



**HECKINGTON
PARISH COUNCIL**

**Heidi Wilson
Acting Clerk & RFO**

**Phone: 01529 460174/07734 297528
(Answerphone available)
Email: heckingtonparishcouncil@outlook.com**

**Council Chambers
St Andrews Street
Heckington, Sleaford
Lincolnshire NG34 9RE**

**Office opening hours.
Monday to Friday 0900-1200**

DRAFT Minutes of the extraordinary meeting of Heckington Parish Council on Monday 21 October 2024 at 7pm in the Parish Council Chambers, St Andrews Street., Heckington.

1. Chair's Welcome

The Chair, Councillor Spencer welcomed councillors and members of the public to the extraordinary meeting of the Parish Council thanking them for their attendance. He duly opened the public forum.

2. Public Forum:

There were 16 members of the public present.

A parishioner stated that the draft minutes from the September meeting of the parish council, version 1.1 found on the parish council website (item 4, the public forum), state that her comment regarding the former chair's allowance said that *'other expenses were claimed'*. She stated that this is incorrect, she actually said that *'she seemed to have claimed for other things'*. She went on to say that the word *'seemed'* has been omitted which makes the comment accusatory rather than the basis for investigation. She asked for this to be amended to reflect her comment.

The same parishioner questioned why items 9 a) and c) were being discussed in closed session citing the Public Bodies (Admissions to Meetings) Act 1960. Her concern being that the parish council might be discussing something not specified on the agenda. She cited the Local Government Act 1972 stating that the summons must specify the business it proposes to transact and her opinion is that this agenda does not.

The Acting Clerk explained to the parishioner that item 9 a) was to agree upon a statement to be made public about past decision making including Star Fen; the Clerk had previously recommended to Council to issue a statement rather than answer questions in the parish council meeting in July 2024. There was some concern amongst council members that the statement itself might leave the parish council open to legal action due to libelous wording. Another member of the public said that he thought that the subject of Star Fen had been hidden within the agenda and the Acting Clerk said she would take responsibility for this on behalf of the council; this was certainly not the intention.

The Acting Clerk explained that item 9 c) related to a breach of the code of conduct.

A parishioner questioned the wording of agenda item 6) relating to membership of committees. Council members explained that membership to the committees was left open to enable new council members to join the committees.

A parishioner asked whether there had been any news about a proposed extension at the pavilion. Councillor Thorpe said that he is pursuing some enquiries.

A parishioner asked why the VAT on two electricity invoices in March and April was charged at 20%. The Acting Clerk said that this might be business rates. The parishioner explained that on all other occasions the rate of VAT was 5%. The Chair, Councillor Spencer thanked the member of the public and said that this would be investigated.

A parishioner asked whether the public will ever be allowed to see the original valuation for Star Fen. The parish council responded that as previously recorded in the minutes, this document would not be shared with the public as the request of the Land Agent, Will Barker.

A parishioner welcomed the new councillors and she said that 'we' need to start looking forward and being a bit more positive; there is a lot of old ground to cover but we must give the councillors a chance to sort out what has happened; we need to support them.

A parishioner complimented the council on the seating arrangements.

3. Councillor Present

Councillor Spencer, Chair
Councillor Garlick, Vice Chair
Councillor Atkinson
Councillor Bell
Councillor Davison
Councillor O'Connor
Councillor Peacock
Councillor Stanley
Councillor Thorpe
Councillor Tucker
Councillor Wright

4. Apologies

None.

5. To receive any reports of member's interest, pecuniary or otherwise in relation to the agenda and any dispensations in accordance with the Localism Act 2011

Councillor Bell asked whether she will be allowed to sit on the allotment committee now that she, on behalf of Heckington in Bloom, has an allotment. The Chair, Councillor Spencer, airing on the side of caution, advised Councillor Bell not to stand on the Committee.

6. Committees

a) Finance Committee

Councillor Garlick proposed Councillors Davison and Tucker join the Finance Committee. The proposal was seconded by the Chair, Councillor Spencer and the motion was passed by resolution of the council.

Committee Membership: Councillor Spencer, Garlick, Wright, Davison and Tucker.

There was a discussion about recording votes and the Acting Clerk asked members to clearly state this ahead of any resolution.

i) Term of Reference

Members agreed to amend item 3.1 in relation to the term of office for the Chair of the Finance Committee from one year to, until the Annual Parish Council meeting in May. Councillor Garlick proposed the Terms of Reference as amended, the proposal was seconded by Councillor Davison and the motion was passed unanimously by resolution of the council.

FINANCE COMMITTEE
DRAFT TERMS OF REFERENCE
of
HECKINGTON PARISH COUNCIL

1 Role

- 1.1** The role of the Finance Committee is to oversee all aspects of: Financial Administration; Planning, Audit and Governance
 - 1.2** including recommendations to Council for the precept amount.
- 1.2** The committee is NOT empowered to make decisions, and acts as an advisory committee only.

2 Objectives

- 2.1** The purpose of the committee is to bring matters relating to Finance, Audit and Governance to the attention of the Parish council.
- 2.2** To make recommendations to the Parish council where necessary.
- 2.3** To report to Council any issues or areas of concern for corrective action.
- 2.4** To create and maintain a Financial Plan in liaison with other Committees and make recommendations regarding priorities.

3 Membership

- 3.1** The Committee shall consist of 5 members of the Parish Council and shall be agreed annually in May at the Annual Parish Council Meeting. The chair of the Finance Committee will be elected at their first meeting and will serve until the Annual Parish Council Meeting in May.
- 3.2** The Committee may not appoint anyone other than Parish Councillors.
- 3.3** The quorum for a meeting will be a minimum of three councillor members. If the chair is absent a chair for that meeting will be selected by attending members.

4 Meetings

- 4.1** The committee is required to hold meetings at least four times per year.
- 4.2** The committee meetings are formal and therefore the agenda will be displayed publicly, minutes taken and standing orders will apply.
- 4.3** The Responsible Financial Officer shall attend all Committee meetings.

5 Purpose

- 5.1** The committee will meet to undertake the tasks set out in Section 6 (Scope and Remit) and to promote best practice and make recommendations to the Parish Council regarding matters relating to Finance, Planning, the financial aspects of HR, Audit and Governance.

6 Scope and Remit

- 6.1** Develop and recommend policies and procedures for the financial management of the Council.
- 6.2** Create and maintain the Council's Financial Plan.
- 6.3** Monitor reserves to ensure that surpluses are not built up other than for working capital or for earmarked projects and known liabilities set out in the Council's Financial Plan, ensuring that sufficient reserves are retained for future maintenance, replacement or upgrading of items for which the Council is responsible.
- 6.4** Prepare an annual budget with the assistance of the Responsible Finance Officer for the Council and recommend an annual precept.
- 6.5** Monitor performance against budget and report significant variances to Council with recommendations for appropriate action.
- 6.6** To review any lease or legal arrangement and make recommendations to the Parish Council.
- 6.7** Undertake a financial risk analysis annually and review the Council's insurance arrangements to ensure that property and identified risks are adequately insured.
- 6.8** Review on an annual basis the list of all Parish Council assets, liabilities, financial obligations and property.
- 6.9** Review the policy of insurance to ensure that there is in place an adequate policy of insurance and assist the RFO to obtain three quotes in April of each year.
- 6.10** Receive and review Audit Reports and ensure the implementation of any recommendations.
- 6.11** Consider and determine requests for community and other grants within agreed annual budgets.
- 6.12** Keep up to date on financial rules and regulations in liaison with the clerk and LALC. Recommend appropriate changes to practice and standing orders as necessary. Make recommendations for training on financial matters where appropriate.

7 Audit and Governance

- 7.1** Carry out an annual review of the Standing Orders, Financial Regulations and Terms of Reference for the finance committee and present them to the Parish Council at the annual meeting of the Parish Council for acceptance.

- 7.2 To review on a regular basis, the financial governance of the Parish Council and recommend any actions as appropriate.
- 7.3 Ensure that the Parish Council's financial practices and annual governance reviews comply with the Financial Regulations set out by the Audit Commission, Central Government and Council's adopted Financial Regulations.
- 7.4 Review and monitor the Council's Financial Management Risk Register and recommend appropriate action to the Parish Council.
- 7.5 Receive the report of the Auditor and recommend to the Parish council any action necessary.
- 7.6 Consider the financial implications of the Council's responsibilities arising from any non-budgeted recommendations of its committees and make appropriate recommendations to the Finance Committee.

7 Rules and Regulations

- 7.7 The councillor's code of conduct will apply to all members of the committee.
- 7.8 The conduct of the meeting (declaration of interests, debate, voting etc) will be governed by the Council's Standing Orders.

b) Staffing Committee

The Chair, Councillor Spencer proposed Councillors O'Connor and Wright join the Staffing Committee. The proposal was seconded by Councillor Garlick and the motion was passed by resolution of the council. The Chair, Councillor Spencer declared that he would be standing down from the Staffing Committee per best practice.

Committee Membership: Councillors Garlick, Bell, Thorpe, Stanley, Wright and O'Connor.

c) Cemetery Committee

Councillor Wright proposed Councillor Tucker join the Cemetery Committee. The proposal was seconded by the Chair, Councillor Spencer and the motion was passed by resolution of the council.

Committee Membership: Councillors Atkinson, Bell, Peacock and Tucker.

d) Allotment Committee

Councillor Davison suggested that Councillor Bell form part of the allotment committee given her expertise. The Acting Clerk advised Councillor Bell to declare an interest under the agenda item *'to receive any reports of member's interest, pecuniary or otherwise in relation to the agenda and any dispensations in accordance with the Localism Act 2011'*.

There was some discussion as to whether a committee is required and whether a working group would suffice.

Councillor Atkinson stated that he had not received any invitations to recent meetings of the allotment committee, but Councillor Bell and the Acting Clerk confirmed that invitations had been sent by email.

Councillor Atkinson proceeded to complain about the number of emails he receives on a daily basis.

The Chair, Councillor Spencer proposed Councillors Atkinson, Bell and Peacock form the allotment committee. The proposal was seconded by Councillor Stanley and the motion was passed by resolution of the council.

Committee Membership: Councillors Atkinson, Bell and Peacock

e) Pavilion Committee

Membership to the pavilion committee was confirmed as Councillors Wright, Thorpe and Stanley.

Committee Membership: Councillors Wright, Thorpe, Stanley

f) Events Committee

Councillor Wright proposed Councillors Bell, Tucker, O'Connor and Peacock form the events committee. The proposal was seconded by Councillor Garlick and the motion was passed by resolution of the council.

Committee Membership: Councillors Bell, Tucker, O'Connor and Peacock.

Councillor Atkinson asked councillors whether they want him to carry on as a representative on the village hall committee. The Chair, Councillor Spencer said this would be added to the agenda for the October parish council meeting.

7. Staffing

a) Recruitment and Advertising for the position of Clerk

- i. The person specification and job description had been circulated to member ahead of the meeting and Councillor O'Connor had recommended some amendments to the person specification and job description which have been implemented.
Councillor Tucker proposed that the person specification is accepted. The proposal was seconded by Councillor Bell and the motion was passed by resolution of the council.
Councillor Stanley proposed that the job description is accepted. The proposal was seconded by the Chair, Councillor Spencer and the motion was passed by resolution of the council.



PERSON SPECIFICATION

CLERK/RFO TO HECKINGTON PARISH COUNCIL

<i>Competency</i>	Essential	Desirable
Education: Professional qualifications and training	High level of numeracy and literacy A willingness to complete the Certificate in Local Council Administration Experience with book-keeping or accounts	Achievement of the 10- module higher certificate in local policy Certificate in Local Council Administration Bookkeeping or accounting qualifications
Abilities: Practical and Intellectual skills	Experience of working in an office and dealing with the public Ability to work effectively on your own or in a team A good working knowledge and understanding of local government structure and practices Experience of advising and servicing committees and working with members Competent in bookkeeping and administration (demonstrating high standard of computer literacy) Ability to recognise political/legal consequences of any action being contemplated by members Ability to communicate at all levels in the community both orally and in writing Diplomacy, integrity, honesty and moral courage Excellent organisational skills Punctuality	Confident public speaker Typing Skills (50 wpm) Proficiency using Microsoft packages including Word and Excel Experience of managing staff
Circumstances	Willingness to work evenings when council or committees meet, or weekends as required Flexible and committed to the Council and its activities	Current driving licence



JOB DESCRIPTION

CLERK/RFO TO HECKINGTON PARISH COUNCIL

Overall Responsibilities

The Clerk to the Council will be the Proper Officer of the Council and as such is under a statutory duty to carry out all the functions, and in particular to serve or issue all the notifications required by law of a local authority's Proper Officer.

The Clerk will be totally responsible for ensuring that the instructions of the Council in connection with its function as a Local Authority are carried out.

The Clerk is expected to advise the Council on, and assist in the formation of, overall policies to be followed in respect of the Authority's activities and in particular to produce all the information required for making effective decisions and to implement constructively all decisions. The person appointed will be accountable to the Council for the effective management of all its resources and will report to them as and when required.

The Clerk will be the Responsible Financial Officer and responsible for all financial records of the Council and the careful administration of its finances. A Responsible Financial Officer (RFO) must be appointed by each local council in accordance with the Local Government Act 1972 Section 151.

Specific Responsibilities

1. To ensure that statutory and other provisions governing or affecting the running of the Council are observed.
2. To ensure that the Council's obligations for Risk Assessment are properly met.
3. To prepare, in consultation with appropriate members, agendas for meetings of the Council and Committees. To attend such meetings and prepare minutes for approval. Other than where such duties have been delegated to another Officer.
4. To attend all meetings of the Council and all meetings of its committees and sub-committees. Other than where such duties have been delegated to another Officer.
5. To receive correspondence and documents on behalf of the Council and to deal with the correspondence or documents or bring such items to the attention of the Council. To issue correspondence as a result of instructions of, or the known policy of the Council.
6. To receive and report on invoices for goods and services to be paid for by the Council and to ensure such accounts are met. To issue invoices on behalf of the Council for goods and services and to ensure payment is received.
7. To study reports and other data on activities of the Council and on matters bearing on those activities. Where appropriate, to discuss such matters with administrators and specialists in particular fields and to produce reports for circulation and discussion by the Council.
8. To draw up both on his/her own initiative and as a result of suggestions by Councillors proposals for consideration by the Council and to advise on practicability and likely effects of specific courses of action.
9. To supervise any other members of staff as their line manager in keeping with the policies of the Council and to undertake all necessary activities in connection with the management of salaries, conditions of employment and work of other staff.
10. To monitor the implemented policies of the Council to ensure they are achieving the desired result and where appropriate suggest modifications.
11. To act as the representative of the Council as required.
12. To issue notices and prepare agendas and minutes for the Parish Meeting: to attend the assemblies of the Parish Meeting and to implement the decisions made at the assemblies that are agreed by the Council.
13. To prepare, in consultation with the Council, press releases about the activities of, or decisions of, the Council.
14. To attend training courses or seminars on the work and role of the Clerk as required by the Council.
15. To work towards the achievement of the status of Qualified Clerk as a minimum requirement for effectiveness in the position of Clerk to the Council.
16. To continue to acquire the necessary professional knowledge required for the efficient management of the affairs of the Council - (possibly via membership of the professional body The Society of Local Council Clerks or its equivalent)
17. To attend the Conference of the National Association of Local Councils, Society of Local Council Clerks, and other relevant bodies, as a representative of the Council as required.

18. To prepare financial reports of the Council covering budget monitoring, fund balances, receipts and payments to date, payroll summary, payment of accounts and other relevant current matters.
19. To prepare draft estimates which, when approved, will form the annual budget for the year, and to report thereon as necessary.
20. To submit the precept to the District Council/Unitary Authority at the correct date and to provide any figures required for inclusion in the Council Tax Bill information as required by statute.
21. To bank regularly all money received by the Council.
22. To ensure that all money due to the Council is billed and collected promptly.
23. To manage the cash flow and to control investments and bank transfers.
24. To control payments made by cheque.
25. To take overall responsibility for the prompt submission of VAT Return Forms or repayment claims.
26. To verify, analyse for accounts purposes, and to authorise suppliers' invoices for recommendation for payment.
27. To prepare Financial Statements for each financial year for councillors and the public.
28. To prepare the Accounts and the Annual Return for the Council each year and to submit them to Council for approval and to the Auditor when required.
29. To arrange for appropriate Internal Audit in accordance with Financial Regulations.
30. To manage the risks faced by the Council and to recommend such insurance as is required or is mandatory (Employer's Liability and Fiduciary Guarantee).
31. To maintain the Council's asset register.
32. This role requires an element of flexibility, and the post holder may be required to undertake tasks relevant to the role which are not specifically detailed here.

ii. **Contract of Employment including hours and pay scales**

Councillors discussed pay scales and hours for the Clerk at great length; Councillor Davison used Metherringham Parish Council as a point of reference as they are currently advertising for the role of Clerk and are comparable to Heckington. Councillor Bell was concerned about the scale range. Councillor O'Connor shared her views having expertise in this field and explained movement through the range.

The Chair, Councillor Spencer read out Metherringham Parish Council's advertisement and he proposed that members agree to the same, salary will be between £35,745 to £40,221 dependent on experience and qualifications, pro rata (SCP 23-32) at 30 hours per week. The proposal was seconded by Councillor Davison and the motion was passed by resolution of the council. Councillor Bell asked for her vote to be recorded. She voted against the motion. She said wanted the pay scale to be increased by an SCP point to make the role more attractive than Metherringham Parish Council.

Members discussed amending the resolution but the Acting Clerk informed members that this could only be done by a member submitting a formal request to council 10 days ahead of the next Parish Council meeting to formally request an amendment to a resolution.

Councillor Stanley asked the Acting Clerk whether 30-hours per week is sufficient; the Acting Clerk said that 30-hours is insufficient and suggested that council will need to pay their new Clerk overtime at single rate. This will need stated clearly at interview.

Councillor Peacock asked the Acting Clerk what period of handover could be provided. The Acting Clerk indicated that this would be a decision for the council.

iii. **Advertising**

Councillor Stanley proposed that the Clerk's role is advertised with LALC. The proposal was seconded by Councillor Wright and was passed by resolution of the Council.

8 Date and time of the next meeting

Monday 28 October 2024, Village Hall, 8pm.

Councillor Garlick proposed that the meeting is moved into closed session in accordance with the Public Bodies Act 1960, Councillor Wright seconded the proposal. Councillor Tucker said she would like to object to the meeting being moved into closed session because she feels that agenda item 9 a) should be discussed in public, Councillor Davison added his agreement and he proposed that the meeting stay in open session. The proposal was seconded by Councillor Tucker. The motion to move to closed for item 9 a) was carried by resolution of the council. Councillors Davison and Tucker asked for their vote against, to be recorded in the minutes.

Members of the public queried why 9 a) was being discussed in closed session. The Chair, Councillor Spencer explained that this is to ensure that the Parish Council does not become libel due to the content of the statement. Members of the public were clearly dissatisfied with this explanation.

9 Closed session in accordance with the Public Bodies (Admissions to Meetings) Act 1960

Members resolved to approve to move into closed session to discuss 9 b) and 9 c).

a) Parish council responsibility as a corporate body for decision making (past, present and future).

The Chair, Councillor Spencer had some reservations about the first public statement in terms of the potential for legal action for libel. Since then, Councillor Davison has submitted a reworked statement which reads as follows:

Heckington Parish Council as a corporate body is issuing the following statement regarding the purchase of a 6-acre plot of land at Star Fen.

The Parish Council accepts that there was a departure from proper practices around the purchase of the land. There was no business case, and the decision to buy lacked adequate consultation with local residents. The Parish Council is considering the best way forward in the light of the parish poll on 19th September, and will be reporting back shortly. This will be done openly.

As important as deciding the future of the field is the need for strong governance to prevent such things from ever happening again. To that end, the Parish Council is committed to the training of all councillors and the Clerk. That training has already commenced. The Parish Council are also now members of the Lincolnshire Association of Local Councils (LALC) which will provide advice and guidance as we introduce new processes, as it does with many other Parish Councils in the county.

All councillors and the Clerk will receive training at least annually with the aim of ensuring compliance with legislation and proper practices. We are in the process of recruiting a new clerk to help and guide us on a day-to-day basis.

We are all dedicated to learning the lessons of the past. We aim to rebuild relationships with the community and restore trust through transparency, openness and by following the rules.

Members discussed the wording of the document at great length however the Chair, Councillor Spencer stated that he now does not feel that the parish council needs to obtain legal advice. Members agreed by resolution to publish the statement as soon as practicable.

Members discussed at length how to publicise the statement and Councillor Spencer proposed that the statement is posted to the noticeboards, Facebook and the Parish Council website in the first instance and to discuss further dissemination at the parish council meeting on Monday 28 October 2024. The proposal was seconded by Councillor Garlick and the motion was passed by resolution of the council. Councillor Tucker asked for her vote against to be recorded as she had asked for the statement to be sent to every household in the parish but the cost associated with this were considered in the final resolution.

b) To discuss a complaint from a member of the public about the draft minutes of the September meeting of the Parish Council.

The Acting Clerk has received a complaint by email dated 17 October 2024 from a member of the public about the wording of minute reference 4. Public forum, September parish council meeting in relation to a comment about the former Chair's expenses.

The Chair confirmed that the minutes have been amended to show verbatim what was said by the member of the public. The Chair, Councillor Spencer said that he feels that this has addressed the complaint received by email. The Acting Clerk will email the member of public concerned to inform of the steps taken to rectify the issue.

c) Breach of the Code of Conduct by a Councillor.

The chair informed councillors that a member of the council had breached the Code of Conduct in terms of a data breach. He indicated that the Parish Council as a corporate body is responsible for the breach. It

must be reported to the Information Commissioner, the Monitoring Officer and the data subject must be informed. This may have legal and financial implications for the parish council. He expressed the gravity of this to all members. The councillor concerned explained how the breach had occurred and apologised for the actions. The Councillor explained that they thought this information was already in the public domain. The need for additional training was discussed. The Chair, Councillor Spencer said that he would take responsibility for reporting the breaches to the ICO and NKDC. Members noted that reports should be made to the ICO within 72-hours of discovering the breach, but this can be mitigated with the ICO by explaining that the parish council as a corporate body needed to meet to discuss the breach. The Acting Clerk said that the councillor's actions bring the council into disrepute.

The Chair closed the meeting at 8.45 pm

DRAFT