

Marham Parish Council

Minutes of the Annual Meeting held Wednesday, 15th May 2019 at 7.15pm in the Village Hall, Marham

Present:	Chairman	Cllr I Barrett (elected)
	Vice Chairman	Cllr P Walsingham (re-elected)
	Councillors	Cllr G Bucke
		Cllr S Canham
		Cllr C Child
		Cllr D Flatt
		Cllr T Harrison
		Cllr T Hawkins (resigned following Item 65)
		Cllr D Paisley
		Cllr E Rix-Clark
	Borough Councillors	Cllr G Hipperson
		Cllr M Howland
	Parish Clerk	Mrs S Porter
	Member(s) of Public	18

70. Election of Chairman of the Council

The outgoing Chairman asked for nominations for Chairman of the Council.

Proposed – Cllr Harrison

Seconded – Cllr Child

That Cllr Barrett is elected Chairman of Marham Parish Council for the ensuing year.

For – 6

Against – 4

Abstentions – 0

There followed a further nomination.

Proposed – Cllr Bucke

Seconded – Cllr Paisley

That Cllr Hawkins is elected Chairman of Marham Parish Council for the ensuing year.

For – 4

Against – 6

Abstentions – 0

There being no other nominations, Cllr Barrett was duly elected.

Following the Elections held Thursday, 2nd May 2019, all newly elected Councillors had completed and signed their Declaration of Acceptance of Office, Register of Members Disclosable Interests, Dispensation Request Declaration, Code of Conduct and GDPR Consent Form prior to the meeting.

Cllr Hawkins then verbally resigned from the Council and suitably left the meeting. Borough Cllr Howland left the meeting and four members of public left the Council Chamber at 7.35pm.

Cllr Barrett read, signed and dated her Declaration of Acceptance of Office. The Clerk duly countersigned it.

The Chairman, Cllr Barrett, thanked Mrs Tina Hawkins for her service to the Council and for her Chairmanship over the past four years, and Mr Dave Hawkins and Mr Colin Heather who had served for a number of years on the Council but had not been re-elected in the recent Elections. The Chairman, Cllr Barrett welcomed the two new elected Members, Cllr Canham and Cllr Flatt, to the Council.

71. Election of Vice Chairman of the Council

The Chairman asked for nominations for Vice Chairman of the Council.

That Cllr Walsingham is elected Vice Chairman of Marham Parish Council for the ensuing year.

All in favour

There being no other nominations, Cllr Walsingham was duly elected. Cllr Walsingham read, signed and dated his Declaration of Acceptance of Office. The Clerk duly countersigned it.

72. Apologies for absence

Apologies for absence had been received from Cllr J Hipperson (work commitment).

The apologies were accepted.

73. Declarations of interest and requests for dispensation

The Chairman, Cllr Barrett, declared a Personal Interest in Allotments, Item 76.1, as she was a current tenant on the allotment site.

There were no further declarations of interest declared at this item and no requests for dispensation.

74. Approval of the minutes of the Parish Council meeting

That the minutes of the meeting held on Wednesday, 17th April 2019 (items 53-69) are approved and signed as a true and accurate record.

All in favour

The Chairman, Cllr Barrett, duly signed and dated the minutes of the meeting.

75. General Power of Competence (Adopted report 15th March 2017 circulated with agenda)

The Clerk had circulated the General Power of Competence policy to all Councillors with the agenda (Appendix 1).

The Chairman, Cllr Barrett, reported that the three conditions for eligibility were set out in the Statutory Instrument as follows:

- i. 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.
- ii. Electoral mandate: at the time the resolution is passed, at least two thirds of the Council must hold office as a result of being declared elected (i.e. not co-opted).
- iii. 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, Certificate of Higher Education in Local Policy) AND pass the 2015 CiLCA module relating to the General Power of Competence.

Marham Parish Council satisfies all the conditions as follows:

- i. Marham has 11 out of 11 Councillors elected at the Ordinary Elections held May 2019.
- ii. The Clerk of the Council holds the Certificate in Local Council Administration (CiLCA) and has passed the CiLCA module on the General Power of Competence.

Eligibility remains in place until the next ‘relevant’ Annual Meeting, even if the conditions of the eligibility criteria have changed. If the Council loses its qualified Clerk or has insufficient elected Councillors it must also record its ineligibility at the next ‘relevant’ meeting.

The Council resolves until the next relevant Annual Meeting of the Council in May 2023, that having met the conditions of eligibility for the Electoral Mandate and Qualified Clerk as defined in the Localism Act 2011 S8 Secretary of State Statutory Instrument 965 Parish Councils (General Power of Competence (Prescribed Conditions) Order 2012), to re-adopt the General Power of Competence in accordance with the policy attached to these minutes as Appendix 1.

All in favour

76. Review of Councillors' Areas of Responsibilities, Outside Body Representation and Working Parties (circulated with agenda)

76.1 Internal Responsibilities

76.1.1. Allotments – Currently Cllr Barrett, Cllr J Hipperson (inspections)

Cllr Barrett was duly reappointed as the internal coordinator for the Allotments. Cllr Hipperson was duly reappointed as the inspections official for the Allotments.

76.1.2. Cemetery – currently Cllr Paisley (was also Cllr D Hawkins, Cllr T Hawkins)

Cllrs Canham, Child and Walsingham were duly appointed as the internal coordinators for the Cemetery.

It was noted that the cemetery paperwork was currently being held at Mr D Hawkin's property and would need to be retrieved. It was also unknown where the topple testing equipment was being stored. The Chairman, Cllr Barrett, and Vice Chairman, Cllr Walsingham, would investigate these matters.

Cllr Paisley reported that the last topple testing inspection on the cemetery had been carried out in August 2017 and would not need to be done again until August 2022, although some would require sooner attention due to their condition not being deemed totally safe. Training would be required for Councillors wishing to carry out topple testing in the future. This would be added to the next agenda for consideration.

76.1.3. Churchyard & Church Wall – Currently Cllr Bucke, Cllr Harrison

Cllrs Bucke and Harrison were duly reappointed as the internal coordinators for the Churchyard and Church Wall.

76.1.4. Community Payback – (was Cllr T Hawkins)

Cllr Walsingham was duly appointed as the internal coordinator for the Community Payback Team.

The Clerk would contact Mr Bryan Foster, Team Leader of the Norfolk and Suffolk Community Rehabilitation Company, to advise that Cllr Walsingham was the new coordinator.

76.1.5. Emergency Planning – Currently Cllr Walsingham

Cllr Walsingham was duly reappointed as the internal coordinator for Emergency Planning.

76.1.6. Grounds Maintenance – Currently Cllr Harrison

Cllr Harrison was duly reappointed as the internal coordinator for Grounds Maintenance.

76.1.7. Highways, Street Lighting & Traffic – Currently Cllr Harrison

Cllr Harrison was duly reappointed as the internal coordinator for Highways, Street Lighting and Traffic.

76.1.8. Finance Control – (was Cllr Heather)

Cllr Bucke was duly appointed as the internal Finance Control.

76.1.9. Pavilion, Play Park & Playing Field – Currently Cllr Walsingham (was also Cllr T Hawkins)

Cllr Walsingham was duly reappointed and Cllr Canham was duly appointed as the internal coordinators for the Pavilion, Play Park and Playing Field.

76.1.10. Proposed & Seconded and Media – Currently Cllr Child

Cllr Child was duly reappointed as the coordinator for the Proposed & Seconded magazine and Media communications.

76.1.11. SAM2 – Currently Cllr Walsingham

Cllr Walsingham was duly reappointed as the internal coordinator for SAM2.

76.1.12. Speedwatch – Currently Cllr Harrison, Cllr Paisley (Coordinator)

Cllrs Harrison and Paisley were duly reappointed as the internal coordinators for Speedwatch.

76.1.13. Village Hall – (was Cllr D Hawkins, Cllr T Hawkins)

Cllrs Barrett and Rix-Clark were duly appointed as the internal coordinators for the Village Hall.

It was noted that the keys for the Sports Pavilion and Village Hall would need to be retrieved from Mrs Hawkins. The Chairman, Cllr Barrett and the Vice Chairman, Cllr Walsingham, would deal with this accordingly.

76.1.14. Website & Broadband – (was Cllr D Hawkins)

Cllr Flatt was duly appointed as the internal coordinator for the Broadband matters and Council Facebook Page. The Clerk would continue to update the website.

It was noted that the passwords for the Chairman email address and Facebook Page would need to be retrieved from Mrs Hawkins. The Chairman, Cllr Barrett and the Vice Chairman, Cllr Walsingham, would deal with this accordingly.

It was further noted that Cllr Flatt would require training for the website by the Clerk or from Norfolk ALC, at cost to the Council. It was agreed for the Clerk to deal with the website until training could be carried out.

76.1.15. Bank Signatories – Currently Cllr Barrett, Cllr Walsingham, Clerk (RFO) (was also Cllr T Hawkins, Cllr Heather)

Cllrs Barrett (Chairman), Walsingham (Vice Chairman) and the Clerk (RFO) would remain as the bank signatories. Cllr Bucke would be added.

It was noted that Mrs Hawkins and Mr Heather's access would need to be removed from the Council accounts. A Debit Card would also be required for the new Chairman. The Vice Chairman, Cllr Walsingham, would contact Barclays to deal with these matters.

76.1.16. To consider allocation of any other responsibilities

76.1.16.1. Campaigners Against Two Silica Sites (CATSS) representatives – currently Cllr Barrett, Cllr Child

Cllrs Canham and Flatt were duly appointed as the representatives for the Campaign Against Two Silica Sites (CATSS). Cllr Child would continue to be a point of reference.

76.1.16.2. P&S Collection and Distribution Rota – (was Cllr D Hawkins)

Cllr Barrett was duly appointed as the internal coordinator for the P&S Collection and Distribution Rota. Cllr Child agreed to coordinate the P&S when the Chairman, Cllr Barrett, was unable to (holiday, sickness, etc). The Clerk noted that travel expenses were reclaimable for the collection of the magazines from the Print Room at the BCKL&WN.

The Clerk would contact the BCKL&WN Print Room to advise of the coordinator change.

76.1.16.3. P&S Councillors' Distribution Rounds – all Councillors

Cllr Barrett was duly appointed as the internal coordinator for the P&S Councillors' Distribution Rounds.

The Chairman, Cllr Barrett, would circulate a copy of the rounds to all Councillors.

76.2. Outside Bodies' Representation

76.2.1. Internal Drainage Board Liaison (outside body) – Currently Cllr Bucke

Cllr Bucke was duly reappointed as the liaison representative for the Internal Drainage Board.

76.2.2. Poors Trust Liaison (outside body) – Currently Cllr Harrison

Cllr Harrison was duly reappointed as the liaison representative for the Poors Trust.

76.3. Working Parties

76.3.1. Finance Panel – Chairman, Vice Chairman, Cllr Bucke, Clerk (RFO) (was also Cllr T Hawkins, Cllr Heather)

The Chairman, Cllr Barrett, the Vice Chairman, Cllr Walsingham, Cllrs Bucke and Paisley and the Clerk (RFO) were duly appointed onto the Finance Panel.

The Chairman, Cllr Barrett, asked the Council whether consideration should be given to changing the Finance Panel to a Standing Committee of the Council. A discussion took place and it was felt that because the decisions of a Finance Committee would still have to be referred back to Full Council for final approval, the additional meetings and work involved would not be worthwhile. This was noted.

76.3.2. Village Events – currently Cllr Hipperson, Cllr Walsingham (was also Cllr D Hawkins, Cllr T Hawkins, Cllr Heather)

Cllrs Canham, Flatt, Rix-Clark and Walsingham were duly appointed onto the Village Events Panel.

The Clerk noted that there appeared to be non-voting members on the Events Panel which had not been declared to the Council. As they were making decisions on behalf of the Council they would need to be formally approved. The Vice Chairman, Cllr Walsingham, would investigate which non-elected members there were and report back at the next meeting.

77. Review of Council policies and procedures (available to view on the website unless otherwise stated)

77.1. Standing Orders

The Standing Orders were approved with no amendments required.

77.2. Financial Regulations

The Financial Regulations were approved with no amendments required.

77.3. Asset Register

The Asset Register was approved with no amendments required.

77.4. Child Protection

The Child Protection Policy was approved with no amendments required.

77.5. Complaints Procedure for use Against the Council

The Complaints Procedure for use Against the Council Policy was approved with no amendments required.

77.6. Complaints Procedure

The Complaints Procedure Policy was approved with no amendments required.

77.7. Dignity at Work

The Dignity at Work Policy was approved with no amendments required.

77.8. Expenses and Allowances (Cllr Folder)

The Expenses and Allowances Policy was approved with no amendments required.

77.8.1. To review the Chairman’s annual allowance (currently £15.30 per month)

The Chairman’s annual allowance is a small sum that can be allocated to the Chairman to help pay for activities undertaken in the role of Chairman.

Proposed – Vice Chairman, Cllr Walsingham

Seconded – Cllr Bucke

That this Council approves a 2019/2020 Chairman’s allowance of £15.30 per month and that this is payable on a monthly basis.

All in favour

It was agreed for the Chairman, Cllr Barrett, to monitor the amount of Council-related phone calls she made and received and to investigate the cost of purchasing a mobile phone and tariff solely for Council business, if she felt it was necessary to have a separate phone. This was noted.

77.9. Powers & Duties

The Department for Communities and Local Government (DCLG) agrees the appropriate sum for the purpose of Section 137(4)(a) of the Local Government Act 1972. The Clerk had amended the annual statutory limit for 2019/2020 to £8.12. The Powers and Duties were approved with no further amendments required.

77.10. Press/Social Media

The Press/Media Policy was approved with no amendments required.

It was agreed to add Social Media communications to the next agenda for discussion.

77.11. Unreasonably Persistent And/Or Vexatious Complainants

The Unreasonably Persistent And/Or Vexatious Complainants Policy was approved with no amendments required.

77.12. Vulnerable Persons

The Vulnerable Persons Policy was approved with no amendments required.

77.13. Training (Cllr Folder)

The Training Policy was approved with no amendments required.

77.14. Sickness & Absence (Cllr Folder)

The Sickness and Absence Policy was approved with no amendments required.

77.15. Operational Risk Assessment (Cllr Folder)

The Operational Risk Assessment was approved with no amendments required.

77.16. Health & Safety (Cllr Folder)

The Health and Safety Policy was approved with no amendments required.

77.17. Freedom of Information Model Publication Scheme (Cllr Folder)

The Freedom of Information Model Publication Scheme was approved with no amendments required.

77.18. Disciplinary & Grievance (Cllr Folder)

The Disciplinary and Grievance Policy was approved with no amendments required.

77.19. Business Continuity Plan (Cllr Folder)

The Business Continuity Plan was approved with no amendments required.

77.20. Bullying & Harassment (Cllr Folder)

The Bullying and Harassment Policy was approved with no amendments required.

77.21. Equal Opportunities (Cllr Folder)

The Equal Opportunities Policy was approved with no amendments required.

77.22. Communications Protocol (Cllr Folder)

The Communications Protocol was approved with no amendments required.

77.23. Member/Officer Relations Protocol (Cllr Folder)

The Member/Officer Relations Protocol was approved with no amendments required.

77.24. Code of Conduct

The Code of Conduct had been signed by all Councillors following the election in May 2019. This would be reviewed at the next ordinary election in 2023.

77.25. Councillors' Registered Declarations of Interests – to be updated if necessary

The Clerk reminded Councillors to review their Registers of Declared Interests and update them if necessary as it was a statutory requirement to do so. New forms were available from the Clerk who would forward the information to the BCKL&WN Monitoring Officer accordingly.

The policies listed as 'Cllr Folder' were currently only available in paper form. When time allowed the Clerk would produce documents for retention on the Council laptop and website.

PUBLIC OPEN FORUM

The Chairman, Cllr Barrett, adjourned the meeting at 8.05pm.

Reports

County Councillor

County Cllr Middleton was not present at the meeting and no prior written report had been received.

Borough Councillor

Borough Cllr Hipperson reported that, taking the boundary review into account, 55 Councillors had been elected comprising 28 Conservatives, 15 Independents, 10 Socialists, 1 Liberal Democrat and 1 Green Party resulting in an overall majority for the Conservatives of 1 seat.

RAF Marham

WO Spark reported that the Friends and Families Day was being held on Thursday, 25th July 2019. All Councillors + one were invited to attend. The Vice Chairman, Cllr Walsingham, would coordinate the forms for this.

The workshop would now be making a bespoke bench to replace the one removed from Villebois Road. Funding had initially been sought to purchase one, but this had been unsuccessful.

RAF Marham would be holding its own event on the morning of the Fun Day. 340 people were expected to attend and leaflets for the Fun Day would be handed out to attract them in attending the Fun Day event in the afternoon. The Vice Chairman, Cllr Walsingham, would arrange for leaflets to be provided.

The fortnightly 5K Community Run was next being held on Thursday, 16th May 2019.

Borough Cllr Howland returned to the meeting at 8.12pm.

Borough Cllr Howland had nothing to report to the meeting.

Public Participation

A member of public enquired about the faster broadband update. Cllr Flatt reported that she had contacted BT regarding this matter and it had been confirmed that although the green box was active, the faster broadband wasn't. BT had been working in the village recently and the anticipated due date was the end of May 2019. Cllr Flatt would continue to investigate this.

A further member of public advised that a separate income/expenditure sheet for Events should be produced for the public. The Clerk advised the Chairman, Cllr Barrett, that members of the public were given a period which allowed them to exercise their rights and view the accounts over a 30-day period each year and the Council was not obligated to produce such documents. The member of public's comments were noted and would be considered by the Events Panel.

The same member of public raised concern regarding the cattle on the Poors Land Trust field as these were a danger to the public. Cllr Harrison confirmed that he would raise this as a Health and Safety Executive issue at the next meeting with the Poors Trust and request that the possibility of redirecting and fencing off the path be considered. Borough Cllr Hipperson advised the member of public to contact the BCKL&WN which may be able to help as they used to have a footpath officer.

Three members of public left the Council Chamber at 8.20pm.

The Chairman, Cllr Barrett, resumed the meeting at 8.20pm.

78. Elections 2nd May 2019 – Declarations of Result and Candidate Election Expenses

The Clerk reported the Declarations of Results had been announced on Friday, 3rd May 2019 which acknowledged that Mr David J Hawkins and Mr Colin B Heather had not been elected for the Parish Council and Mr Matthew J Sawyer, Conservative Party, had not been elected at the BCKL&WN. Candidate Election Expenses needed to be returned to the Clerk by Friday, 31st May 2019.

79. Finance

79.1. Bank Reconciliation

The Clerk had circulated the bank reconciliation, period ending April 2019, with the agenda.

Cllr Rix-Clarke enquired why the Earmarked Reserves were so high for some items, in particular, the Village Hall Alterations (£17,000). The Clerk advised that it was lawful for Councils to earmarked a sum of money each year in the precept for specific projects. It was noted that the Council could now consider utilising the reserves, together with the funds raised, for a disabled toilet in the Village Hall.

Cllr Flatt questioned whether the Council needed a disabled toilet and Cllr Paisley pointed out that the Council was in breach of the Disability Discrimination Act and possibly breaking the law by not having one in a public used building. This was noted.

The bank balances were as follows:

April 2019

Bank Reconciliation	Community Account (£)	Business Account (£)
Bank Statement Start Balances	1,547.79	65,137.33
Total Opening Bank Balances		66,685.12
Unpresented Cheques B/F	-	-
Unpresented Receipts B/F	-	-
Council Opening Balances	1,547.79	65,137.33
Council Total Opening Balances		66,685.12
Receipts	47,765.98	35,000.00
Payments	- 38,860.04	- 1,000.00
Bank Statement Close Balances	10,453.73	99,137.33
Total Closing Bank Balances		109,591.06
Unpresented Cheques	- 3,916.93	-
Unpresented Receipts	-	-
Council Closing Balances	6,536.80	99,137.33
Council Total Closing Balances		105,674.13

Earmarked Funds	
Operating Costs (6 Months)	20,000.00
Pensions Contribution	1,000.00
Village Hall Alterations	17,000.00
Elections (5 Year to £1000) Year 4	4,000.00
Parish Plan Review	1,000.00
Emergency Plan (5 Year to £2000) Year 4	2,000.00
Electrical Check Village Hall (3 Year to £450)	450.00
Electrical Check Pavilion (3 Year to £750)	750.00
Tree Safety Maintenance	5,000.00
Churchyard Wall Maintenance & Restoration	7,643.41
Allotment Deposits Held	420.00
Allotment Fencing (5 Year to £1000) Year 1	600.00
Street Lighting	1,500.00
Village Hall Fencing	2,000.00
Village Hall Disabled Toilet Fundraising	3,765.29
Events Goods and Equipment	288.70
Village Signs	1,000.00
Norfolk Waste & Minerals Review (CATSS)	712.65
CIL Payments	84.60
Total Earmarked Reserves	69,214.65

Reconciliation Community Account (£)	
Bank Statement 01.04.2019	1,547.79
Receipts	47,765.98
Payments Cleared	- 38,860.04
Bank Statement 30.04.2019	10,453.73
Unpresented Cheques	
103505	- 1,862.50
103506	- 1,965.00
Debit Card 29.04.2019	- 14.99
Debit Card 29.04.2019	- 29.00
Debit Card 29.04.2019	- 26.45
Debit Card 29.04.2019	- 18.99
	- 3,916.93
Unpresented Receipts	
	-
Council Closing Balance	6,536.80

Reconciliation Business Account (£)	
Bank Statement 01.04.2019	65,137.33
Receipts	35,000.00.46
Payments Cleared	- 1,000.00
Bank Statement 30.04.2019	99,137.33
Unpresented Cheques	
	-
Unpresented Receipts	
	-
Council Closing Balance	99,137.33
Council Total Closing Balances	105,674.13

Council Total Closing Balances	105,674.13		
Council Total Earmarked Reserves	69,214.65	Council Remaining Available Precept	36,459.48

Chairman Signed Dated

79.2. Pre-authorised payments, receipts and pending disbursements

The Clerk had circulated the payments and receipts made since the last meeting and presented the late bills to the meeting:

Date	Payee	Description	Transaction	Net Payment £	VAT Amount £	Gross Payment £	Receipt £
18.04.2019	Village Hall / Sports Pavilion	Lettings Mar-Apr 19	100515	0.00	0.00	0.00	224.50
18.04.2019	Allotment Rent	Plots 5, 6 & 9	100516	0.00	0.00	0.00	76.32
20.04.2019	B&Q	Paint brushes CPT	Debit Card	10.00	2.00	12.00	0.00
20.04.2019	Wilko	Paint CPT	Debit Card	19.58	3.92	23.50	0.00
27.04.2019	Allotment Rent	Plot 11	Misc	0.00	0.00	0.00	25.44
29.04.2019	Sara Porter	6 Chairs Village Hall & travel	BACS	38.10	0.00	38.10	0.00
29.04.2019	Cllr D Hawkins	Travel Expenses	BACS	15.30	0.00	15.30	0.00
29.04.2019	Cllr T Hawkins (Poundland)	Biscuits, brushes, cups CPT	BACS	5.00	1.00	6.00	0.00
29.04.2019	Cllr T Hawkins	Chair's Allowance April 2019	BACS	15.30	0.00	15.30	0.00
29.04.2019	Bookings & Caretaking Officer	Contract April 2019	BACS	270.00	0.00	270.00	0.00
29.04.2019	Clerk	Salary April 2019	BACS	690.98	0.00	690.98	0.00
29.04.2019	Clerk	Expenses April 2019	BACS	18.10	0.00	18.10	0.00
29.04.2019	HMRC	Employer PAYE/NI April 2019	BACS	221.71	0.00	221.71	0.00
29.04.2019	Ultimate Land & Gardens Ltd	Grounds Maintenance Apr 19	BACS	633.00	126.60	759.60	0.00
29.04.2019	BCKL&WN	Business Rates Cemetery Pay 2	BACS	55.00	0.00	55.00	0.00
29.04.2019	KD & J Ltd (Ebay)	Safety fencing Fun Day Event	Debit Card	14.99	0.00	14.99	0.00
29.04.2019	JT Atkinson & Sons Ltd (Ebay)	Hammerite paint CPT	Debit Card	24.17	4.83	29.00	0.00
29.04.2019	True Traders Ltd (Ebay)	Safety fence pins Fun Day Event	Debit Card	22.04	4.41	26.45	0.00
29.04.2019	Mr Bobs DIY&Hardware (Ebay)	Wood stain CPT	Debit Card	15.82	3.17	18.99	0.00
02.05.2019	Amazon EU SARL	Polyfiller Community Payback	Debit Card	4.06	0.81	4.87	0.00
02.05.2019	Malmo (Amazon)	Paper cups Community Payback	Debit Card	8.15	0.00	8.15	0.00
07.05.2019	Cllr P Walsingham (Wickes)	Light Cable Sports Pavilion	BACS	18.75	3.75	22.50	0.00
07.05.2019	Cllr P Walsingham (Toolstation)	Light, lamp, spray Sport Pavilion	BACS	19.52	3.90	23.42	0.00
07.05.2019	BCKL&WN	P&S Magazine Printing	BACS	126.78	0.00	126.78	0.00
07.05.2019	Play Inspection Company Ltd	Play Equipment Annual Inspect	BACS	65.00	13.00	78.00	0.00
Late Bills / Receipts (Received after Agenda advertised)							
11.05.2019	Sainsburys	Refreshments Council / CPT	Debit Card	3.00	0.60	3.60	0.00
11.05.2019	Sainsburys	Refreshments Council	Debit Card	1.50	0.00	1.50	0.00
13.05.2019	E-On	Street Lighting Apr 2019	DD	70.90	3.55	74.45	0.00
15.05.2019	OVO Energy	Electric Village Hall April 2019	DD	292.38	14.62	307.00	0.00
To be paid	Veolia	Waste Collect Cemetery Apr 19	BACS	39.25	7.85	47.10	0.00
Totals				2718.38	194.01	2912.39	326.26

Proposed – Cllr Harrison

Seconded – Vice Chairman, Cllr Walsingham

That the payment of bills are approved in accordance with the schedule.

All in favour

Cllr Harrison asked whether the Council should consider setting up the Events Panel as a stand-alone charity or Management Committee. It was agreed to add this to the next agenda for consideration and further discussion.

80. Norfolk Minerals and Waste Local Plan Review

80.1. Report from the Campaigners Against Two Silica Sites (CATSS) group

Cllr Child had received a written report from the CATSS and read it to the meeting as follows:

Chairman Signed Dated

'Since the last Parish Meeting, Cllr Canham organised a community Curry Night, bringing together supporters of the CATSS campaign, raising £250.00 for the cause (less £20.00 for the Village Hall rent).

'The new Norfolk County Council Cabinet structure comes into effect from May 2019. The agenda for the 10th June 2019 meeting is awaited to see if the Norfolk Minerals and Waste Local Plan will be discussed and when the next consultation stage is announced. Cabinet meetings will now be recorded and livestreamed via YouTube on the Norfolk County Council Democratic Services channel and hopefully transparency of discussions and decisions will improve as a result.

'CATSS are delighted that elected Parish Council Members and the two BCKL&WN Members voiced their support for the community in the fight against the silica mine proposal in their campaign materials and election mandates. All now needed to work together to mobilise residents to voice even stronger objections in the next round of consultations. CATSS look forward to working with the liaison Councillors to continue informing and motivating the community and welcome other Councillors to get involved.'

80.1.1. To receive requests for expenditure and approve the disbursement(s)

There had been no requests for expenditure received from the CATSS group prior to the meeting.

80.1.2. To receive, consider and agree actions to be taken forward

It was noted that the CATSS were paying £20.00 Village Hall hire charges and consideration could be given for them to use the Hall free of charge in the future. It was noted that charities and other small organisations paid a similar fee for the use of the Hall.

It was agreed to consider hire charges for the Village Hall and Sports Pavilion at the next meeting. The Clerk would add this to the agenda.

Two members of public left the Council Chamber at 8.31pm.

The Chairman, Cllr Barrett, reported that the next consultation date of the Norfolk Minerals and Waste Local Plan would not be known until the Norfolk County Council Cabinet meeting in June 2019. If this was not an agenda item for that meeting it could delay the next consultation date to August/September 2019. CATSS would be keeping residents informed of the up to date progress.

Cllr Flatt raised concern that the Council had two Facebook Pages; Marham Parish Council and Marham Village Hall. The Vice Chairman, Cllr Walsingham, reported that the Village Hall page had been set up initially and the Council page was a subsidiary of that. It was felt that the two could be merged. It was agreed for the Clerk to add this to the agenda for further discussion.

81. Updates and actions regarding ongoing matters

81.1. Allotments

The Chairman, Cllr Barrett, had declared a pecuniary interest in this item as she was a current tenant on the allotment site.

The Chairman, Cllr Barrett, reported that Cllr Hipperson would be carrying out an inspection of the allotment plots in the next few weeks.

81.2. Churchyard

81.2.1. Boundary wall repair work

There was nothing to report to this meeting.

81.3. Cemetery

There was nothing to report to this meeting.

81.4. Village Hall

Cllr Harrison raised concern that the ladies' toilets were overflowing and the stopcock had seized which had forced the problem to continue. Also, the wall heaters were not functioning properly as there appeared to be a problem with the thermostat.

It was agreed for Cllr Harrison to investigate the issues further and report back to the Council.

Cllr Harrison advised that an inspection of all Council owned buildings had not been carried out for many years and was long-overdue. The Vice Chairman, Cllr Walsingham, confirmed that PAT testing was not being carried out annually and the Clerk noted that the properties should also have Legionella checks undertaken each year.

It was agreed to form a working party at the next meeting to deal with the Council properties. The Clerk would add this to the agenda.

81.5. Sports Pavilion, Playground and Playing Field

81.5.1. Annual Play Area Inspection Report

The Clerk had circulated a copy of the annual Play Area Inspection Report to all Councillors prior to the meeting. All recommendations within the report were low risk.

Cllr Harrison reported that he would go through the report in detail and make a list of items requiring attention, in order of urgency, and report back at the next Council meeting with recommendations and costings, if applicable.

It was agreed for Cllr Canham, Cllr Harrison and the Vice Chairman, Cllr Walsingham, to meet at the Coronation Playing Field on Wednesday, 22nd May 2019 at 6.00pm to consider all items requiring attention.

One member of public left the Council Chamber at 8.50pm.

81.5.2. Under 7's Football Team

The Vice Chairman, Cllr Walsingham, reported that the Pavilion would be cleared out Friday, 17th May 2019. The coach, Mr Tom Nickerson, had expressed how impressed he was with the facilities on the Coronation Playing Field. The pitches would be marked out for the Marham's Lightnings' training and match games which were due to commence on Monday, 1st July 2019.

81.5.3. FA grant bid

The Vice Chairman, Cllr Walsingham, reported that Mr Colin Heather had found a used static storage container in Essex for a decent price. It had since been established that a manager of one of the local football teams ran a haulage company and had agreed to collect and transport it back to Marham.

The Vice Chairman, Cllr Walsingham, agreed to find out the cost of the container, the exact size (as planning permission was likely to be required) and the Clerk would add this item to the next agenda for formal approval.

The Vice Chairman, Cllr Walsingham, reported that the tiles in the Sports Pavilion had been secured by Cllr Harrison and Mr C Heather. Spare tiles had also been located to replace the damaged ones; this would be carried out by the Community Payback Team on their next visit.

The Vice Chairman, Cllr Walsingham, would contact Mr Colin Heather for an update on the bid made to the Football Association (FA) grant towards Sports Pavilion facilities.

It was noted that additional cuts on the Coronation Playing Field would be £60.00 per occasion. The Vice Chairman, Cllr Walsingham, would inform the Football Club accordingly.

81.6. Community Speed Watch

Cllr Paisley reported that 47 vehicles had been monitored travelling at 35mph and above.

81.7. SAM2

The Vice Chairman, Cllr Walsingham had circulated the SAM2 graphs for April 2019 prior to the meeting. The Clerk had forwarded the information to the Norfolk Safety Camera Partnership. 16,151 vehicles had registered on the camera of which 7,474 (46%) had been travelling at 35mph and above.

Borough Cllr Howland and WO Spark left the meeting at 9.00pm.

81.8. General Grounds Maintenance

Cllr Harrison reported that Ultimate Land & Gardens Ltd had not been cutting the plot at the back of the Village Hall; this had been an oversight and would be carried out in the future. It was noted that they had been cutting the footpaths regularly and were being respectfully cautious when trimming the Cemetery.

Cllr Canham raised concern that the grass wasn't being cut short enough. Cllr Harrison confirmed that the longer cut grass length was due to a change of specification when the new contract had been issued; this was because at the time there had been no football team.

Cllr Harrison advised that the Coronation Playing Field would need scarifying in the spring of 2020. Costs for this would be obtained from Ultimate Land & Gardens Ltd for formal approval in the new year.

81.9. Street Lights

There was nothing to report to this meeting.

It was agreed to remove this item from the agenda.

81.10. Proposed and Seconded

Cllr Child confirmed that the next edition of the P&S magazine would be sent for printing at the end of May 2019 and delivered early June 2019 in time for the Fun Day event.

81.11. Village Events

81.11.1. Report and recommendations from the Events Working Group

81.11.1.1. Great British Spring Clean – Saturday 20th April 2019 – Debrief

Cllr Child reported that 20 volunteers, ranging from 5 - 75 years old, had helped clear litter from various areas in the village. 13 bags of waste were accumulated, together with large fly-tipped household items. The worse affected area had been Hoggs Drove. The BCKL&WN had collected the waste and large items and were given a vote of thanks for loaning litter picking equipment to the Council.

Following the event, Cllr Child had written to Anglian Water asking them to consider sponsoring litter picking equipment for the Parish Council. A positive response had been received, together with the offer to help on future organised community litter picks. Cllr Child had investigated costings and found that HHenvironmental.co.uk products appeared to be robust and able to stand a good degree of wear and tear.

One Volunteer Combi Kit comprised:

- 5 litterpicker pro grabbers (adult)
- 5 graptor litter pickers (child)
- 5 hand hoop bag openers
- 5 pairs of adult PVC gloves
- 5 pairs of child size rigger gloves
- 2 extra large kit bags

The total cost for this kit, which would meet the needs of 10 people would be £220.79 + £44.16 VAT.

The costs for high visibility vests, supplied by HiVis.co.uk would be £0.99 + £0.20 VAT each, which could be printed as part of that price with 'Marham Parish Council Volunteer/Sponsored by Anglian Water', for example.

The overall total cost to equip 10 volunteers would be £230.69 + £46.14 VAT and the cost for 20, £461.38 + £92.28 VAT.

It was agreed for Cllr Child to pursue the request of sponsorship with Anglian Water and if they declined, the Parish Council could consider purchasing its own equipment for 10 volunteers. Cllr Child would report back to the Council at the next meeting.

Cllr Child was given a vote of thanks for helping to coordinate the event and seeking funding for future events. The Vice Chairman, Cllr Walsingham, was also thanked for organising the delivery and collection of the BCKL&WN equipment and managing the event overall.

81.11.1.2. Yard Sale & Charity Book Sale – Sunday, 19th May 2019

The Vice Chairman, Cllr Walsingham, reported that 20 houses had signed up for the Yard Sale event. The Charity Book Sale would be held in the Village Hall where maps would be available to purchase and light refreshments would be served. The Vice Chairman, Cllr Walsingham, would open the Village Hall and arrange for the Bookings Officer to secure the building at the close of day.

Cllr Paisley advised that he would be supplying display boxes for the books; these would be delivered to the Village Hall on Saturday, 18th May 2019.

The proceeds would be divided as follows:

- Pitches, maps, refreshments sold: Village Hall disabled toilet fund.
- Books sold: 1/3 each to the Norfolk Hospice (Tapping House), Swaffham & Litcham Home Hospice and the QE Hospital Cancer Care & Treatment Unit.

81.11.1.3. Fun Day – Sunday, 9th June 2019

The Vice Chairman, Cllr Walsingham, reported that flyers for the event had been printed and would be advertised after the Yard Sale and Charity Book Sale. The next meeting of the Events Working Group would be held Friday, 24th May 2019.

81.12. Community Payback

This item had been discussed under 71.1.4 and there was nothing further to report.

81.13. Consultation work of PRow's

Cllr Rix-Clark reported that she had held a discussion with a landowner adjoining one of the footpaths currently being investigated and had also advertised on the Marham Community Facebook Page asking residents to contact her with information of their past and current usage of the village footpaths and bridleways. The response to date had been very good.

It was agreed for Cllr Child to add this to the P&S magazine asking for villagers to contact Cllr Rix-Clark.

81.14. Local Plan Review Consultation

The Clerk reported that the BCKL&WN Local Development Framework (LDF) team were still collating the responses received from the consultation (4th March 2019 – 29th April 2019).

82. Planning

82.1. Planning applications

No planning applications had been received from the BCKL&WN.

82.2. Planning decisions

No planning decisions had been received from the BCKL&WN.

82.3. Late planning applications and decisions

No late planning applications or decisions had been received from the BCKL&WN.

83. General correspondence

83.1. For action/information

83.1.1. Memorial for Constance Baker, 'Mother of the Wounded' (deferred from previous Council Meeting)

The Clerk had been liaising by email with the great grandson of Constance Baker, Mr Timothy Warner, and copies of the communication had been circulated to all Councillors prior to the meeting. Mr Warner had provided a copy of Mrs Baker's birth certificate which confirmed she had been born in Marham, in the district of Fincham (at that time), which was where the confusion had been made as that district no longer existed.

In view of the information provided, Councillors agreed that it would be a nice tribute to purchase a blue plaque and display it prominently somewhere in the village. Cllr Bucke agreed to investigate the costs of a plaque in preparation for the next meeting.

It was noted that the school held old log books of pupils and may be able to trace Mrs Baker attending the school in the 1800's. The Chairman, Cllr Barrett, would contact the school to make enquiries about this.

The Clerk would contact Mr Warner to inform him of the Council's investigations and agreement to purchase a plaque. This would be added to the next agenda for formal approval.

83.2. Late correspondence

Norfolk ALC Executive Committee

The Clerk reported that following the Elections, Norfolk ALC needed to establish an Executive Committee for the upcoming four-year term. Following the recent bulletin, Cllr Rix-Clark had expressed an interest in this.

Councillors agreed to nominate her for the Council meeting in May 2019 and if successful, to attend the first meeting of the Executive in July 2019.

The Clerk would submit a nomination form to the Norfolk ALC County Officer.

84. BCKL&WN issues

There was nothing to report to this meeting.

85. Highway matters

Cllr Harrison reported that the Norfolk County Council Community Rangers had emptied one drain between the entrance to Anglian Water, The Street, and The Old Post Office, The Street, but had left the spoil on the bank. This was noted.

86. Norfolk County Council issues

86.1. Parish Partnership Scheme 2019/2020

There was nothing to report to this meeting.

87. Matters to report to the Clerk

It was noted that volunteers of the Aviation Heritage Centre at RAF Marham were hoping to raise £200,000 to build a new atrium to house a Tornado cockpit simulator, along with models, weapons and other memorabilia.

88. Items for the next agenda

There were no further items for the next agenda.

89. To record the date and time of the next Full Council meeting

The next meeting of the Parish Council would be held on Wednesday, 19th June 2019 at 7.15pm in the Village Hall.

90. Exclusion of Press and Public (Public Bodies (Admission to meetings) Act 1960 S1)

Proposed – Chairman, Cllr Barrett

Seconded – Vice Chairman, Cllr Walsingham

That under the Public Bodies (Admission to meetings) Act 1960 Section 1, the press and public be excluded from the meeting in order to allow confidential items to be discussed.

All in favour

Borough Cllr Hipperson left the meeting and the remaining members of public left the Council Chamber at 9.35pm.

90.1. Update on the sale of land

See Confidential Report.

90.2. Land Registry documents for the Solicitor

See Confidential Report.

The Chairman, Cllr Barrett, closed confidentiality and resumed the meeting at 9.58pm.

The Chairman thanked everyone for attending and closed the meeting at 9.58pm.

THE GENERAL POWER OF COMPETENCE

RESOLVED AND ADOPTED 15TH MARCH 2017

Resolution for Eligibility Review: Annual Meeting 15th May 2019

Next Review for Eligibility/Ineligibility: Annual Meeting following Ordinary Elections May 2023

1. BACKGROUND:

1.1 Parish and Town Councils are Corporate Bodies that have accumulated powers through legislation since 1894. Their powers were constrained to specific and appropriate legislation. This means that before undertaking anything, Members must be satisfied that a Town or Parish Council has the power (under a specified statute) to undertake that activity.

1.2 Parish and Town Councils have many specific powers (e.g. the provision of open spaces and recreational facilities) in addition to Section 137 of the Local Government Act 1972, permitting the expenditure up to certain limits for 'purposes not otherwise authorised'. Typically, the expenditure on grants and sponsorship is covered by Section 137 of the Local Government Act 1972.

1.3 Despite the wide range of powers, Parish and Town Councils are always at risk of being challenged, especially if they undertake an unusual activity. For example, a recent court ruling pronounced that pre meeting prayers by a Town Council was unlawful.

1.4 In consequence, the Government included a 'General Power of Competence' in the Localism Act 2011 (Part 1, Chapter 1, ss 1-8). It was brought into force by the Secretary of State Statutory Instrument 965 Parish Councils (General Power of Competence (Prescribed Conditions) Order 2012) in April 2012 (*copy of Statutory Instrument attached*).

2. LEGISLATIVE BACKGROUND:

2.1 The intention of the legislation is that eligible local authorities will no longer have to identify specific powers to undertake an activity. As a result, the risk of legal challenge will be reduced. It is stated in the above Statutory Instrument that:

'The Government's intention in providing eligible Parish Councils with the general power of competency is to better enable them to take on their enhanced role and allow them to do things they have previously been unable to do under existing powers'.

2.2 Under the new legislation, eligible Parish and Town Councils have 'the power to do anything that individuals generally may do' as long as they do not break other laws. It is intended to be the power of first, not last, resort. The eligible Council has to ask itself if an individual is allowed to do it. If the answer is 'yes', then a Parish or Town Council is normally permitted to act in the same way.

3. TYPES OF ACTIVITIES:

3.1 Although the Government has given scant guidance on operation of the power, some new activities covered by the legislation include:

- Running a community shop or post office
- Lend or invest money
- Establish a company or co-operative society to trade and engage in commercial activity
- Establishing a company to provide services such as local transport
- Providing grants to individuals.

Chairman Signed Dated

3.2 The power is not restricted to use within the township – an eligible Town or Parish Council can use it anywhere.

4. RESTRICTIONS AND RISKS:

4.1 The only real limitation is that the General Power of Competence cannot be used to circumvent an existing restriction in an existing specific power. The General Power of Competence is a power; it cannot be used to raise the precept.

4.2 Existing duties remain in place, such as having regard to the likely effect on crime/disorder and biodiversity. There are also many existing procedural and financial duties that remain in place for the regulation of Governance (e.g. no delegation to a single Councillor). Furthermore, Councils must comply with relevant existing legislation (e.g. employment law, health and safety, equality legislation and duties relating to data protection and freedom of information).

4.3 If another Council has a statutory duty to provide a service (e.g. education, social service, highways, footpaths, rights of way), it remains their duty to provide it. Nonetheless, eligible Parish and Town Councils may assist. The eligible Town or Parish Council would need to ask itself whether an individual, private company or community trust could help. If the answer is 'yes', the Town or Parish Council can assist.

4.4 Whist Councils are encouraged to be innovative, they should be aware of the risks of:

- Being challenged.
- Their trading activities damaging other local enterprises.
- Damage to the Council's reputation and public money if a project or investment goes wrong.

5. LOCAL GOVERNMENT ACT 1972 (s137):

5.1 Expenditure under the Local Government Act (S137) is limited and has to be budgeted for separately. Expenditure is restricted in that it cannot be used to give money to individuals and the amounts must be commensurate with the benefit. Section 137 is a power of last resort.

5.2 A Council that is eligible to use the General Power of Competence can no longer use Section 137 as a power for taking action for the benefit of the area. However, Section 137 (3) which permits the Council to contribute to UK charities, public sector funds and public appeals, remains in place.

6. FINANCIAL IMPLICATIONS:

6.1 Any decisions made by the Council must be supported by the appropriate financial resources as required.

7. ELIGIBILITY:

7.1 The three conditions for eligibility are set out in the Statutory Instrument (paragraph 1.4 above) as follows:

- iv. 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.
- v. Electoral mandate:** at the time the resolution is passed, at least two thirds of the Council must hold office as a result of being declared elected (i.e. not co-opted).
- vi. 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, Certificate of Higher Education in Local Policy) AND pass the 2015 CiLCA module relating to the General Power of Competence.

7.2 Having decided at a full meeting of the Council that it meets the criteria for eligibility at that particular time, a resolution to this effect must be clearly written in the minutes. The Council is then required to revisit that decision and make a new resolution at every 'relevant' Annual Meeting of the Council to confirm that it still meets the criteria (if it does).

A 'relevant' Annual Meeting is the Annual Meeting of the Council after the next ordinary election has taken place (i.e. the next 'relevant' date for Marham Parish Council is May 2019).

7.3 In consequence, eligibility remains in place until the 'relevant' Annual Meeting, even if the conditions of the eligibility criteria have changed. If the Council loses its qualified Clerk or has insufficient elected Councillors it must also record its ineligibility at the next 'relevant' meeting.

7.4 There is no requirement for members to be trained in the General Power of Competence.

7.5 Marham Parish Council satisfies all the conditions as:

- iii. It has 11 out of 11 Councillors elected (Elections held May 2015).
- iv. The Clerk of the Council holds the Certificate in Local Council Administration (CiLCA) – passed 1st October 2009 (*copy of certificate attached*).
- v. The Clerk of the Council has passed the CiLCA module on the General Power of Competence – passed 10th February 2017 (*copy of certificate attached*).

8. RECOMMENDATION:

It is recommended that Members consider this report and pass the following resolution:

'The Parish Council resolves from 15th March 2017 until the next relevant Annual Meeting of the Council in May 2019, that having met the conditions of eligibility as defined in the Localism Act 2011 S8 Secretary of State Statutory Instrument 965 Parish Councils (General Power of Competence (Prescribed Conditions) Order 2012), to adopt the General Power of Competence.'

Sara Porter
Parish Clerk, Marham Parish Council
10th March 2017

2019

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Sara Porter
Parish Clerk, Marham Parish Council
15th May 2019