Vice- Chair of the Finance Committee for 2021/22. There were not other nominations.

**Resolved:** The Council unanimously resolved that Councillor Baines be Vice- Chair of the Finance Committee for 2021/22.

**39/21 Apologies:** There were no apologies received

**40/21 Declarations of Interest:** Councillor Glover declared an interest in Melksham Rugby Club as his son was a director. Councillor Wood declared an interest as Chairman of BASRAG (Berryfield & Semington Road Action Group) and Berryfield Village Hall. Councillor Holt also declared an interest in BASRAG and Berryfield Village Hall.

The Clerk declared an interest as a Trustee of Young Melksham, as a volunteer for Melksham Community Support and as a cheque signatory for Melksham Gardeners' Society.

**41/21 Dispensation Requests for this Meeting:** None.

**42/21 Public Participation:**

There were no members of the public present.

**43/21 To note changes to Public Procurement Thresholds and review Finance Regulations:**

Members noted the changes to the public procurement thresholds. Councillor Glover noted that although the changes stated the threshold was no longer expressed as the sterling equivalent of euros it still seemed to be compared to the Euro with the exchange rate. The Clerk advised that it was still based on the Euro.

Members reviewed the finance regulations and felt that there was nothing new to add or amend.

**Recommendation:** To approve the financial regulations for 2021/22

**44/21 To review and approve list of regular payments for authorisation for 2021/22 (as per Fin Reg 5.6):**

Members reviewed the list of regular payments for 2021/22, Councillor Baines highlighted that Melksham Town Council no longer provided the Speed Indicator Device, therefore that item should be taken off of the schedule. The Clerk also highlighted that the Parish Council pay Melksham Town Council quarterly for caretaking duties at Shurnhold Fields from the open space maintenance contribution so this should be added to the schedule.

**Recommendation:** The parish council approve the list of regular payments for authorisation for 2021/22, but remove the payment to Melksham Town Council for the Speed Indicator device and add in the quarterly payment for Caretaking duties at Shurnhold Fields.

**45/21 To review and approve Direct Debits & Standing Orders for 2021/22**

Members reviewed the list of direct debits and standing orders for 2021/22. The Clerk explained to members that provided in the agenda packs along with this list was a direct print out from the bank of the list of standing orders and direct debits that was held by them as an extra check to ensure that the list provided to members matched up. The committee agreed that the list put together by officers matched up with the list

the bank held.

The Clerk queried whether members wished to cancel the Survey Monkey subscription as she understood that surveys could be produced for free through google forms or Office 365. It was agreed by members that the Survey Monkey subscription should be cancelled.

**Recommendation:** The Council approve the list of direct debits and standing orders for 2021/22 with the exception of the Survey Monkey subscription which should be cancelled.

#### **46/21 Asset Management:**

##### **a) To consider BRAG (Bowerhill Residents Action Group) donation of benches to the Parish Council:**

The Clerk explained that the Bowerhill Resident Action Group (BRAG) had applied to the Area Board for 50% match funding, with the other half of funding coming from the parish council to order some replacement and new benches. She explained that previously, when BRAG had purchased such items, they were donated to the parish council and queried with members whether they would be happy for the same to be done again. It was noted that these new benches were ordered to replace some of the ones that had already been donated to the parish council, as they had come to the end of their life.

The Clerk advised that the benches would come under the parish council's regular maintenance and inspection regime and insurance schedule, depending on what benches the council wish to insure.

**Recommendation:** The Council accept BRAG's donation of the new benches.

##### **b) To consider which assets to insure and which to cover by Earmarked Reserve**

The Clerk advised that the parish council's insurance always included deliberate as well as accidental damage and the excess for each claim was £250. She explained that it had already been acknowledged that the council would not insure any items under £250, but queried whether members thought that items such as benches that were grouped together should be insured. For example, at Shaw Playing Fields and Hornchurch Road Public Open Space, where there were benches close together. She explained that it was highly unlikely that a bench was going to be damaged in Shaw and Bowerhill at the same time, but where benches were grouped together it was more likely that several could be damaged, therefore would be a higher cost to the council to replace if they were not insured.

Councillor Glover wished for clarification on whether the £250 excess would be payable on each item that was damaged or per claim. He explained that he wanted clarification on whether the insurance company would accept items that have been damaged in the same proximity as each other as one claim. He was concerned that a scenario could arise where the council believed that they were covered for items grouped together as one claim when this may not be the case. Councillor Holt felt that

it would be payable on each event therefore, if items were damaged in the same proximity as each other, this would be classed as one claim. The Clerk agreed to clarify this with the insurance company.

**Recommendation:** The Clerk to clarify whether items that are in a close proximity of each other would be classed as a group of items under insurance purposes. If this was the case the council to insure these items as a group under the insurance schedule.

**c) To note deliberate damage to SID (Speed Indicator Device) and insurance claim process commenced**

Members noted that the Speed Indicator Device had been damaged and the council was now in the process of making an insurance claim.

**47/21. Insurance**

**a) To review and approve Insurance Cover for year commencing 1st June 2021 (including Cyber Security separate policy)**

Members reviewed the insurance schedule; the officers had put together a comparison between the insurance value on the asset register and the values on the policy schedule to ensure that this matched the level of cover required. The insurance schedule listed property insured at a value of £1,713,601.42, the amount of cover required as per the asset register was £1,709,308.70, therefore the council had enough cover in place. It was noted that £5,000 cover is automatically included in the policy for defibrillators and the council cover the remaining amount required under the outside equipment section.

It was noted that the council was under a longer-term agreement with their current insurance company, Pen Underwriting Ltd until 2023. Councillor Glover explained that he had queried with the Clerk earlier on in the day why the policy had gone up by around £700 since last year based on a 3% inflation rise.

The Clerk explained that more items had been added to the policy schedule for the new year which had made the insurance premium much higher than last year. She explained that she had added to the cover all of the items that she had visibility of coming on stream within the next few months, this was due to the fact that adding additional items to the policy during the year incurred additional charges.

Additions added to the policy included the new bus shelter due to be installed near Kingfisher Drive, Bowerhill and Pathfinder Place public art noticeboard and panel. The two new play areas at Pathfinder Place (Davey) and Bowood View (Whitworth) had also been included in the policy, it was explained that there had been some instances where developers had transferred over play areas to the councils who had found this information out retrospectively. It was felt that it was prudent to make sure that the cover was in place before the council take ownership to ensure that this does not happen.

The Clerk explained that the fidelity (employee dishonesty) cover is currently £1.5m and officers keep a close eye on this figure to ensure that there is enough cover in place.

The Clerk explained that included with the council insurance was **rradar** who provide legal and HR advice services to the council.

It was also explained that the council had previously taken out separate insurance cover for cyber security and a quotation had been received for this. The company providing this cover is Talbot Underwriting Ltd via Channing Lucas & Partners Ltd t/a Optimum Speciality Risks. The Clerk explained that she had sent the policy documents to Councillor Patacchiola, as the council's IT lead to make sure that there was adequate cover. She advised that Councillor Patacchiola felt that this policy provided good cover, but would be worth looking for a more cost effective alternative next year. The Clerk advised that when she reviewed the general policy the level of cover for cyber security had gone down from £500,000 to £50,000.

**Resolved:** The council accept the level of cover in place as per the insurance schedule.

**b) To consider quotation received for Insurance Cover and appoint provider**

Members reviewed the quotation received from the insurance broker on behalf of Pen Underwriting Ltd, a quotation of £7,897.19 was received for the council's general insurance. A separate quotation of £319.20 was received for cyber security which comes under a separate insurance policy with Talbot Underwriting Ltd via Channing Lucas & Partners Ltd t/a Optimum Speciality Risks.

**Resolved 1:** The council approve the quotation of £7,897.19 received from Came and Company for the council's general insurance.

**Resolved 2:** The council approve the quotation of £319.20 for Cyber insurance.

**c) To authorise payment for Insurance Cover commencing 1st June 2021 (under delegated powers)**

As per Min.21/21c the Finance Committee has delegated powers to approve and pay for Insurance Cover as this must be paid in time for the cover to start by 1st June 2021. The Clerk wished to make the committee aware that the account payable for this insurance was Arthur J. Gallagher, as this was a different name from the council's insurance broker, Came and Company. This was also the same account name to pay for the cyber insurance invoice.

**Resolved 1:** The council pay Arthur J. Gallagher (Came and Company), £7,897.19 for insurance cover from Pen Underwriting Ltd for the period 1<sup>st</sup> June 2021 to 31<sup>st</sup> May 2022.

**Resolved 2:** The council pay Arthur J. Gallagher, £319.20 for cyber insurance cover from Talbot Underwriting Ltd via Channing Lucas & Partners Ltd t/a Optimum Speciality Risks for the period 1<sup>st</sup> June 2021 to 31<sup>st</sup> May 2022.

**a) To note current Grant Aid policy & Legal Topic Note re financial assistance to the church**

Members noted the council's grant aid policy and legal topic note regarding financial assistance given to churches. Under the Local Government Act 1894 councils are prohibited to be involved in property relating to the affairs of churches e.g., maintenance or improvements of buildings or land or contributing to the cost.

**b) To note budget provision for Grant Aid 2021/22 and s137 spend limits (if applicable)**

Members noted the budget provisions for 2021/22 as follows:

Section 133 grants the provision for Village Halls and Community Centres £10,000

Section 137 grants £18,000 (which includes committed budgeted spend to Trans Wilts and Young Melksham).

Section 144 grants for tourism £800.00

The Clerk explained that Section 137 of the Local Government Act 1972 allows councils to spend a limited amount of money on things that directly benefit the residents of Melksham Without, that they otherwise do not have a legal power to do. This is however, only up to around £8 per elector which equates to around £40,000 for Melksham Without Parish Council per year.

The Clerk explained that this has not been worked out to the exact figure as the parish council will shortly qualify for the General Power of Competence. She explained that following the May 2021 elections two thirds of the council were elected which meets the first part of the criteria. To meet the second part of the criteria the council need a qualified Clerk, although this was the case the Clerk explained that she would need to do an additional module for the criteria to be met which she is due to do shortly. It is hoped that the council will adopt the General Power of Competence at their June Full Council meeting once the criteria has been met. The General Power of Competence gives council's greater power to do things that they were unable to do under section 137 as long as no laws are broken. This means that the council do not need to worry about keeping within the S137 limit.

The Chair of the Committee suggested to members that they should consider the rest of the agenda first before they look at the grant aid agenda item to allocate grants, and quite a lengthy agenda item. The committee members agreed to this way forward.

**49/21 To review Council's and Staff subscriptions for 2021/22**

The committee reviewed the list of council and staff subscription, it was noted that there was £1,650 in the budget.

**Recommendation:** The council and staff subscriptions for 2021/22 are approved as follows:

Subscription	Amount budgeted
WALC & NALC (Wiltshire/National Association of Local Council)	£1,099.56
SLCC Society of Local Council Clerks (ILCM included) Institute of Local Council Management)	280.00
LCR (NALC Magazine)	£36.00
Open Spaces Society	£45.00
CPRE (Campaign for Protection of Rural England)	£36.00
Community First	£40.00
Fields In Trust	£40.00
Wilts & Berks Canal Trust	£35.00
Clerks & Councils Direct (Magazine)	£12.00
TransWilts	£17.00
<b>TOTAL</b>	<b>£1,640.56</b>

**50/21. To review Schedule of Fees and Charges for 2021/22:**

Members reviewed the schedule of charges for 2021/22 and noted that it had already been agreed that the allotment charge would remain at £30 per 5 perches for residents and £60 for non-residents of the parish.

The Clerk explained that this is something that the committee review annually and includes the list of charges in the “Model publication for the freedom of information scheme” which members felt the costs should stay the same as previously. The Sports Fields fees and charges are due to be reviewed at the next Asset Management Committee on 7<sup>th</sup> June.

**Recommendation:** The Parish Council approve the schedule of fees and charges for 2021/22.

**51/21 Risk Register: To consider best way to review Risk Register**

The Clerk explained that the council had previously decided that it would be a good exercise for the new council to undertake the task of adding a scoring matrix to the Risk Register, after the May elections, to get to grips with the council’s operations and risks. The Clerk advised that this would be best done in a closed session so that the council’s financial risks were not advertised in the public domain, as it could make the council vulnerable. The Clerk explained that the Risk Register was a big document and sought a steer from members as to whether they wished to do this as a one agenda item finance meeting or as a smaller

group session as it would take time. Members felt that this should be done in a stand-alone session with a small selection of councillors.

**Recommendation:** The council review the Risk Register in a stand-alone closed session with a small selection of councillors from the Finance Committee, consisting of Councillors Glover, Pafford, Baines and Holt.

**52/21 Berryfield Village Hall: To consider Precept amount / Band D payment to include in public consultation re Public Works Loan**

The Clerk explained that at the Annual Council meeting members had considered the possibility of taking out a public works loan to enable the commencement of the build for the new Berryfield Village Hall to start this year. It was noted that members had felt that it would be prudent for building works to be done whilst the building works were still being undertaken on the housing development, to prevent works being started once the development had been completed and disrupting residents.

In order for the council to apply for a public works loan, an application would need to be submitted to gain approval by the Secretary of State, for the borrowing. The application would need to include evidence that residents had been consulted beforehand and any support received.

The public consultation would need to include the amount increase to the precept to meet the borrowing costs if any were required. The Clerk explained to members that there was scope for the council to pay the loan back from the following funding streams, £500,000 index linked from the S106 for the village hall, around £100,000 from the CIL (Community Infrastructure Levy) for the Bowood View housing development, £150,000 CIL coming from the Pathfinder Way development which had already been approved to be vired over to this project. There was also potential CIL coming from an adjacent housing development which had recently received planning approval and was estimated to be approximately £95/100k as for a similar amount of housing as next door.

The Clerk sought a steer from members on whether they wished for an element of the cost to come from the precept to fund part of the village hall or if they wished for this project to be funded by all of the funding streams that were expected to be received. For scope the Clerk advised that if the council wished to take £100,000 from the precept it would equate to around £37.50 per an average band D household if this was to be paid back. It was noted that this was based on a 1-year loan.

Councillor Glover explained that there was a potential for the council to pay the loan back from the income expected to be received without impacting the precept, but highlighted that there may be an issue with cash flow if any of these funding streams were delayed. The Clerk explained that the S106 money for the Village Hall would be index linked and was dependent on occupation levels, whereas the CIL funds were phased payments based on build levels and so both were difficult to visualise when these funds might be received. It was noted that once the expected income was received it would enable the council to pay off the loan much quicker.



It was also explored as to whether the council had enough funds in their other reserves which could be used to pay for the Village Hall in the meantime while waiting for the funds to come in. The Clerk advised that there would be, however these were ear marked for specific purposes and cautioned members that it only took several events to happen at the same time which could leave the council in some difficulty.

Councillor Baines queried what the repayment period would be if the council was to take out a public works loan as the impact on the precept could be managed according to the length of the payback period. The Clerk advised that on the guidance previously received it was either 5 or 20 years in length. Councillor Baines highlighted that the council would need to find out if a public works loan would be a fixed interest rate and if so, how much the rate would be for differing loan lengths which would give an indication of the true cost of the loan.

The Clerk explained that the next finance committee was scheduled before the next full council meeting to look at the finer detail of the loan to come up with a proposal, but an advert would need to go out in the Melksham News before this meeting to consult with the public. The feedback received from the advert would then inform the Full Council before any decision was made. It was explained that the tenders received had a 90-day time limit on from the date of the tender deadline so this needed to be defined before this time. It was felt by members that the council could not go ahead with a contract without knowing where the funding was coming from as this may cause cash flow problems.

Councillor Glover felt that a general advert should be published to say that the parish council was considering the need for a public works loan to complete the proposed works on the Berryfield Village Hall to alleviate any delay on receiving any CIL funding. Members felt that the loan amount should be the shortfall between the contract cost and the ear marked funding that has already been received in the bank for the project.

**Recommendation:** The council to put an advert in the Melksham News to consult with the public on the possibility of the council taking out a public works loan for the new Berryfield Village Hall. The advert to explain that the loan amount should be the shortfall between the contract cost and the amount that has already been received in the bank. Any feedback received from residents to be fed back to the Full Council meeting on Monday 28<sup>th</sup> June to inform their decision.

### **53/21 To consider Grant Aid applications for 2021/22**

The council had received 36 applications for grant aid with requests totalling to £40,440.00.

**Recommendation 1:** The Council reserve amounts to the following organisations pending more information:

**11. Girl Guiding UK:** Members noted that the grant awarded to this organisation for 2020/21 was for a group of guides to travel to Switzerland, however due to Covid-19 this trip had been cancelled. The application for 2021/22 was for the

same activity, therefore members wished to query with the organisation what the grant funding awarded to them last year was spent on. Members also wished to clarify how many members of the organisation lived in the parish of Melksham Without. If satisfactory information is received the council award Girl Guiding UK £250.00

**12. FOF FC:** Members wished for further detail to be received on this application as to why funding cannot be raised through paid memberships. It was also noted that no accounts had been provided as the organisation had said that they had not been going for a year, however the parish council had awarded a grant in 2020/21 so would like to see accounts before a grant is awarded. If satisfactory information is received the council award FOF FC £350.00

**16. Melksham Read Easy:** It was noted that only a balance sheet had been provided with this application, members wished to see more detailed accounts. If satisfactory accounts are received the council to award Melksham Read Easy £200.00

The Clerk cautioned members on the Beanacre Community Group grant application as it was for the maintenance of Hedge Leaze, the green space owned by St Barnabas Church. She had sought guidance from the National Association of Local Councils (NALC) regarding financial assistance to Churches, and this particular grant application. The guidance states that the Local Government Act 1894 prohibits council's involvement in property relating to churches e.g., maintenance or improvement of buildings or land or contributing towards the cost of these activities. It was noted that even though this field was a community space it was still owned by the church, therefore against this law. The Clerk explained that the 1894 law split out what the responsibility of Parish Councils and Churches and until the law is changed the parish council are unable to contribute to any works on the field. It was suggested by members that the group should contact their local MP to get this law changed.

Councillor Wood, although understood the law, was unhappy that the council were unable to provide any funding to the Beanacre Community Group as the council had been encouraging a community group being set up in Beanacre for a long time and struggled to understand how this would aid the church. It was explained that this was because the land was owned by the Salisbury Diocese. Councillor Glover queried with the Clerk regarding the legalities of the Beanacre Play Area, the Clerk explained that this was within the law as the council lease the piece of land from the Salisbury Diocese on a peppercorn rent.

It was felt by members that due to the legal situation regrettably they are unable to support this application but to explain to the group how the council lease the Beanacre Play Area piece of land from the Church and suggest that if they took out a similar lease, they might be able to receive grant funding. The Clerk advised that legal advice would need to be sought before this is suggested to the group.

**Recommendation 2:** The Council do not award Grants to the following organisations for the following reasons:

**25. Beanacre Community Group:** The Council regrettably refuse this application

as the Local Government Act 1894 prohibits councils from contributing towards the expense of maintenances or improvement of church property. If legal advice permits, the council to explain how the parish council lease the land that the Beanacre Play area is located on and suggest that the community group take out a similar lease which would enable the parish council to award grant funding.

**Recommendation 1:** The Council award grants to the following organisations:

	TYPE	ORGANISATION	Awarding in 2021/22
<b>SECTION 133 GRANTS (HALLS)</b>			
1	Other halls	Bowerhill Village Hall Trust	£3,000
2	Owned by MWPC	Shaw Hill Playing Field and Village Hall	£4,000
3	Other halls	Berryfield Village Hall	£500
4	Other halls	Whitley Reading Rooms	£1,500
5	Other halls	The Rachel Fowler Centre	£250
<b>SECTION 133 GRANTS (HALLS) Total</b>			<b>£9,250</b>
<b>SECTION 137 GRANTS</b>			
6	Action Groups	Bowerhill Residents Action Group (BRAG)	£450
7	Action Groups	Berryfield & Semington Rd Action Group (BASRAG)	£500
8	Action Groups	Community Emergency Group (CAWS)	£160
<b>Action Groups Total</b>			<b>£1,110</b>
9	Youth	4Youth (South West) - formerly Young Melksham	£2,500
10	Youth	2385 (Melksham) Squadron ATC	£350
11	Youth	<b>Girl Guiding UK</b>	<b>£250-Reserved</b>
12	Youth	<b>FOF FC</b>	<b>£350-Reserved</b>
<b>Youth Total</b>			<b>£3,450</b>
13	Support Groups	Group Five	£400
14	Support Groups	Melksham PHAB Club	£250
15	Support Groups	Relate Mid Wiltshire	£500

<b>16</b>	Support Groups	<b>Melksham Read Easy</b>	<b>£200-Reserved</b>
<b>17</b>	Support Groups	Wiltshire Mind	£500
<b>18</b>	Support Groups	Wiltshire Sight	£350
<b>19</b>	Support Groups	Wiltshire Air Ambulance	£500
<b>20</b>	Support Group	HELP Counselling Services	£200
<b>21</b>	Support Group	Life Education Centres Ltd Wiltshire	£300
<b>22</b>	Support Group	Melksham Community Money Advice	£200
<b>23</b>	Support Group	Age Friendly Melksham CIC	£1,000
	<b>Support Groups Total</b>		<b>£4,400</b>
<b>24</b>	Community	Shaw & Whitley Community Hub Ltd	£750
<b>25</b>	Community	Beanacre Community Group	£0
	<b>Community Total</b>		<b>£750</b>
<b>26</b>	Community Info	Shaw & Whitley Connect	£250
	<b>Community Info Total</b>		<b>£250</b>
<b>27</b>	Transport	Melksham Rail Users Group	£350
<b>28</b>	Transport	TransWilts CIC	£3,000
	<b>Transport Total</b>		<b>£3,350</b>
<b>29</b>	Clubs	AFC Melksham (Disabled)	£250
<b>30</b>	Clubs	Melksham Gardeners' Society	£200
<b>31</b>	Clubs	Melksham Amateur Swimming Club	£340
<b>32</b>	Clubs	Shaw & Whitley Friendship Club	£400
<b>33</b>	Clubs	Shaw & Whitley Garden Club	£150
<b>34</b>	Clubs	Melksham Messy Church	£150
<b>35</b>	Clubs	Melksham Rugby Club	£500
	<b>Clubs Total</b>		<b>£1,990</b>
	<b>Section 137 GRANTS Total</b>		<b>£15,300</b>
<b>SECTION 144 GRANTS (TOURISM)</b>			
<b>36</b>	Tourism	Melksham Tourist Information Centre	£600
	<b>Tourism Total</b>		<b>£600</b>
	<b>Grand Total</b>		<b>£25,150</b>

Meeting closed at 21:25pm

Chairman .....

Approved Monday, 28<sup>th</sup> June 2021