

Batheaston Parish Council

Minutes of Batheaston Parish Council

7:15pm on Tuesday 19th February, 2019 in the Rhymes Pavilion.

Present: James Jeffery (Chair), Denise Craig, Derek Greener, Pam Burcombe, Catherine McCarthy, Derek Redding, Andrew Neil and Sarah Orme (clerk)

1. Public participation

- 1.1. Annie from "[Smart Parking](#)" attended at the invitation of the Parking Working Group. She answered questions re their possible management of the Riverside Car Park for the council. A member of the Parking WG also attended.

Smart Parking are an international parking management company that offer a variety of different solutions e.g. ANPR (automatic number plate recognition), manned control, pay and display with ANPR and, in some cities, high-tech solutions to enable people to find parking spaces.

The fine for overstay or lack of valid ticket is £60 which rises to £100 if not paid within 28 days (Annie needed to check this time period.) Money from fines goes to Smart Parking, but if we decide to do Pay and Display, the council would receive either all or most of the pay and display money. Smart Parking might take a percentage depending on the results of their survey.

Fines can be appealed, and the council can contact Smart Parking in order to support or make an appeal. They have a customer service department. However they are not lenient with repeat offenders.

The council can have a white list which would enable us to allow certain vehicles to park for longer, for example elderly residents who drive down into the centre of the village and then catch the bus into Bath. Annie also suggested we could sell parking passes to local businesses and add them to the white list. We would also have a tablet in the Rhymes pavilion which would enable us to enter registration numbers to avoid receiving a fine when attending council events. In addition we would be able to block out certain days for special events when nobody would receive a fine, but we would not be permitted to do this every week. Annie did not specify how many people could be added to a white list. They can, if required, send information on parking trends to help us manage the car park. Smart Parking can do a soft launch, so that equipment and signage is installed but cameras are not switched on for the first week, in order to enable people to adjust.

Smart Parking would pay for the necessary installation of all systems. The minimum contract term is two years after which time Smart Parking would remove their equipment and make good if we do not renew the contract. Smart Parking do not make a profit on every car park that they manage but even those that are not directly profitable raise brand awareness.

Questions were raised about the fact that the car park land is managed by the council under community transfer for the good of the community. Annie commented that if we charge for parking, we could give the money raised to local charities, or give just the amount remaining after paying for maintenance of the car park. Our objective is to stop people using it as a park and ride, which is damaging local businesses. Annie is going to send case studies of smaller car parks to the WG and also information re blue badge holders. She left leaflets from Smart Parking for councillors.

Annie from Smart Parking
Riverside and Parking WGs

- 1.2. Representatives from BNVH presented their plans for discussion re planning and answered councillors' questions.
2. Andrew Lea was signed in as a new councillor.
3. Apologies were accepted from: Emma Adams, Susanne Hagen, Emily Wright and Paula Day
4. Declarations of Interest: Three councillors declared an interest in BNVH.
5. Minutes of previous meeting held on 22nd January were amended to show that the BNVH had already received £75,000 from BANES. They were agreed to be an accurate record and signed by the chairman.

Action: upload amended agreed minutes to website

SO

6. Planning Application [19/00405/FUL](#): Church Hall, School Lane, Batheaston, BA1 7EP. Erection of one and a half storey village hall following demolition of existing Church Hall.

It was resolved not to object to the application.

Action: notify BANES planning.

SO

7. Reports

7.1. Neighbourhood plan (NP) Working Group Report

The working group would like to work with the raw data from the neighbourhood plan survey from Worcester Research so that they can include it and get policies in place and presented to BANES before the election. This would be ideal, but if time runs out before the election, the new council can continue this work. At the moment the council does not have postcode-level data and feels this would be helpful in determining where problem hotspots are, e.g, parking.

Worcester are naturally diligent about handing over data that might not be held in a legally compliant manner by the council. The clerk pointed out that the council is not yet registered under GDPR. This is on her list of essential tasks but she has not yet had time to do it due to her workload.

The key issue with holding data is whether it can be used to identify individuals. If it can, then it is illegal for the council to hold this information without GDPR compliance. The council questionnaire did ask for phone numbers in order to award a prize and also email addresses in order to invite people to participate further. This data, along with data on postcode and family demographics would enable individuals to be identified. Individuals might be identifiable even if these contact details were removed by combining postcode and family data.

The council **must not** use any contact details for purposes other than that for which they were given.

Even sitting in a room discussing individuals would open us up for prosecution.

Sarah to start work on GDPR compliance as soon as time permits.

Sarah to talk to Worcester research to see if they have suggestions. They have offered to do further analysis on the data, but obviously at a cost.

SO

- 7.1.1.1. It was resolved unanimously to put the revised NP text on the website.

7.2. Matters arising from Parking/Highways Working Groups

The Parking group had contacted eight companies, and only Smart Parking were interested in working with the council as the car park is so small. The three-hour limit worked well when BANES were running the car park. Everyone knew about it, and you could always park when needed.

The council would need to include maintenance of the car park in its budget, e.g. surface and white lines, as part of its service to the community.

Questions were raised about who pays for repairs if cameras are vandalised, and who pays for electricity for the equipment, although this would be a small amount.

It was resolved to pursue Option 1 (fine after 3 hours of parking but no pay and display).
(Option 1: 5 votes Option 2: 1 vote Abstentions: 1)

Action: to discuss with Smart Parking, take to survey stage, answer 2 questions above and check contract terms. The council wants to review this in a future meeting before taking a final decision.

Parking WG then SO

7.3. Riverside Working Group

- 7.3.1. It was **unanimously resolved** to re-apply for a paths grant from Enover.
- 7.3.2. It was **unanimously resolved** to purchase one garden bench for evaluation @ £115 including delivery.
- 7.3.3. It was **unanimously resolved** to transfer the budget money from the roof safety check to spend £250 on plants and compost for the West Border.
- 7.3.4. It was **unanimously resolved** to explore further and seek funding for the riverside jetty. This item is not in our precept budget for this or next financial year.
- 7.3.5. It was **unanimously resolved** to explore further and seek funding for the replacement riverside shelter. This item is not in our precept budget for this or next financial year. The current shelter must not be removed until the new one is installed.
- 7.3.6. It was **unanimously resolved** to set up an account with Local Giving to raise money towards Riverside projects. Raising some money ourselves will help us in applying for grants. Cost is £80+VAT annual fee +5% of donations. Organisations based in our part of the South West get a 50% discount on the normal membership price of £96 and £200 match funding for the first £200 raised. Since it is not a charity, the council's online fundraising options are limited.

SO

- 7.3.7. The council is considering seeking planning permission for **change of use for the toilet block.**

The toilet block is managed by the council under community transfer and must be used for the benefit of the community. This may affect whether we are able to hire it out commercially. Part of it is currently used for storage.

The clerk stated that the garage currently used to store street sweeping and other equipment is leased by the previous clerk on a private lease and CURO will not discuss transferring this to

the council. Once the previous clerk relinquishes the lease, the garage will be given to the next person on the waiting list.

The council informed the clerk that the light switch and meter for the multi-sports court is installed in that garage. One of the councillors is going to ask his spouse who works with CURO to plead our case. If this issue cannot be resolved, then the toilet block storage may need to be used. A councillor kindly offered space in his garage as temporary emergency storage, though this is obviously not ideal.

Clerk to try to find way forward with CURO.

Clerk to look at transfer documents and ascertain whether commercial rental of part of the toilet block is legal.

SO

7.4. HR Subcommittee Statement

The HR Subcommittee has been working with the clerk to review the year-to-date accounts. As we transfer to new systems, including accounting and payroll, it is imperative that we address all irregularities.

The annual audit for 2018/19 will happen after March/April; and as they stand now, we are sure that the accounts will not pass. Evidence has been found of improper procurement processes resulting in reimbursements to councillors, and also missing receipts and errors in our payroll.

We are seeking written confirmation from ALCA that we can draw a line on 1st January 2019, as they have suggested this might be possible.

Actions

- 1 Seek confirmation from ALCA re accounts.
- 2 When new Council is elected in May, we will review Standing Orders.
- 3 Sarah to set aside 4 hours per week to study for her clerk's qualification.

8. Street Sweeping:

It was resolved unanimously to accept B&NES offer of £3,503 for 2019 to 2020 (one year only) and undertake to provide similar level of street sweeping until 31st March, 2021. There were concerns about being excluded from any future scheme as a result of this, but the council wrote to BANES last year to no effect. We have to vote on the situation as it is.

By accepting this money we are making a commitment to perform a certain level of street cleaning. If an accident occurs because we do not perform this adequately, council may be liable. We have standard council insurance from Hiscox.

Action to reply to BANES and accept offer.

SO

9. Clerk's report

9.1. The precept has been notified to BANES although it was challenging to find out whom to inform!

9.2. The clerk apologised that since Barclays had not sent statements, no accounts for January were available. (See below)

- 9.3. We are having major problems with Barclays. They have not sent change of signatory mandate forms, statements etc.

Sarah is still, as time permits, going through last year's accounts to find base operating costs and impose some order in case we receive a full audit this year.

- 9.4. Deborah White from ALCA, the Good Councillor evening and online ILCA training are proving useful. Meeting Deborah again tomorrow with many questions.
- 9.5. Councillors should not be making decisions independently, particularly those that have financial or legal implications, e.g. ordering work. The clerk's office hours are Tuesday to Thursday 10 – 4 but the chair and vice-chair have her mobile number to be used in emergencies only where action is required outside those times. Please contact the chair or vice-chair in case of emergency. (See [Section 101 Local Government Act 1972](#))
- 9.6. Health and Safety in the Rhymes. The clerk has removed the curtains covering the fire exit, moved the worst chemicals out of a low cupboard (e.g. bleach), purchased a lock for installation on the chemical cupboard, which a councillor has kindly committed to install.

JJ

She has purchased an accident book and booked for the fire extinguisher and safety blanket to be serviced (this is overdue). She has not yet had time to conduct a formal risk assessment.

She handed over a new first aid kit for the toilet block. Should volunteers be given a key so they can access this? No decision was made, so this will be on the next agenda.

- 9.7. Heating: - Three quotes have been received. Phoenix Electrical have been chosen to install 6kW of thermostatically controlled electrical heaters with child guards. Clerk to book date when hall is free for installation.

Staff and SO

- 9.8. Clerk has met with one member of staff twice now, discussed difficulties and opportunities, purchased supplies and put some procedures in place. She has not yet carried out an appraisal, which is overdue. She is still seeking to contact the other member of staff.

Clerk has met with chair of human resource subcommittee and discussed various issues, workload and her own contract. Chair of HRSC has also asked clerk to set up grievance and disciplinary procedures for all staff because these are not in place. Standard NALC procedures will be brought to the next meeting for approval.

SO

- 9.9. Disposing of office equipment – the price has been gradually lowered to free and no interest has been forthcoming from adverts. James Jeffery kindly offered to dispose of these. They need to be removed from the asset register.

JJ and SO

- 9.10. The clerk's workload has been high since taking over. There are many issues to resolve, in particular as we come up to the year end and audit. She has been working overtime but would prefer to work 20 hours a week as she has other commitments.

- 9.11. The clerk presented all outstanding invoices and her payroll statement to the meeting. There were no cheque signatories present at the meeting, so **it was resolved unanimously that signatories should sign these outside the meeting in order to delay paying bills and wages.**

Removal of council records	£ 70
Nick Cooper Landscape Services (fallen tree removal)	£ 123.75
Office Direct (First Aid, Health and safety, cleaning and office supplies)	£ 167.33

Wages cheques total (includes clerk's pay for January)	£2981.66
Kitco (street sweeping supplies)	£ 76.62
AIS Ltd (6 month termination fee printer and photocopier maintenances)	£ 247.31
SLCC (Training)	£ 12.00
BANES (for 2 x 240 garden waste recycling bins)	£ 36.70
Water2Business (toilet block) will be paid by DD	£ 109.17

SO, signatories.

10. It was **resolved unanimously** to move our accounts from Barclays to [Unity Bank](#) as used and recommended by many councils. The Unity account allows 3-person electronic signature (equivalent to our cheque authorisation process) and sophisticated online oversight. Unity Trust specialises in the provision of banking services to organisations with a social conscience and not-for-profits, charities, voluntary organisations, social enterprises, councils and trade unions. Unity Trust Bank has a full banking licence, is regulated by both the Financial Conduct Authority and the Prudential Regulation Authority and is a member of UK Finance. Their business is conducted according to regulatory codes and subject to due supervision. Their eligible savers are covered by the Financial Services Compensation Scheme – www.fscs.org.uk.

The PO (toilet money) account was explained by the clerk. This account has also been discussed with Deborah White from ALCA. Once the Unity account is open, the clerk will seek to resolve this issue.

SO

11. It was **unanimously resolved** to resolve to add Cllrs Emily Wright and Derek Greener as signatories on the BPC bank account.
12. It was **unanimously resolved** to move towards lower paper meetings and that councillors requiring paper copies will contact the clerk before the meeting. (Please contact the clerk by email by 10am on the day of the meeting.) Agendas will still be printed for now.
13. The grant awarding procedure was deferred to a later meeting.
14. It was **unanimously resolved** to purchase an annual licence for VT Transaction+ accounting software £75pa.
15. It was **unanimously resolved** to pay for the following training and support for Sarah. (This is covered by the £2000 already budgeted for training costs this year)
- 15.1. £10 New Clerks' training day in London plus travel costs.
 - 15.2. £12 joining fee plus £156 annual fee for membership of [Society of Local Council Clerks](#) (includes helpline and support forums) –
 - 15.3. £40 planning training (Post meeting note: clerk did not attend or pay due to illness)
16. It was **unanimously resolved** to pay £4.99 a month for website hosting for Batheaston.org.uk to allow Sarah to set up emails for every councillor and an online calendar for hall bookings in due course. This is to display hall bookings, not at this stage to book the hall online.

SO

17. Chairman's Report

The vice-chairman read a report on behalf of the chairman. She thanked the clerk; James and the parking working group; the neighbourhood plan working group and in particular Emily; Derek and the Riverside team and volunteers Peter Fear and Catherine Gregory; the HR advisory committee and Anthony Creed for clearing snow in the village with his tractor.

She also stated that she wanted to see positive relationships between councillors as all councillors live in and are working to benefit the community of Batheaston.

Date of next meeting Tuesday 12th March

This is an open meeting.

Members of the public are welcome to attend and may speak by invitation

These minutes are agreed to be a true record:

Signed:

Dated: