LOWER WITHINGTON PARISH COUNCIL

MINUTES OF THE PARISH COUNCIL MEETING HELD

MONDAY 29TH JUNE, 2020 at 7:30p.m.

Meeting held remotely via Skype due to restrictions associated with Covid-19.

PRESENT - Councillors: P. Duffy (Chairman), H. Lewis, J. Blackburn, A. Brocklehurst, R. Robinson, J. Frith.
Members of the Public (0).
Cheshire East Borough Councillor L. Smetham.
Dr. E. M. Maddock - Clerk & Responsible Financial Officer.

Councillor H. Lewis (Vice-Chairman) chaired the meeting until the arrival of Councillor P. Duffy.

1. APOLOGIES FOR ABSENCE - None.

2. DECLARATIONS OF INTEREST - Councillor R. Robinson - Item 7(i) - 19/3328M - Applicant.

3. PUBLIC FORUM FOR QUESTIONS -

No questions had been received from or were presented by members of the public.

It was noted that the Cheshire railings on Holmes Chapel Road (opposite to Highway Garage) had been recently repaired.

029/20 RESOLVED a) That the Clerk send a letter of thanks to the individual who had repaired the railings. (All in favour)

4. REPORTS FROM EXTERNAL ORGANISATIONS -

i) **Gawsworth & Chelford Wards Policing Team** - A written report had been received which identified the following incidents within the Parish during May, 2020: report of fraud on Lapwing Lane (none taken place); Holmes Chapel Road added to check list of roads following complaints about speeding and non-essential travel during the Coronavirus lockdown. Speed checks had been undertaken by the Police on two occasions with 4 vehicles being recorded as speeding. It was also noted that across the Gawsworth Ward there had been an increase in people not following social distancing guidance and youths involved in criminal damage, smoking and littering.

ii) **Cheshire East Ward Member Cllr. L. Smetham** - Borough Councillor L. Smetham reported that lots of information relating to Covid-19 had been previously circulated. Cheshire East Council is now operating using virtual meetings. Many Highways staff have been moved to Coronavirus related tasks as services relating to staffing testing stations and delivering food and personal protective equipment have been prioritised. There will be a further review of the proposed gritting routes in September, 2020. There may be a delay to delivering road safety schemes due to Coronavirus. There may be a white paper relating to further devolution issued in the summer.

5. FINANCIAL RISK ASSESSMENT 2019/20 -

i) **Financial Risk Assessment 2019/20** - Members considered the revised Financial Risk Assessment 2019/20. (Appendix A).

030/20 RESOLVED a) That the revised Financial Risk Assessment be approved and adopted as presented.

Proposed Councillor R. Robinson Seconded: Councillor J. Blackburn All in favour

6. AUDIT OF ACCOUNTS 2019/20 -

i) **Internal Audit 2019/20 -**

a) **Internal Audit Report 2019/20 and Action Plan** - The Internal Audit Report 2019/20 and Action Plan had been previously circulated to all Members. Members noted the content of the report. It was noted that the 2019/20 Risk Assessment had been approved at Item 5 of this meeting.

b) **Internal Audit Report 2019/20** - The Internal Audit Report 2019/20, as contained within the Annual Governance and Accountability Return, had been previously circulated to all Members. Members noted the content of the report.

031/20 RESOLVED a) To receive and note the Internal Audit Report 2019/20 and Action Plan. (Appendix B)

b) To receive and note the Internal Audit Report 2019/20 contained in the Annual Governance and Accountability Return.

Proposed Councillor R. Robinson Seconded: Councillor J. Frith All in favour

ii) **To consider and approve the signing of the Annual Governance Statement 2019/20 (Section 1 of the Annual Governance and Accountability Return)** - Members considered the Annual Governance Statement 2019/20 and unanimously agreed that 'yes' be recorded by items 1-8 and 'n/a' be recorded in respect of item 9 (Trust Funds).

032/20 RESOLVED a) That the Annual Governance Statement (Section 1 of the Annual Return) record a 'yes' in respect of items 1 - 8 and a 'n/a' in respect of item 9.

b) That the Chairman and Clerk & Responsible Financial Officer be authorised to sign the certificate in respect of Section 1 (Annual Governance Statement) of the Annual Governance and Accountability Return 2019/20.

Proposed Councillor R. Robinson Seconded: Councillor H. Lewis All in favour

iii) **To approve and adopt the 2019/20 Final Accounts and Supporting Notes** - The Chairman presented the Final Accounts 2019/20 and Supporting Notes to the Council.

033/20 RESOLVED a) The Final Accounts and Supporting Notes for the financial year ended 31st March, 2020 be duly approved and adopted. (Appendix C)

Proposed Councillor H. Lewis Seconded: Councillor R. Robinson All in favour

iv) **To approve the signing of the Accounting Statements 2019/20 (Section 2 of the Annual Governance and Accountability Return)** - The Chairman presented the Accounting Statements 2019/20 to the Council.

034/20 RESOLVED a) That the Chairman and Clerk & Responsible Financial Officer be authorised to sign the certificate in respect of Section 2 of the Annual Governance and Accountability Return 2019/20.

Proposed Councillor J. Blackburn Seconded: Councillor J. Frith All in favour

v) **To approve the signing of the Certificate of Exemption from Limited Assurance Review contained within Part 2 of the Annual Governance and Accountability Return for submission to the External Auditors** -

035/20 RESOLVED a) That the Chairman and Clerk & Responsible Financial Officer be authorised to sign the Certificate of Exemption from Limited Assurance Review contained within Part 2 of the Annual Governance and Accountability Return.

Proposed Councillor J. Blackburn Seconded: Councillor H. Lewis All in favour

7. PLANNING APPLICATIONS -

i) **To receive the latest planning schedule and discuss new applications.** (Appendix D)
Members noted the planning decisions that had been issued by Cheshire East Council in respect of development within the Parish since April, 2020. It was also noted that two planning appeal decisions had been issued by the Planning Inspectorate.

20/2229M - Members discussed the application.

036/20 RESOLVED a) That the following comment be submitted in respect of planning application 20/2229M: Lower Withington Parish Council notes that the proposed conversion appears to have the same format and appearance as that previously proposal under planning application 20/1062M, albeit under a different proposal title, which has raised queries as to the ultimate intended use of the site. (All in favour)

8. LOCAL HIGHWAY ISSUES -

i) **A535 Highway concerns relating to speed, overtaking and driver behaviour** - Members noted that signs had been installed within the Parish alerting drivers to speed checks being undertaken. The Police have also been observed undertaking speed checks within the Parish.

037/20 RESOLVED a) That the Clerk make enquiries to establish whether the Police are able to undertaken further speed checks e.g. early in a morning when there appears to be a number of motorbikes travelling along A535. (All in favour)

ii) **Cathpenny Lane - Review of junction with Holmes Chapel Road** - It was reported that this item had been added to the agenda for the next Macclesfield Area Highways Group meeting which is scheduled to take place in September, 2020.

iii) **A535 Holmes Chapel Road/Bomish Lane Road Safety Scheme** - It was noted that the A535 Holmes Chapel/Bomish Lane junction had been included within the Road Safety Schemes to be delivered during the 2020/21 financial year.

9. CONSULTATIONS FOR CONSIDERATION -

i) Cheshire East Council - Vulnerable and Older Persons' Housing Strategy consultation. (Closes 13/07/20)

038/20 RESOLVED a) That no response be submitted to the above consultation.

ii) Local Government Association Consultation - Draft Model Code of Conduct for Members. (Closes 17/08/20)

039/20 RESOLVED a) That no response be submitted to the above consultation.

10. MATTERS FOR INCLUSION ON NEXT/FUTURE MEETING AGENDA -

i) Quotations for refurbishment of notice boards.

ii) Future Parish Council projects.

iii) Review of advice relating to Coronavirus restrictions on public gatherings.

iv) Review of trial of use of Zoom as a meeting platform.

v) Review of position in respect of co-option of Councillor.

11. DATE OF NEXT MEETING - To be determined based upon receipt of planning applications or other business requiring urgent attention.

8:35p.m. - Councillor P. Duffy joined the meeting.

To consider passing a resolution under Section 1(2) of the Public Bodies (Admission to Meetings) Act 1960 (Section 100(a) of the Local Government Act 1972) to exclude the public and press from the meeting for the following item of business on the grounds that it could involve the likely disclosure of exempt information.

040/20 RESOLVED a) That the public and press be excluded from the meeting for the following item of business on the grounds that it could involve the likely disclosure of exempt information. (All in favour)

Proposed Councillor R. Robinson Seconded: Councillor H. Lewis All in favour

12. MATTERS FOR CONSIDERATION INCLUDING THOSE TRANSFERRED FROM ABOVE ITEMS -

i) Recent village issues.

041/20 RESOLVED a) That the Clerk seek legal advice on the Parish Council position in respect of recent village issues.

The Meeting was declared closed by the Chairman at 9:22p.m.

Signed: ..... Approval Date - 28th September, 2020

APPENDIX A

LOWER WITHINGTON PARISH COUNCIL

FINANCIAL RISK ASSESSMENT - 2019/20

Subject	Risk(s) Identified	H/M/L	Management/Control of Risk	Review/Assess/Revise
Business continuity	Risk of Council not being able to continue its business due to an unexpected or tragic circumstance.	L	In the event of the Clerk being indisposed the Chairman (or other nominated Member) may perform the necessary duties.	Existing procedure adequate. Review when necessary.
	Loss of paper/electronic records.	M	Archive material currently held by Members. Current files and records kept at the Clerk's home. Regular backup of electronic files is made. Paper documents stored in metal filing cabinets.	Existing procedure adequate.
Precept	Adequacy of precept for Council to carry out its Statutory duties.	H	Budgetary Control statement presented to Council at each meeting.	Existing procedure adequate.
	Requirements not submitted to CEC.	L	Full Minute - RFO to follow up.	Existing procedure adequate.
	Amount not received from CEC.	L	RFO to confirm receipt and Minute at next Meeting of Council.	Existing procedure adequate.
Financial records	Inadequate records.	L	Financial Regulations specify requirements of Council.	Existing procedure adequate. Review Financial Regulations 2020/21.
	Financial irregularities.	L	Internal Audit of accounts by competent, independent person. Regular financial reports are presented to Council. Cheque signatories are separate from person raising the cheque.	Existing procedure adequate. Review bank signatories when change of Councillors/circumstances.
Bank and banking	Inadequate checks.	L	Bank reconciliation produced at each meeting.	Existing procedure adequate. Review Financial Regulations 2020/21.
	Bank mistakes.	L	RFO check all bank statements against Council records and query errors immediately.	Existing procedure adequate.
	Loss.	L	RFO check all bank statements against Council records and query inconsistencies immediately.	Existing procedure adequate.
	Charges.	L	RFO check adequate funds prior to issuing cheques. RFO challenge charges where errors made by bank.	Existing procedure adequate.
Cash	Loss through theft or dishonesty.	L	Cash handling is not encouraged but where cash received - banked within 7 days.	Existing procedure adequate.
Reserves - General	Adequacy.	L	Consider at Budget setting.	Existing procedure adequate.
Reserves - Earmarked	Adequacy.	L	Consider at Budget and review of final accounts.	Existing procedure adequate.

Subject	Risk(s) Identified	H/M/L	Management/Control of Risk	Review/Assess/Revise
Reporting and auditing	Information communication.	L	A monitoring statement is produced regularly before each Council meeting and approved at the meeting. This statement includes bank reconciliation and budget update.	Existing procedure adequate.
	Compliance.	L	An independent internal auditor has been appointed. Annual reports detailing compliance with audit regulations are presented to Council.	Existing procedure adequate.
Direct costs & overhead expenses	Goods not supplied but billed.	L	Procurement undertaken in accordance with best practice guidance. RFO to follow up on all orders.	Existing procedure adequate. Review Financial Regulations 2020/21.
	Invoice incorrectly calculated or recorded.	L	RFO to check arithmetic on all invoices and perform bank reconciliations on regular basis.	Existing procedure adequate.
	Cheque payable incorrect (excessive or to wrong party).	L	Signatories initial Stub and Voucher to confirm accuracy.	Existing procedure adequate.
Salaries and associated costs.	Salary paid incorrectly.	M	Check salary to Minute, check hours and rate to contract. Salary analysis is detailed on the payment vouchers issued.	Existing procedure adequate.
	Wrong deduction of NI and Tax.	M	NI and Tax deductions are calculated using the HMRC PAYE RTI System which is regularly updated. Check PAYE calculations.	Existing procedure adequate.
	Unpaid Tax and NI contributions to Inland Revenue.	L	Payments are made to HMRC by cheque and detailed in the financial statements presented to Council.	Existing procedure adequate.
Employees.	Loss of clerk.	L	Hours, health, stress, training, long term sick, early departure - risk monitored and managed as appropriate.	Existing procedure adequate. Review annually.
	Fraud by employee.	L	Fidelity Guarantee value reviewed annually and insurance cover arranged.	Existing procedure adequate.
	Actions taken by staff.	L	Relevant training, resources and access to professional advice made available to Clerk.	Existing procedure adequate.
VAT	VAT analysis.	L	All items analysed in cash book. Analysis presented to Council at each meeting.	Existing procedure adequate.
	Claimed within time limits.	L	VAT reclaim submitted annually at year end.	Existing procedure adequate.
Legal powers	Illegal activity or payments.	M	All activity and payments within the powers of the Parish Council to be resolved and minuted at Parish Council Meetings. Relevant procedures set out in Standing Orders and Financial Regulations.	Existing procedure adequate. Review Standing Orders and Financial Regulations 2020/21.

APPENDIX B

INTERNAL AUDIT REPORT 2019/20
LOWER WITHINGTON PARISH COUNCIL

The internal audit of Lower Withington Parish Council was carried out by undertaking the following tests as specified in the Annual Return for Local Councils in England:

- Checking that books of account have been properly kept throughout the year
- Checking a sample of payments to ensure that the Council's financial regulations have been met, payments are supported by invoices, expenditure is approved, and VAT is correctly accounted for
- Reviewing the Council's risk assessment and ensuring that adequate arrangements are in place to manage all identified risks
- Verifying that the annual precept request is the result of a proper budgetary process; that budget progress has been regularly monitored and that the council's reserves are appropriate
- Checking income records to ensure that the correct price has been charged, income has been received, recorded and promptly banked and VAT is correctly accounted for
- Reviewing petty cash records to ensure payments are supported by receipts, expenditure is approved and VAT is correctly accounted for
- Checking that salaries to employees have been paid in accordance with Council approvals and that PAYE and NI requirements have been properly applied
- Checking the accuracy of the asset and investments registers
- Testing the accuracy and timeliness of periodic and year-end bank account reconciliation(s)
- Year end testing on the accuracy and completeness of the financial statements

Conclusion
On the basis of the internal audit work carried out, which was limited to the tests indicated above, in our view the council's system of internal controls is in place, adequate for the purpose intended and effective, subject to the recommendations reported in the action plan overleaf.

As part of the internal audit work for the next financial year we will follow up all recommendations included in the action plan.

J D H Business Services Ltd

2019/20 Action Plan

	ISSUE	RECOMMENDATION	FOLLOW UP
1	The risk assessment was reviewed and updated during the financial year. However, it was not approved by full council in the programmed March 2020 meeting as it had to be cancelled due to the global pandemic.	*The council should approve the annual risk assessment at the next available meeting.*	

APPENDIX C

LOWER WITHINGTON PARISH COUNCIL

Summary Receipts & Payments Account for the year ended 31st March, 2020

2019/20 £.	Receipts	2019/20 £.
10,600.00	Precept	10,750.00
4.23	Investment Interest	27.51
0.00	Grants & Donations	7,351.00
166.29	V.A.T. Refund	39.59
10,770.52	Total Receipts	18,168.10
	Payments	
2,931.50	Salary (Clerk)	3,034.20
0.00	National Insurance (Employer)	0.00
200.00	Allowances (Clerk)	200.00
98.78	Administration	119.99
0.00	Member Allowances	0.00
0.00	Audit Fees (internal & external)	0.00
296.94	Insurance	296.94
77.97	Donations - Sect. 137	72.60
60.00	Website	60.00
222.40	Subscriptions / Affiliation Fees	220.60
180.00	Room Hire	190.00
0.00	Training	0.00
0.00	Professional Services	701.33
154.28	Assets - Purchase	1,888.88
0.00	Assets - Maintenance	325.95
0.00	Contingency	0.00
39.59	V.A.T.	576.85
4,261.46	Total Payments	7,687.34

9,153.95	Balance B/Fwd. 01/04/19	15,663.01
10,770.52	Add Total Receipts	18,168.10
-4,261.46	Less Total Payments	-7,687.34
15,663.01	Balance C/Fwd. 31/03/20	26,143.77
	Analysis of Cumulative Funds	
3,418.74	NatWest Business Reserve Account	15,446.25
12,244.27	NatWest Bank Current Account	10,697.52
15,663.01	Total	26,143.77
	Above Funds held for the following purposes:-	
12,545.01	General Funds	9,674.77
3,118.00	Earmarked Reserves	16,469.00
0.00	Capital Reserves	0.00
15,663.01		26,143.77

The above Statement represents fairly the financial position of the Lower Withington Parish Council as at 31st March, 2020 and reflects its receipts and payments during the year.

LOWER WITHINGTON PARISH COUNCIL
SUPPORTING NOTES - 2019/20

Assets

During the year the following assets were purchased at the cost shown:-

Football Goal Posts (2)	116.58
Notice Board (1)	1,222.64
Litter picking equipment	220.93
Christmas lights	328.73
	£1,888.88

During the year the following assets were disposed of for the amount shown:- None.

At the 31st March, 2020 the following assets were held:-

Notice Boards (3)	1,000.00
Village Nameplate Signs (2)	107.44
Speed Indicator Device (SID) (2)	4,035.00
Defibrillator (1)	1,378.00
Plaque - Defibrillator (1)	52.64
Owl Tree Carving	600.00
Laptop Computer	332.50
Parish Boundary Signs (2)	154.28
Football Goal Posts (2)	116.58
Notice Board (1)	1,222.64
Litter picking equipment	220.93
Christmas lights	328.73
	£9,548.74

Leases

At the year end the following leases were in operation:- None.

Borrowings

As at close of business on 31st March, 2020 the following loans to the Council were outstanding:- None.

Debts

At the year end debts of £576.85 (VAT reclaim) were outstanding and due to the Council.

Capital Reserves None.

Earmarked Reserves

Democratic Services Fund	£2,000.00
Transparency Code Grant	£118.00
Village Green Investment Fund	£2,000.00
Highway Safety Schemes Fund	£5,000.00
Dicklow Cob Pathway Project Grant	£7,351.00
	£16,469.00

Tenancies

During the year the following tenancies were held:- None.

Section 137 Payments

The limit for spending under Sect. 137 of the Local Government Act 1972 for this Council in the year of account was £3,645.88 and payments made were:-

Payee	Nature of Payment	Amount
Cheshire Community Action	Best Kept Village Competition	45.00
Lower Withington Church c/o T. Barlow	Donation	27.60
		£72.60

Agency Work

During the year the Council undertook the following agency work on behalf of other local authorities:- None.

E.M.M. - 01/04/20

LOWER WITHINGTON PARISH COUNCIL
SUPPORTING NOTES - 2019/20

Advertising and Publicity
The following costs for advertising and publicity were incurred during the year:- None.

Contingent Liabilities None.

Pensions For the year of account the Council made no contribution to staff pensions.

APPENDIX D

OUTSTANDING PLANNING APPLICATIONS & RECENT PLANNING DECISIONS

Application Reference	Location	Proposed Development	Cheshire East Council Decision
18/3395M (25/07/18)	Four Oaks, Farm Lane, Lower Withington. SK11 9DU	Change of use to include use of the site for the holding of auctions (retrospective).	
19/2936W (29/07/19)	Dingle Bank Quarry, Holmes Chapel Road, Lower Withington. SK11 9DR	Variation of Condition 4 on application 16/3064W - Variation of Condition 2, 4 & 5 of permission 10/3080W.	
19/3316M (10/09/19)	Cheshire Nurseries, Salters Lane, Siddington. SK11 9LH	Certificate of Lawful Existing Use for the storage of motor vehicles.	
20/0253M (21/01/20)	The Hawthorns, Blackden Lane, Siddington. SK11 9LU	Proposed stables and 20 x 40m ménage.	09/04/20 - Approved with Conditions.
20/0499M (10/02/20)	Smiths Green Farm, DRK Agriculture, Catchpenny Lane, Lower Withington. SK11 9DG	Agricultural workers dwelling (resubmission of 18/5829M).	
20/0540M (12/02/20)	The Croft, Chapel Lane, Lower Withington. SK11 9DE	Lawful Development Certificate for existing use of area of land as domestic gardens of that dwelling.	06/05/20 - Withdrawn.
20/0610M (12/02/20)	Sunny Bank, Trap Street, Lower Withington. SK11 9EG	Alterations and extension to residential dwelling and conversion of shippon to luxury dogs boarding facility.	
20/0626M (14/02/20)	The Red Lion, Trap Street, Lower Withington. SK11 9EA	Proposed alteration of rear window to form fire escape door and erection of external fire escape stair.	02/04/20 - Approved with Conditions.
20/0741M (19/02/20)	The Croft, Chapel Lane, Lower Withington. SK11 9DE	Construction of 2 outbuildings, one a garage and office space, and the other home gym space to replace existing outbuildings.	
20/0831M (25/02/20)	Foden Bank Barn, Lapwing Lane, Lower Withington. SK11 9AD	Increase the height of the existing double garage by approximately 1300mm, existing garage doors to be replaced with windows. Introduce two dormer windows to the east elevation.	21/04/20 - Approved with Conditions.
20/0847M (02/03/20)	Withington House, Whisterfield Lane, Lower Withington. SK11 9DD	Change of use and alteration of stables to form single detached dwelling house.	11/06/20 - Withdrawn.
20/1062M (12/03/20)	Bridge Farm, Hodgehill Lane, Marton. SK11 9LU	Proposed part barn conversion into C4 use for full time livery yard staff.	28/05/20 - Withdrawn.
20/1116M 12/03/20)	Bridge Farm, Hodgehill Lane, Marton. SK11 9LU	Proposed agricultural building to house and feed livestock and to store fodder and implements.	

Application Reference	Location	Proposed Development	Cheshire East Council Decision
20/1350M (26/03/20)	Stone Gables, Salters Lane, Lower Withington. SK11 9EA	Variation of condition on existing permission 19/4994M; Front and rear extension and internal alterations including an increase in roof ridge height.	03/06/20 - Approved with Conditions.
20/1238M (16/04/20)	Bank View Farm, Hodgehill Lane, Siddington. SK11 9LU	Demolition of existing barns, constructions of new agricultural workers dwelling and new steel frame barn.	
20/1589M (16/04/20)	Old Hall Farm, Holmes Chapel Road, Lower Withington. SK11 9DT	Certificate of proposed lawful use for a two-storey rear extension, single storey side and rear extension, front porch and flue.	11/06/20 - Positive Certificate.
20/1512M (21/04/20)	Jodrell Bank Observatory, Macclesfield Road, Lower Withington. SK11 9DL	Listed Building Consent for re-roofing to the control room with a multi-layered elastomeric felt system, incorporating cut to falls insulation.	

NEW PLANNING APPLICATIONS -

Application Reference	Location	Proposed Development	Consultation end date
20/2229M (05/06/20)	Bridge Farm, Hodgehill Lane, Marton. SK11 9LU	Proposed part barn conversion into office and staff facilities.	01/07/20

PLANNING APPEALS

Application Reference	Location	Proposed Development	Decision
19/4288M (29/01/20)	Beech Tree Cottage, Long Shoot Road, Lower Withington. SK11 9DX	Proposed replacement of conservatory, erection of porch and new wall and gates to front boundary.	10/03/20 - Appeal dismissed.
19/3328M (17/02/20)	Wood Cottage, Leach Lane, Lower Withington. SK11 9DY	Full permission for a replacement dwelling, detached garage and associated landscape work. [Appeal relates to Condition 14.]	05/06/20 - Appeal allowed.