



Queries-Comments from the Members of the Public

Asker	Question	Response
Mr T Darch	<p>In respect of Item 3 of the agenda for 10th November 2020, <i>Approval of the previous minutes</i>.</p> <p>I would like to refer you to</p> <ul style="list-style-type: none"> Minute number CM20/150, <i>Receive a Budget Update</i>. Supporting document 11c of the meeting of the 13th October 2020 that CM20/150 refers to. <p>I would like to formally request that you clarify to the public what the grant for £10000 is for, where it was from and what condition are attached to it.</p> <p>This was not made known or declared to the public or the councillors at the meeting of 13th October 2020 and there are concerns as to what it is, where it is from and what is it for.</p> <p>You public clarification would be welcomed.</p>	<p>The Council has received a COVID-19 Grant as part of the Government Small Business Grant. This grant has been received as the Council is the registered owner and ratepayer for the public toilets in Lyneham.</p> <p>The Council had been informed that it may be eligible, applied and is now in receipt of the money. This receipt was reported in the finance section of the meeting.</p> <p>At this time the Council is not in possession of formal conditions. However, this grant is part of the national granting framework as part of its response to COVID-19.</p> <p>At this time the Council is retaining the money in Earmark / Reserves and will discuss its use as part of the budget or shortly thereafter. All decisions on the money will be made in the public arena.</p>
Mr T Darch	<p>In respect of Item 11 of the agenda for 10th November 2020, <i>Village Hall Grant</i>.</p> <p>I would like to refer you to</p> <ul style="list-style-type: none"> Minute 7.5 of the 14th January 2020. Precept Budget 2020/21. <p>It is appreciated that a grant to the Village Hall would be most welcome, however I do wish to query the source of funding, coming from the Earmarked Reserves.</p> <p>These Earmark Funds were voted on and adopted on at the Meeting of</p>	<p>The Council holds a Special Projects Earmark. Should the funds be approved then they will be spent from this Earmark.</p> <p>The two other Earmarks you refer to will either be rolled over or cancelled at year-end depending on the final outcome of need. This is standard practice.</p>

	<p>14th January 2020, I know that two items are no longer required, namely £2000 earmarked for the Holloway (Now not viable due to DIOs refusal) and £2000 from the Bradenstoke Junction Lights (Funded by the Solar Fund in full). The other items are still required, the £2000 for CATG Project contributions (The lights outside of the main camp entrance), which according to the past and current accounts have still to be billed to the PC and, of course, the Ring Fenced NDP funding.</p> <p>This indicates that there is only a surplus of £4000 that could be transferred back to the General Funds for use for this Section 133 grant, leaving a shortfall of £1000.</p> <p>Could you please explain why surplus funds have not/are not being transferred from Earmarked Fund to General Fund, why the Section 133 grant is not being made from General Funds and if you are intending to take funding from the Earmark Funds, where the shortfall of £1000 will come from.</p>	
Mr T Darch	<p>In respect of Item 10 of the agenda for 10th November 2020, <i>Delegation under Section 101 para 1(a)</i>.</p> <p>I take note of the subset sheet for this item, and would like to raise the following question</p> <p>Section 101 para 1(a) states</p> <p><i>“Arrangements for discharge of functions by local authorities.</i></p> <p><i>(1) Subject to any express provision contained in this Act or any Act passed after this Act, a local authority may arrange for the discharge of any of their functions—</i></p> <p><i>(a) by a committee, a sub-committee or an officer of the authority;”</i></p> <p>It is therefore assumed that due to the value of the whole contract works (£4,400 + VAT) you are wishing to either arrange for this to be delegated to</p>	<p>The list of amendments to current contract are listed on the agenda for individual approval. As the current planned work items are estimates the maximum level of each quoted item will be approved and delegated to the Clerk so that, hopefully, a lesser amount may be achieved when the work takes place.</p> <p>This step has also been taken to provide transparency to the work and to assure the public that the Council will not be approving the higher end of each quote arbitrarily.</p> <p>The delegation of spend to an Officer under Section 101.1a does not affect any of the limits mentioned in the question. The delegation limits listed in both the Finance Committee Terms of Reference and the Finance Regulations are limits to spend without authority being given on such an item by Full Council.</p>

	<p>either the Finance Committee or to the Proper Officer (Parish Clerk), as there is not agenda Item for the formation of a specific committee to deal with this matter.</p> <p>I wish to remind the Councils that under the Terms of Reference for the Finance Committee (See Para 10) (<i>notwithstanding the Model Finance Regulations</i>) there is an absolute delegation for £2000, the Parish Finance Committee ToRs has this restriction inbuilt to protect the parish as a whole, and thus overrules the Finance Regulations. This can only be undone by a deliberate and conscious vote by the full Parish Council and as this is not an agenda item so it is not possible for the delegation to the Finance Committee to be valid.</p> <p>Therefore, this indicates that the delegation would be made to the Proper Officer (Parish Clerk). At present there are no safeguards in place, such as “Scheme of Delegation”, etc., to allow for this occur, none of the work is emergency, so this would exceed the adopted limit of £1500 permitted in the Adopted Finance Regulation, so it is not possible for the delegation to the Proper Officer (Parish Clerk) to be valid.</p> <p>When the Parish voted on the various Finance Terms of Reference, Financial Regulation limits and Proper Officer (Parish Clerk) limits, it was done so to ensure that full public discussion and full council voting had to take place for any item (or consolidation of times) over £2000. This was to ensure that the Parish Council, as a whole, would be accountable and that there was full transparency to the public.</p> <p>It is fully appreciated that once finance has been authorised, the Parish Clerk would oversee the works being carried out, and that this automatic without delegation</p> <p>Therefore, could please explain to the public and the council how Section 101 para 1(a) applies in this instance, without changes to other financial protecting policies of the council.</p>	<p>However, Full Council may, under S101.1a, delegate authority to spend any amount to either a Committee or an Officer. This is not an absolute delegation limit in either case.</p> <p>This approach has been validated with the SLCC and WALC.</p>
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Mr T Darch	I would also like to thank the Parish Council for ensuring that the minutes from the previous meeting were made public in accordance with the councillors commitment to the parishioners and that the agenda and all the supporting documents were placed correctly and in accordance with UK Governments <i>"Transparency code for smaller authorities"</i>	The Council has experienced some issues with the website and continually looks to improve its dissemination of information to the public. Thank you for your message of support.
Ms G Howarth	<p>Please can you tell me why the draft minutes say the last meeting began at 8.21PM.</p> <p>When in the video, the chairman says the meeting started at 8PM?</p>	<p>This is because the public participation section of the evening is not officially minuted or considered an official part of the meeting.</p> <p>The actual formal Full Council Meeting began at 8:21pm. The live stream started around 8pm for the public participation section, which is why it is mentioned by the Chairman.</p> <p>Questions from the public sent prior to the meeting are placed on the website and may be read out at the meeting. Questions or comments from the public made during the Public Participation section or as written questions prior are recorded with the minutes but do not form part of the official minutes. This is standard practice.</p>
Mr K Webster	Will the 13 items detailed in the document 10 - KI QUOTES NOV 2020 relating to item 10 in the agenda be put out to tender to local businesses and trades people or has it already been allocated?	The work items included in Agenda Item 10 are amendments and/or additions to the work we have in place with the Contractor and therefore are not being sent out for tender.