

**PLAISTOW AND IFOLD PARISH COUNCIL
CLERK'S REPORT
FOR MEETING ON TUESDAY 12th MAY 2009**

5. Election of Committee Members and Representatives

Committee membership is currently as follows:-

Planning Committee Mr Clement, Mr Gravestock, Mrs Perrin, Mr Ribbens and Mr Wheeler

Finance Committee Mr East, Mr Lugton, Mrs Ryder and Mr Wheeler

Recreation Ground/Open Spaces/Rights of Way Working Group
Mr Gravestock, Mr Laidlaw, Mrs Perrin and Mr Ribbens

SALC/Petworth Sub-District
Mr Ribbens

Winterton Hall MC Mr Clement

Kelsey Hall MC Mr Laidlaw

West Sussex Sustainability Forum and Steering Group
Mr Ribbens

Plaistow Village Trust Mr Lugton

Ifold Estates Limited Representative
Mr Lugton

Durfold Wood Residents' Association
Mr Ribbens

Tree Warden Mr Lugton

Pond Warden Mr Gravestock

The Chairman and Vice-Chairman, *ex officio*, are members of all Committees

After the appointment of Members to each of the two Committees, Members are asked to appoint a Committee Chairman.

6. Minutes

- (a) The Minutes of the following meetings have previously been circulated -
10th March – Parish Council; 11th March and 8th April 2009 – Planning Committee.
- (b) The Minutes of the following meetings are enclosed:-
21st April – Annual Meeting of Electors; 30th April – Planning Committee
- (c) The meeting of the Finance Committee on 28th April did not take place and will be re-scheduled

If any Members are missing any of (a) above, would they please contact the Clerk

7. Councillor Vacancy

Councillor Pauline Ryder has tendered her resignation from the Council.

The filling of the vacancy is governed by a set procedure –

- (a) Notice to be posted stating there is a vacancy. This allows for a by-election to be called if more than ten electors for the Parish give written notice that the vacancy be filled by election. This notice has to be given to the Returning Officer within 14 days (not including Saturdays, Sundays and Bank Holidays) of the Notice. The Notice will be displayed on the Parish notice boards on Wednesday 6th May 2009
- (b) In the event of a by-election not being called, the vacancy can then be filled by co-option as soon as practicable. This would, no doubt, be at the July Council meeting. The process for co-option is a matter for Council.

RECOMMENDATION

Members are asked to note this section of the Report

9. Declarations of Interest by Members

Members may make any Declarations (personal or prejudicial) at this point of the meeting but they must, in any event, be declared before commencement of discussion of the relevant agenda item.

10. Chairman's Report

At the time of writing there are no items in the Chairman's Report

12. Finance

(a) Accounts for payment

A schedule of accounts for payment from 10th March 2009 to 12th May 2009, also detailing monies received, will be available at the meeting

RECOMMENDATION

Members are asked to approve payment of the accounts

(b) Accounts for the year end 31st March 2009

For the financial year 2008/2009, the Parish Council is one of those randomly selected by the external auditor for a '5% spot check', which involves extensive work. The actual year-end accounts have been prepared.

Members are also asked to note that the statutory deadline date under the Regulations for the approval by the Parish Council, of the Annual Return (all sections) is 30th June 2009, which is one month earlier than previous years.

All necessary papers will be delivered by hand on the weekend prior to the meeting (viz. 9th/10th May 2009), if not before.

RECOMMENDATION

That Council approve the accounts for the year end 31st March 2008

(c) Appointment of Internal Auditor

Members will recall that the appointment of the Internal Auditor was on the agenda for the May 2008 meeting and was deferred until September 2008.

At the time, the Parish Council's internal auditor was Mrs L. Maidens, a former Parish Clerk. New Regulations have made the position more onerous and requires the presentation of formal internal audit reports. The recommendation at the time was that Peter Evans, the then Clerk of Loxwood Parish Council and a former District Auditor; and who audits the accounts of a number of local Parish Councils, take the appointment from 31st March 2008. At the time Mr Evans was recuperating from a heart attack, with the expectation being that he would return to full work by September 2008. Unfortunately, this was not the case and Mr Evans, will making a recovery did not return to work.

Most regrettably, the Clerk omitted to bring the issue to the agenda in September 2008 and currently, there is no confirmed internal auditor appointment. The Clerk offers her apologies for this oversight.

Mrs Maidens has indicated that she would be able to continue her work for the 2008/2009 financial year, at the previously agreed cost of £120.

RECOMMENDATION

- (a) **That Mrs Linda Maidens be appointed the Parish Council's internal auditor, for the 2008/2009 financial year**
- (b) **Members' views are sought regarding internal auditor arrangements for 2009/2010**

(d) **Re-Schedule a meeting of the Finance Committee**

The meeting on 28th April did not take place and needs to be re-scheduled.

RECOMMENDATION

That a date is fixed

13. Power of Well Being

Details of the eligibility to use the power of well-being were published in February 2009 by the Department for Communities and Local Government. The Local Government and Public Involvement in Health Act 2007 (the 2007 Act) makes a number of changes to the provisions of part 1 of the Local Government Act 2000 (the 2000 Act). The effect of these changes is to extend the well-being power to local councils which meet the conditions prescribed in the Parish Councils (Power to Promote Well-Being) (Prescribed Conditions) Order 2008 – the Prescribed Conditions Order.

The four conditions that a Parish Council must meet in order to be eligible to exercise the well-being power are as follows -

(a) **A qualified Clerk (in the use of the well-being power)**

The Clerk will be undertaking this module to add to the already obtained Certificate in Local Council Administration. When taking decisions on the use of the well-being power Members of the Council should have regard to the advice of their qualified clerk, who must be in attendance.

(b) **Electoral Mandate**

A minimum of two-thirds of vacancies on the council filled at the last ordinary elections (May 2007)

(c) **Trained Councillors**

80% of councillors trained in the use of the well-being power. Records of Councillor training must be maintained.

(d) Statement of Intent as to Community Engagement

The Council must publish statement of intent as to community engagement, as to how the Council intends to engage with interested persons. Interested persons are those people or bodies who appear to have an interest in matters relating to the economic, social and environmental well-being of its area.

When a Council has met the four conditions and passed a Resolution to this effect, it will be eligible to use the power until the day before the Annual Meeting of Council immediately following the next Council elections. Currently, until the Annual Meeting of Council in May 2011.

Who will benefit

Unless specifically restricted by statute, the power of well being can be used in relation to; or for the benefit of any one or more of the following:-

- The whole of the Council's area
- A part of the Council's area
- All persons resident or present in the Council's area
- Any person resident or present in the council's area

Possible uses of the power of well being

- To incur expenditure
- Give financial assistance to any person
- Co-operate with, or facilitate or co-ordinate the activities of any person
- Exercise on behalf of any person any functions of that person
- Provide staff, goods, services or accommodation to any person

It is also possible that eligible Councils can use the power in a way that affects areas outside their own boundaries, if the action contributes to the well-being of the Council area. This gives scope to working with neighbouring Councils and other authorities etc.

The power of well being is not subject to any expenditure limit, as is S137 of the Local Government Act 1972 (for 2009/2010 the rate is set at £6.15 per elector of the Parish). In using the power of well-being a Council cannot do anything which it is restricted or prohibited from doing by statute and cannot use the power as a primary means of raising money.

S137 will be repealed in respect of eligible Councils (apart from contributions to UK charitable organisations and not for profit organisations and mayoral appeals. Local Councils who are not eligible Councils retain all their existing powers under S137.

RECOMMENDATION

Members' views are sought as to whether to seek eligibility under the well being powers

14. Situation Report on previously reported matters

(a) The Green, Plaistow and Play Area Repairs

- (i) The order for the work at the entrance gates has been placed with the contractor and will be undertaken by them shortly. The new sign has been received and is with the Chairman.
- (ii) The person retaining the two seats (one for the Play Area) has been formally requested to deliver them up to the Parish Council. An up-date on progress will be given at the meeting.
- (iii) Telephone contact has been made by the National Trust, stating that it is hoped that the 'Todhurst Event' will take place this year in either the first or second week of July. It has also been stated that the Lease for the Lower Green has now been prepared. This, however, is still awaited.
- (iv) An oral report regarding the Plaistow PreSchool fete will be given at the meeting

RECOMMENDATION

Members are asked to note this section of the Report

(c) Parish Action Plan and Village Design Statement

This issue still has to be progressed

RECOMMENDATION

Members are asked to note this section of the Report

(d) Information regarding Dunsfold Park

The Clerk has nothing to report

15. Highway Matters

(a) Highway Matters previously reported

All matters previously raised have been reported and a response is awaited.

RECOMMENDATION

Members are asked to note this section of the Report

17. Date of next meeting -

Tuesday 21st July 2009 at Kelsey Hall, Ifold

Sue Kemp – Parish Clerk
1st May 2009