



MINUTES OF THE ANNUAL MEETING OF ASHURST WOOD VILLAGE COUNCIL held on Tuesday 14th May 2019, 7.45 pm at the Council Meeting Room.

PRESENT: Cllrs Phillips (retiring Chairman), J Forbes (newly elected Chair), T Draper, J Haite, D Loveday, and A Tyrrell.

IN ATTENDANCE: Caroline Leet (Clerk)

MEMBERS OF THE PUBLIC: 4

The retiring Chairman opened the meeting and welcomed everyone to the first meeting of the new Council and the annual meeting.

1. Elections

Responsibility of

a. Election of Chair for the ensuing year

Cllr Phillips welcomed the new Council; five candidates were nominated at the election on 2nd May and duly elected. (*Local Government Act 1972 s15 (4, 8)*)

Cllr Haite nominated Cllr Forbes, Cllr Tyrrell seconded. Cllr Forbes was unanimously elected as Chair. (*Local Government Act 1972 s15 (2) and 34 (2)*)

Former Cllr Phillips moved to the public gallery.

b. To receive the Chairman's Declaration of Acceptance of Office

Received. (*Local Government Act 1972 s83 (4)*)

c Election of Vice-Chairman for the ensuing year

In view of the number of new Councillors, it was agreed to defer the election of Vice-Chairman to the next meeting.

2. To receive the Councillors' Declaration of Acceptance of Office

Received by the four Councillors in attendance. (*Local Government Act 1972 s83 (4)*)

3. Apologies for absence

Cllr Spoor's apologies were received and **resolved; the reason was accepted.** The Clerk confirmed that Cllr Spoor had already signed his Declaration of Acceptance of Office.

4. To confirm all Councillors had received:

a. Register of Interests including declaring Disclosable Pecuniary Interests (to be completed and returned to the Clerk within 28 days)

Noted: Four Councillors had already submitted completed forms. (*Localism Act 2011 s30*)

b. To confirm to abide by the Council's Code of Conduct

Noted: A copy of the Council's Code of Conduct had been sent to all new Councillors. (*Localism Act 2011 s27 (duty to promote high standards)*)

c Electronic summons to attend meetings consent form (this includes acceptance of papers to be sent by email)

Noted: Consent forms had been issued to all Councillors (*Local Government (Electronic Communications) (England) order 2015*)

19:50 A member of the public arrived.

5. To receive Declaration of Interests from Members in respect of any matter on the Agenda

None. (*Localism Act 2011 s31 (1)*)

6. To confirm the Minutes of the meeting of the Village Council held on 2nd April 2019

The minutes were **approved and signed by the Chairman as a true and correct account of the meeting.** (*Local Government Act 1972 s12 para 41 (1)*)

7. General Power of Competence – to resolve that the Council meets the conditions of eligibility

Cllr Forbes advised that in order to meet the eligibility criteria the Council would need at least two-thirds of Members elected/or returned unopposed as well as a qualified Clerk. The Council had nine seats, and only five Members were returned unopposed and therefore, the Council did not fulfil the criteria to exercise the General Power of Competence. This meant that the Council's activities had to be covered under the relevant duties and powers available to parish councils; otherwise the Council could be acting ultra vires. (*The Localism Act 2011 Chapter 1/The Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012*)

19:52 two members of the public arrived.

8. To consider to resolve Members of the public to leave the meeting for item 9

Public Bodies (admission to Meetings) Act 1960

Members **agreed** there was no reason to exclude members of the public.

19:53 The Chair suspended Standing Orders to allow the candidates for co-option to introduce themselves.

19:54 The Chair resumed the meeting.

9. To receive co-option applications and vote to fill the Councillor vacancies (there are four seats vacant)

Cllr Forbes proposed that the two applicants, Trudy Draper and Brian Phillips, both be co-opted on to the Council. Members' unanimously **resolved the co-option of Trudy Draper and Brian Phillips.**

(*The Representation of People Act 1985 s21 (2)*)

10. To receive the co-opted Councillor(s) Declaration of Acceptance of Office Received. (*Local Government Act 1972 s83 (4)*)

19:57 Cllr Forbes proposed to bring forward agenda item 24 because the District Councillor had another meeting to attend. Members agreed and **resolved to move item 24, to receive County and District Councillors' Reports and Public Questions.**

New Councillors Draper and Phillips were invited to join the Council meeting.

11. County and District Councillors Reports

a. Cllr Forbes gave County Councillor Jacque Russell's apologies.

District Councillor John Belsey said that he was delighted to have been re-elected. The May election had brought some changes at Mid Sussex District

Council (MSDC); the Conservatives retained control winning 34 of the Council's 54 seats; the Liberal Democrats took 13 seats, the Green Party three seats and the Independent candidates' four seats. The newly elected Councillors first meeting was on 22nd May.

b. Public Questions

None. (*Public Bodies (Admission to meetings) Act 1960*)

12. To review and confirm committees, structure, terms of reference and delegated powers

Cllr Forbes referred to the Clerk's report which recommended suspending the Public Services Committee and Finance and Administration Committee until September when it was hoped that the Council would have all nine seats filled, and new Members would have undergone training. In the meantime, matters relating to the two committees would be referred to the full Council. The Planning Committee would continue. Members **agreed** this would be a sensible decision.

Clerk

The **existing structure, terms of reference and delegated powers for the following committees were reaproved:**

a. Planning

b Finance and Administration: To be reviewed in September.

c. Public Services: To be reviewed in September.

(*Local Government Act 1972 101 (1)*)

13. To elect Chair-person and Vice-Chair for each Committee

a. Planning Committee: Cllr Forbes was unanimously re-elected as Chair; and Cllr Phillip was unanimously elected as Vice-Chairman.

b. Public Services Committee: Deferred to September.

c. Finance and Administration Committee: Deferred to September.

Clerk

14. To appoint members for each Committee

a. Planning Committee: All Councillors would serve on the Committee.

b. Finance and Administration Committee: Deferred to September.

c. Public Services Committee: Deferred to September.

Clerk

15. To review and confirm the Standing Orders and Financial Regulations

Cllr Forbes said that the Financial Regulations had been rewritten and adopted in February 2018; and amended in December 2018. The Standing Orders were still valid however, she had reviewed these and a draft updated version was in the process of being prepared. The Council agreed and **resolved to continue with and adopt the current Standing Orders and Financial Regulations.** (*Local Government Act 1972 s12 para 42 / The Accounts and Audit Regulations 2015 (reg 4)*)

JF

16. To approve Council's current policies: Financial Risk Assessment / Health and Safety Policy / Complaints Policy / Privacy Notice (GDPR) / Documentation and email retention scheme / Grant funding policy / Code of Conduct / DBS policy / Pre-application meetings with developers / Freedom of Information publication scheme

The Council **resolved to continue with the Council policies in their current form.** It was noted that the Freedom of Information Publication Scheme needed updating.

Clerk/JF

17. To confirm the bank signatories for Current and Deposit accounts (*the existing signatories will remain until new signatories have completed the*)

mandate with the bank) – to be members of the Finance and Administration Committee

The bank signatories were **resolved as Cllrs Draper, Forbes and Phillips**. It was noted that until the Finance and Administration Committee was reformed, the wages and bank reconciliations would need to be checked monthly and this could be one of the bank signatories.

Clerk

20:10 Cllr Belsey left the meeting.

18. To approve list of Council Assets

The Council reviewed the assets list. Members **confirmed the list of Assets**.

19. To review Working Groups and appoint members (these can include non-councillors)

a. Events Working Group

The Council **agreed** to continue with the Events Working Group (EWG). It was noted that Working Groups did not have any delegated powers and recommendations were made to the full Council. All Councillors could be on the Working Group; Cllrs Draper, Forbes, Loveday and Tyrrell were appointed to the EWG.

20. To review and confirm the insurance schedule; and to confirm the expenditure of up to £950 for the Council's insurance and up to £300 for buildings insurance

Cllr Forbes said that the Council was in its third year of a three-year agreement with Came and Company. The Clerk had reviewed the policy and the policy provided suitable cover. Members confirmed the schedule met the needs of the Council and **resolved to approve the expenditure of up to £900**. The Council noted that the Village Centre Trustees organised the building insurances to include the Council facilities and **resolved the expenditure of up to £300 for buildings insurance**. (*Local Government Act 1972 section 140/Financial Services and Markets Act 2000 s22*)

Clerk

21. Outside Organisations: To elect representation for each

a. Ashurst Wood Village Centre Management Committee

Cllr Forbes advised she was now a Trustee of the Village Centre. Cllr Forbes was appointed as the Council's representative.

b. Ashurst Wood Youth Club Committee

Cllr Tyrrell was appointed.

c. West Sussex County Council Local Committee (CLC)

It was noted that anyone could attend the County Council Local Committee (CLC) meetings; the next meeting was on 25th June.

d. Parishes Cluster Group

Cllrs Forbes, Loveday and Phillips appointed as representatives.

20:23 two members of the public left the meeting.

e. Mid Sussex District Council Emergency Planning Local Council (EPLG)

Deferred to the June meeting.

f. Parish, Town and District Communications Group (PTDComms)

Deferred to the June meeting.

g. Mid Sussex Association of Local Council (MSALC)

Cllr Forbes was appointed; however, it was noted that any member could attend the meetings if they wanted to.

Clerk

- h. Parish Liaison Panel of the Ashdown Forest Conservators**
Cllrs Phillips and Tyrrell were appointed.

22. To confirm annual subscriptions

- a. Society of Local Council Clerks (SLCC) membership for the Clerk and Assistant Clerk – to approve the annual membership and expenditure of up to £300**

The Council resolved to continue with the membership subscriptions for the Clerk and Assistant Clerk and the expenditure of up to £300. (*Local Government Act 1972 s143 (1b)*)

Clerk

- b. Association of Local Council Clerks (ALLC) membership for the Clerk and Assistant Clerk - to approve the annual membership and expenditure of up to £80**

The Council resolved to continue with the membership subscriptions for the Clerk and Assistant Clerk and the expenditure of up to £80. (*Local Government Act 1972 s143 (1b)*)

Clerk

- c. Sussex and Surrey Association of Local Councils (SSALC) and the National Association of Local Councils (NALC) – the expenditure for membership 2019/20 has already been resolved by Council (resolution 865b)**

Cllr Forbes mentioned that the previous Council had already resolved membership of Sussex and Surrey Association of Local Councils (SSALC); but, Memberships were all reviewed at the annual meeting. Members agreed that the benefits of SSALC were of current value to the Council, but it could be reviewed again in November when the budget was being considered. (*Local Government Act 1972 s143 (1a)*)

Clerk

23. To confirm contracts, agreements and licenses (amounts are based on 2017/18 (or already agreed) and may change slightly at renewal)

Clerk

- a. MSDC Rural Management Agreement for John Pears Recreation Ground**
– (*Local Government (Miscellaneous Provisions) Act 1976 chapter 57 s19*)

- b. British Telecom: Telephone and Broadband (direct debit)***

- c. KCS: Photocopier and stationery (direct debit)***

- d. Shopping Bus – Community Transport Sussex** (*Transport Act 1985 s22 & 106A(b)*)

- e. Rialtas Business Solutions (RBS) - ALPHA account software (£135)***

- f. Moneysoft Payroll management (£75)***

- g. Easyspace - annual email and web host note: domain fee biennial next payable 2019 (£200)*** (*Local Government Transparency Code 2015*)

- h. Easyspace – website hosting and technical/maintenance support (£125)**

- i. ESNET – NOD PC security (£40)***

- j. Information Commissioners Office (Data Protection Register) (up to £45)***

- k. Parish Online (no fee)**

- l. Public Sector Licence – Royal Mail mapping (no fee)**

- m. MSDC Premises Licence for John Pears Recreation Ground and Pavilion (£75)** (*Local Government Act 1972, s145 (1a)*)

- n. MSDC trustees– lease for John Pears Recreation Ground for the Street Snooker MUGA Wall (£200 fixed lease agreement) – 28 year lease resolved under the General Power of Competence**

- o. Utilities and grounds maintenance paid to Village Centre Management Trustees (£750) –** (*Local Government Act 1972 section 133*)

- p. Internal Auditor (up to £300) –** (*Accounts and Audit Regulations 2015 reg 5*)

- q. Community Heartbeat Trust (Defibrillator service £126) – resolved under General Power of Competence (or could use LGA s137)**

Members resolved to continue with the above (a-q) existing contracts,

agreement and licences.

- r. **MSDC Small Lotteries Licence (£20) – as this has not been used for several years, rather than continue with annual renewal, to recommend to apply for a new application if and when need (current new application cost £40)**

Noted.

**Local Government Act 1972 section 111 (2) For the purposes of this section, transacting the business of a parish or community meeting or any other parish or community business shall be treated as a function of the parish or community council.*

24. To confirm the schedule and dates of meetings for the ensuing year

The schedule of dates for 2019/20 was approved. It was noted that June meeting for the Public Services Committee and the July meeting for the Finance and Administration Committee would not take place. The Committees other meeting dates would be confirmed in September assuming the Committees were re-established. The next Planning Committee meeting would be 4th June.

The Annual Meeting of the Village Council ended at 20:48

25. Chairman's Announcements

None

26. Recorded meetings: to approve deletion of recording – there were no recordings

27. To receive the minutes of Committees and reports from working groups and to consider any recommendations arising:

a. Planning Committee

The minutes of the meetings on 2nd and 23rd April were received.

b. Youth Club

The Clerk's report was received. It was noted that attendance had been low in recent weeks; Cllr Tyrrell added that the rain on one evening at 7.00 pm may have put some off from attending that night. The annual barbeque was booked for 12th June; the year 6s would then be able to attend two further taster sessions until end-of-term. The last session for the summer term was 26th June. Cllr Forbes thanked Cllr Loveday, Karen Lindsay, Chris Loveday, Alice Tyrrell and the Clerk for their support to the Youth Club.

c. Events Working Group

Cllr Loveday thanked everyone who had been involved in the recent quiz night event. He said that it had been very successful and had had a good atmosphere. The event had raised £550 towards Ashstock 2020.

28. Clerk's report

The Clerk's report was received.

a. New Councillor/briefing Training with SSALC: to approve the expenditure of £70 per delegate

Members resolved to book six places for the new councillor briefing sessions; and the expenditure of £420. (*Local Government Act 1972 s111(1)/s112*)

b. Chairman's training/briefing with SSALC: to approve the expenditure of £70 per delegate

Members resolved to book three places for the Chairman's briefing

Clerk

- session; and the expenditure of £210.** (*Local Government Act 1972 s111(1)/s112*)
- c. To approve a budget of up to £600 for the binding of the previous Council's minutes (4 books)**
- It was noted that the minutes were a historic and legal record; Members resolved **the expenditure of up to £600 for binding the Council's minutes 2015-19.** (*Local Government Act 1972 sch 12, para 41(1)*)
- Cllr Haite asked if the Council had permanent electronic/cloud storage. The Clerk advised that there was an external server; the back-up drive was kept in the safe, but this was not fire proof. There was a short discussion about providing a fire proof safe and investigating cloud storage servers. The Clerk advised that if the Council wanted to consider this, the power would be the Local Government Act 1972 section 111(2).
- d. To note: The Cleaner (appointed April 2019) has resigned. The Assistant Clerk has agreed to take-on these duties for the short-term to be reviewed**
Noted.
- 29. Finance**
- a. Accounts to pay**
- The accounts paid from 3rd April to 13th May **were ratified**; the FairFX prepaid debit card accounts payments from 3rd April to 14th May were **ratified**; and the accounts payable for 14th May **were approved by the Council.** The file of invoices was available to be viewed. (*These had either resolutions under the General Power of Competence or powers now identified in the minutes or powers within Local Government Act 1972 (sections 111, or 137)*)
- b. To receive the RBS income and expenditure report up to 13th May**
- The RBS/Alpha income and expenditure report was received; there were no questions. Cllr Forbes noted Community Equipment (4241) had the cost of the Speed Indicator Device (SID), but the shared contribution from the other five parishes was yet to be received and credited.
- 30. Annual Return**
- a. To receive the internal auditor's report**
- The internal auditor's report was received and noted; there were no issues.
- b. To approve the annual governance statement for 2018/19**
- The Chairman read aloud each of the annual governance statements. The Council **approved the statements 1-8; statement 9 was not applicable.** (*The Accounts and Audit Regulations 2015 reg 6 (2b)*)
- c. To resolve the accounting statement for 2018/19**
- The end-of-year accounting figures were presented to the Council for approval; total balances carried forward were £47,401. The Council **approved the accounting statements for 2018/19; and the Chairman signed the end-of-year return.** (*The Accounts and Audit Regulations 2015 reg 9 (2)*)
- 31. Annual Village Meeting – Tuesday 21st May: to agree the agenda and set a date to review the content**
- Cllr Phillips said that he had prepared the charts for the meeting, but it would be a good idea for the new Council to meet and go through the charts and the event. Members agreed to meet Friday 17th May. (*Local Government Act 1972 s9(1); Local Government Act 1972 Sch. 12 (14&15)*)
- 32. To receive an update on the new court access system to the tennis courts in partnership with the Ashurst Wood Community Tennis Club and Mid Sussex District Council**
- Cllr Forbes provided a brief resume on this project which was a partnership



initiative between the Village Council, MSDC, the Ashurst Wood Community Tennis Club (AWCTC) and the Lawn Tennis Association (LTA). MSDC were funding the majority of the project (as the landowner) and it had been hoped the new gate electronic access system would have been in place this April/May. The new system would provide easier access and payment for the tennis courts and thus increase tennis participation. However, unfortunately there had been some delays at MSDC and the Council was waiting to receive an update from them. *(Local Government (Miscellaneous Provisions) Act 1976 s19 (3b))*

33. Consultations

None.

34. To receive reports from Councillors who have attended outside bodies

Cllr Forbes had attended the Village Centre Trustees meeting.

35. Items of correspondence

a. List on Clerk's report, correspondence previously circulated

Received.

36. Any Items for reporting or inclusion on future agenda

None.

Cllr Loveday asked for Ashstock 2020 to be on the next agenda.

Clerk

37. Date of next meeting - Tuesday 4th June

Meeting closed: 21:09

Chairman.....

Date.....