



Millbrook Parish Council
Annual Parish Council meeting
Tuesday 24th May 2022 at 7:30pm
Venue: The main hall in Millbrook Village Hall

Councillors Present: N. Roberts (Chair), S Lewis, P Polák, R Meeson, B Taggart, E Woffenden, C Wilton and H Wood.

In Attendance: Mrs K Heald (Clerk / RFO) and four members of the public.

In accordance with Standing Order 6 the business of the Annual Parish Council meeting included minute items 1 – 9:

The Parish Clerk commenced the meeting by asking if anyone would like to propose a Chair.

1. Election of Chair of the Parish Council (Standing Order 6e)

a. To elect a Chair of the Parish Council for 2022-23

Cllr Wood proposed Cllr Roberts be re-elected as Chair of the Council, adding she had done an excellent job since being Chair. The motion was seconded by Cllr Taggart and unanimously agreed by all Councillors.

b. To receive the Chair's declaration of Acceptance of Office

Cllr Roberts accepted the role of Chair of the Parish Council and signed the Chair's Declaration of Acceptance of Office, which was witnessed by the Parish Clerk.

Cllr Polák joined the meeting at 19:33hrs

2. Election of Vice Chair of the Council (Standing Order 6e)

a. To elect a Vice Chair of the Parish Council for 2022-23

It was proposed by Cllr Roberts, seconded by Cllr Wood and unanimously agreed by all Councillors that Cllr Lewis is elected as Vice Chair of the Council.

b. To receive the Vice Chair's declaration of Acceptance of Office

Cllr Lewis accepted the role of Vice Chair of the Parish Council and signed the Vice Chair's Declaration of Acceptance of Office, which was witnessed by the Parish Clerk.

3. To receive apologies for absence

The Chair announced apologies for absence have been received from Cllrs Beadnall, Mattholie, Hall and S Woffenden.

4. To receive any declarations of interest on any agenda item

Cllr Roberts declared the reimbursement of cake ingredient costs for her son for the Open Afternoon is included in the payments list.

Cllr Lewis declared a personal interest. One of the members of the Village Enhancement Team is one of the owners of the property in Dodbrook, relating to agenda item 17f. She is not otherwise a close associate of the applicant.

Neither interest was considered sufficient to warrant exclusion from the meeting for the relevant items.

5. To receive any declaration of gifts

None

6. To consider any requests for dispensations relating to agenda items.

None

7. Public forum and Cornwall Councillor report / update

a. Cornwall Councillor Kate Ewert

CC Ewert reported she had been a Cornwall Council Full Council meeting today. The meeting was the Annual Meeting. The Chair and Vice Chair were elected unopposed. There was a contender for the leader of the Council. CC Ewert put forward a forward a motion for Housing and Homelessness. In accordance with the Cornwall's procedures, due to the significant legal and constitutional implications the Chair referred the motion to the cabinet. (The recommendations are detailed in appendix 1). Cornwall Council have continuing discussions regarding the proposed election of a mayor for Cornwall. The first draft of the Hounster Hill Feasibility Study has been sent to CC Ewert. The Council will receive a copy of it before the next meeting.

b. Cycle parking proposal from the proprietor of Weigh to Go

The proprietor of Weigh to Go addressed the Council with their proposal to purchase a planter and cycle rack. This provision would solve parking issues in this area, promote cycling and fit with the ethos of their business – zero waste & refill. They are seeking permission to install the planter and cycle rack on the parish council car park. All costs for the purchase and installation would be met by Weigh to Go.

c. Co-op's Causes

Co-op's Member Pioneer introduced himself and provided details of the Local Cause Funding, which will be available until 29th May 2022. The Co-op is looking to support projects with the following aims:

- bringing people together to access food
- helping improve people's mental wellbeing
- creating opportunities for young people to be heard and make a difference
- helping people protect local biodiversity or tackle climate change by reducing carbon emissions.

8. Approval of minutes from previous meetings (Standing Order 6i.ii)

To approve the minutes of the previous Full Parish Council meeting

It was proposed by Cllr Lewis, seconded by Cllr Wood and unanimously agreed by all members of the Parish Council who were present in the meeting that the minutes of the meeting held on 26th April are approved as a full and accurate record of the meeting.

Resolved.

9. Governance

a. Parish Council's policies and Procedures (Standing Order 6iv)

The Council noted the Clerk's document detailing the Council's adopted policies and procedures.

b. Review of the delegation arrangements to committees, sub-committees, staff and other local authorities. (Standing Order 6i.vi)

- i. To review and approve the Asset & Open Spaces Task Group Terms of Reference
It was proposed by Cllr Lewis and seconded by Cllr Taggart that the Council approves the Asset & Open Spaces Terms of Reference. The motion was carried with two abstentions. **Resolved.**
- ii. The Parish Council's Committees' and Working Groups' approved Terms of Reference and the Council's delegation arrangements.
The Council noted the document produced and circulated by the Parish Clerk.

c. Committees and task groups

Appointment of committee and task group members and appointment of any new committees, in accordance with Standing Order 5. (The Chair of each will be appointed by the relevant committee /working group).

- i. Appointment of members of the Staffing Committee
Cllr Beadnall had contacted the Clerk to say he would like to remain on the Staffing Committee. All other committee members said they would like to remain on the Staffing Committee. It was proposed by Cllr Roberts and seconded by Cllr Lewis that the members of the Staffing Committee shall be Cllrs Lewis, Roberts, Wilton, Wood and Beadnall. The motion was carried with one abstention. **Resolved.**
- ii. Appointment of members of the Planning Committee
Cllr Hall had sent an email saying she no longer wished to remain on the Planning Committee. Cllr Beadnall had requested that he wished to join the planning committee. It was noted Cllr Beadnall would need to undergo planning training. It was proposed by Cllr Roberts and seconded by Cllr Wood that the members of the planning committee shall be Cllrs Lewis, Roberts, Beadnall, Meeson, E Woffenden, Wilton and Wood. The motion was carried with one abstention. **Resolved.**
- iii. Appointment of members of the Finance Committee
Cllr Beadnall had requested to remain on the Finance Committee. All other members of the Finance Committee wished to remain the same. It was proposed by Cllr Roberts and seconded by Cllr Wilton that the members of the Finance Committee shall be Cllrs Roberts, Lewis, Beadnall, Meeson and Wood. The motion was carried with one abstention. **Resolved.**
- iv. Appointment of members of the Asset & Open Spaces Task Group
Cllr Hall requested she remain a member of the Asset & Open Spaces Task Group but would be happy for another Councillor to lead the group. It was proposed by Cllr Roberts and seconded by Cllr Wood that the members of the Asset & Open Spaces Task Group shall be Cllrs Roberts, Lewis, Hall, Taggart, Polák and Wood. The motion was carried with one abstention. **Resolved.**
- v. Appointment of members of the Traffic & Transport Advisory Task Group
It was proposed by Cllr Roberts and seconded by Cllr Wood that the members of the Traffic & Transport Advisory Task Group shall remain as previously: Cllrs Roberts, Lewis, Wilton, E Woffenden, S Woffenden and Mr J Woffenden. The motion was carried with one abstention. **Resolved.**

- vi. Appointment of the Christmas Events Working Group
It was proposed by Cllr Roberts and seconded by Cllr Wilton that the Christmas Events Working Group shall be Cllrs Roberts, Lewis, Beadnall and Wood. The motion was carried with one abstention. **Resolved.**
- vii. Consideration of the formation of any other committee or working group
No other committees or working groups were put forward.
- d. **Standing Orders: To review, put forward any recommended changes and approve the Parish Council's Standing Orders. (Standing Order 6i.ix)**
Cllr Roberts led the discussion and detailed recommended changes.
- i. SO1t: Rules of debate at meetings: *"Excluding motions moved under standing order 1(r), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 5 minutes without the consent of the chair of the meeting."* Amend from 5 minutes to 3 minutes.
- ii. SO3g: Meetings Generally: *"Subject to standing order 3(f), a member of the public shall not speak for more than 5 minutes."* Amend from 5 minutes to 3 minutes.
- iii. SO5dii: Committees & Sub-committees: As none of the Council's committees meets at specific times delete Standing Order 5dii *"shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council"*
- iv. SO5diii: Delete *"shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings"*.
- v. SOdvij: The Council's Committees have always appointed their own Chair. The Terms of Reference have been produced by the relevant committees and approved by the Full Council. Delete *"shall, after it has appointed the members of a standing committee, appoint the chair of the standing committee."*
- vi. SO7d Extraordinary meetings of the Council, committees and sub-committees: *"If the chair of a committee [or a sub-committee] does not call an extraordinary meeting within 7 days of having been requested to do so by 5 members of the committee [or the sub-committee], any 5 members of the committee [or the sub-committee] may convene an extraordinary meeting of the committee [or a sub-committee]."* Consider reducing this number." It was agreed to amend this standing order to 5 councillors for the full council and 2 members for committees.
- vii. SO14g: Code of conduct and dispensations: *"Subject to standing orders 14(d) and (f), a dispensation request shall be considered [by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required] OR [at the beginning of the meeting of the Council, or committee or sub-committee for which the dispensation is required]."* Remove the first sentence and retain the dispensation request shall be considered at the beginning of the meeting etc.
- viii. SO16bxiv: Proper Officer: *"record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;"* Remove this section. Records are not retained in this manner. Records of the Parish Council's response to the Local Authority are recorded in the Council minutes.

- ix. SO4: Filming and recording public meetings. Remove this section. It is a legal requirement and referred to in other sections of the Standing Orders but no longer included until its own heading on the NALC updated Standing Orders from April 2022.
- x. Financial Controls and Procurement
Remove from “*A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 18(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity.*” Replace with The NALC updated version (from April 2022): “*A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds referred to in standing order 18(f) is subject to the “light touch” arrangements under Regulations 109-114 of the Public Contracts Regulations 2015 unless it proposes to use an existing list of approved suppliers (framework agreement).*” Replace 19f and 19g above with “Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 or the Utilities Contracts Regulations 2016 apply to the contract and, if either of those Regulations apply, the Council must comply with procurement rules. NALC’s procurement guidance contains further details.”

Remove “*A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.*”

Remove “*A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.*”
- xi. SO18e Accounts and Accounting Statements: “*A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June*”. Amend to: “shall be presented to all councillors with the agenda for the meeting for which the approval of the annual governance and accountability return are included.”

It was proposed by Cllr Roberts, seconded by Cllr Lewis and agreed by all Councillors that subject to the above amendments the Standing Orders are approved. **Resolved.**

e. Financial Regulations: To review, put forward any recommended changes and approve the Parish Council's Financial Regulations. (Standing Order 6i.ix).

The following changings were recommended by the Chair of the Council:

- i. Remove 3.4 "The Clerk is to be assigned an annual budget of £1900.00 for managing the office expenses and admin budget." as this is included within the budget monitoring reports presented to the Council and a budget is set annually.
- ii. 3.5 states the Clerk may incur expenditure on behalf of the Council that is necessary:
 - a) a delegated general spends of £500 (a maximum of £100 per order)
 - b) to carry out any repair replacement or other work that is of such extreme urgency that it must be done at once, on the grounds of health & safety whether or not there is any budgetary provision for the expenditure, subject to a limit of £500.The Clerk shall report the action to the Council as soon as practicable thereafter.
Recommendation to increase the maximum order to £200 and add "in the absence of the Clerk, Council staff may in consultation with the Chair and Vice Chair organise emergency works up to the value of £500.

It was proposed by Cllr Roberts, seconded by Cllr Lewis and unanimously agreed by all Councillors that subject to the above amendments the Council approves the Financial Regulations. **Resolved.**

f. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses. (Standing Order 6i.x).

The Clerk's report was noted.

g. External bodies: Review of representation on or work with external bodies and arrangements for reporting back (Standing Order 6i.xi)

The Clerk's report was noted.

h. Inventory of land and other assets: Review of inventory of land and other assets including buildings and office equipment;(Standing Order 6i.xiii)

The Council's asset register was approved during the meeting held on 26th April 2022, minute 170diii.

i. Insurance cover: To approve the quotation from BHIB Insurers.

The Council's current insurance policy is due for renewal on 1st June 2022. (Standing Order 6i.xiv – confirmation of arrangements for insurance cover in respect of all insurable risks).The Clerk advised she had contacted various insurers. The Council's internal auditor had recommended the Council increases its fidelity cover. It was proposed by Cllr Roberts, seconded by Cllr Lewis and unanimously agreed by all Councillors to accept the proposal of £1,739.80 from BHIB Insurance. **Resolved.**

j. Subscriptions: Review of the Council's and / or staff subscriptions to other bodies

It was noted the Council had subscriptions with Cornwall Association of Local Councils.

The Society of Local Clerks and The Institute of Cemetery and Crematorium Management. Payments had been approved during previous meetings.

k. Press/media policy: To review and adopt the draft press/media policy (Standing Order 6i.xvi)

It was proposed by Cllr Roberts, seconded by Cllr Wood and unanimously agreed by all Councillors to adopt the press/media policy. **Resolved.**

l. General Power of Competence:

During the Parish Council meeting held on 16th November 2021, having confirmed the Council meets the criteria as detailed in the prescribed conditions of section 8(2) of the Localism Act 2011, the Council passed a motion to adopt the General Power of Competence (Minute 103). The Council is required to reaffirm its eligibility to exercise the General Power of Competence. (Standing order 6i.xvii)

It was proposed by Cllr Roberts, seconded by Cllr Wood and unanimously agreed by all Councillors that having met the prescribed conditions to adopt the General Power of Competence the Council reaffirms its eligibility. **Resolved.**

m. Future meetings: To determine the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

It was proposed by Cllr Roberts that the next meeting shall be on 28th June (instead of 24th June 2022), and thereafter, with the exception of August and December, the Council shall meet for its Full Council meeting at 7:30pm in Millbrook Village Hall on the 3rd Tuesday of every month. The motion was seconded by Cllr Polák. **Resolved.**

The Council continued the meeting with the Ordinary Business.

Appendix 1: CC Kate Ewert's recommendation to Cornwall Council

This Council resolves to:

1. Implement the recommendations of the 2020 Cornwall Council Private Rented Sector Inquiry within 6 months.
2. Set up a dedicated Cornwall Council unit to enforce covenants in ex-council houses sold under Right to Buy legislation.
3. Fund and organise travel to school (if required) for all children who are temporarily more than 2 miles (primary) or 3 miles (secondary) away from their school due to their family becoming homeless and being moved into emergency or temporary accommodation arranged by Cornwall Housing Limited, for as long as they are in that accommodation and remain at that school.
4. Provide an allocated housing officer and an initial care letter or FAQs for Cornish residents facing homelessness, so that they know what action they have to take (apply for benefits, school travel etc) and what action the authority will take on their behalf. This letter should include the service charges and incidental costs that the emergency accommodation provider is likely to charge.