

**Minutes of the Meeting of Pencombe Group Parish Council
held on
Tuesday 28th May 2024 at 7.30pm in Pencombe & Little Cowarne Parish Hall**

Councillors Present;

Cllr. J. Lewis	Cllr. T. Brazier
Cllr. C. Hadley	Cllr. D. Legge
Cllr. T. Burge	Cllr. P. Thomas

In Attendance: Allan Drew Parish Clerk

Members of the Public: 7 members of the public attended.

First business

56/24 Election of Chairman

Cllr. Lewis was proposed and elected as Chairman for the next 12 months. He signed the Declaration of Acceptance of Office.

Council thanked Cllr. Brazier for his many years of dedicated service to the Council and the communities of Pencombe and Little Cowarne.

57/24 Election of vice-chairman

Cllr. Burge was proposed and elected as vice Chairman for the next 12 months.

58/24 Apologies for absence

All Councillors were present

59/24 Declaration of interests and dispensations

No Declarations of Interest nor Dispensations had been received by the Clerk

60/24 Minutes of the last meeting

The minutes of the meeting held on 23 April 2024 were approved by Council and were then signed by the Chairman. A resident present remarked that the names of two residents mentioned in the draft minutes had been incorrectly spelt and the Clerk would make the amendments.

61/24 Chairman's Announcements

The Chairman had no announcements to make

Annual business – previous year

62/24 Annual reports 2023-24

(a) *To receive:* a report from the past-Chairman.

Cllr. Brazier reported that-

- He greatly appreciated the progress made by the Council over recent years and he recorded his thanks to the Clerk for some of the improvements made.
- When he joined the Council he was the youngest member. He has now progressed to being the oldest member. How times change!

- He had written a full report but found that on reading the Clerk's report (following) there was nothing more he wished to say and so would commend that report to the Council.

(b) *To receive:* a report from the Clerk

The Clerk reported that-

- 2022-23 was election year but sadly Councillor Walsh decided not to stand for re-election. However, Tim Burge did decide to stand and was duly elected. As is the case in nearly 80% of Parish Councils our election was uncontested – meaning there were the same number or fewer candidates than seats. Tim joined James Lewis and Stuart Barrett as the “younger generation” and as reported last year it was very pleasing to see that generation starting to take over the running of local affairs. Inevitably that will happen.
- However, it was not to last long. Just after the elections Cllr. Barrett resigned his seat and Council was back into co-option mode. In the end only one candidate came forward – Paul Thomas of Hennerwood Farm. Paul was duly co-opted at the October 2023 meeting and his knowledge and experience in local affairs will be a real asset to the Council.
- During the year the project to build the car park received planning consent after quite a bumpy ride at the consultation stage. Although Council was keen to progress the car park an opportunity arose to re-think the project in consultation with the landowner. A revised proposal was designed with a much better entrance directly onto Pencombe (Bromyard) Lane which will mean a safer design and cheaper construction costs. Unfortunately, a further planning application was required since the revised design strays outside the boundary of the previous plan.
- Previous reports have mentioned the enlargement of activities of rural Parish Councils as Herefordshire gradually withdraws from rural matters. These responsibilities reached a new high in 2023-24 with worthwhile grants available from Herefordshire to carry out work that they should be doing. However, this gradual transfer means that the Council is able to determine its own priorities and can also achieve better value for money from its local contractors. This year saw the concreting of the Parish Hall ramp entrance and the improvement of drainage around the Group Parishes.
- As for last year this expansion of activity is obvious in the financial results for 2023-24 where again turnover was such that the annual accounts now have to undergo a Limited Assurance Review by the External Auditor.
- Attendance by residents at Council meetings has been maintained over the year and there is a fair number coming along to see the Council conduct business. Resident participation is enhanced by the Council's only Working Group which takes views and ideas from the wider community and assesses if and how these ideas could be applied for community benefit. Illumination of the Parish Hall ramp and planting of daffodils are just two examples of the work this valuable group undertakes.
- So in summary this Council is set on the welcome path of leading community change that, increasingly sees change which is directed and defined by the community. The year 2024-25 will inevitably see more of the same and Council looks forward to completing a number of fairly large initiatives such as the car park and even maybe the NDP!

(c) *To receive:* reports from representatives of the Parish Hall Trustees

The Chair of Trustees, Mrs Legge reported that-

- The LinC lunch held in May was well attended.
- A hall representatives networking meeting was hosted by the Hall and had been a useful exchange of information. The next such meeting will be held in the Autumn at Bishops Frome hall.

- The soft paving area is much improved now that the drainage has been improved. Mr Nicholson commented that there was still some puddling around the disabled car park which required some attention.
- The fire alarm and extinguishers have all been checked.
- The replacement of the boiler has started and the Chair thanked the Council and the Arkwright Trust for their financial support.
- The electrical PAT testing and 5 yearly check had been carried out at a cost of £630.
- The fire escape exit and the area around the defibrillator is being checked for safety and suitability.
- Next Trustees meeting is 17 June 2024

The Hall Treasurer mentioned that there would be a plant stall at the next LinC lunch.

(d) *To receive:* a report from Parish Footpath Officers

The Clerk presented the reports he had received from Mrs Legge (Little Cowarne footpaths) and Mr Mottram (Pencombe footpaths).

Mrs Legge reported that nothing had changed since the previous year and particularly highlighted the bridge on LC5 which was in a dangerous state. The Clerk had reported this bridge twice already and had re-reported again. He asked if anyone was familiar enough with the bridge to estimate its length in that it might qualify as a "self help" project if it was within the length allowed. Cllr. Burge confirmed that bridges up to 5m could be fitted by the Council.

Mr Mottram's report follows-

I have walked all the footpaths and bridleways in the Pencombe parish of the Group Council area at least twice in the period beginning of May 2023 to mid May 2024.

Any problems or obstructions have been reported to Herefordshire Council via the reporting app which gives the Council Footpath Office the location, date and photograph as well as a written description. However neither the Herefordshire Council app nor the HC footpaths office staff issue any kind of notice to the relevant Parish Council.

The most usual problems in the Pencombe area are broken stiles, missing cross steps and overgrown vegetation inhibiting access to gates and stiles.

Land owners have a duty to reinstate footpath routes within 14 days after ploughing or cultivation and keeping them clear by spraying off or mowing. There is no requirement to mow routes across permanent pasture.

PFOs have no role in enforcement as this is the responsibility of the Herefordshire Council.

However enforcement is the last stage in a process which should begin with conversation with the relevant land owner. It would be helpful if the Parish Council could consider their role with land owners who have allowed a footpath to become obstructed or have failed to reinstate a footpath. Currently there is no involvement of the Parish Council on this issue. The only option available at the moment is a visit from the HC footpaths officer, however this isn't the best way to build good local relationships.

With the responsibility for footpath infrastructure (bridges, gates, stiles, signage etc) being taken back "in house" from Balfour Beatty Herefordshire Council is keen to develop partnership working with Parish Councils. I attended a meeting of local Parish Footpath Officers (PFOs) with two officers from HC on 18th March 2024 which I subsequently reported to the Parish Council. The main points were:

PFOs are Herefordshire Council volunteers - all protocols etc are from the county level. PFOs are identified by Parish Councils but they are HC volunteers and thus covered by HC insurance.

There needs to be an agreement with PFO Volunteers and Parish Councils. Standards to be consistent across county. Agreements about responsibilities and reporting have yet to be determined.

136 parishes and HC would like some lead PFOs to coordinate with PFO groups.

HC would like to see the development of working-party volunteers to undertake maintenance/repair projects. There is a view that small ditch bridges and short bridges under about 5 metres

will be for local PCs to manage but longer span bridges will remain a HC responsibility. There is a lot of support from HC, Parish Councils and access groups for gates to replace stiles. There is an example of a new gate at Shortwood.

Support and training for PFOs and better information for Parish Councils is intended.

£250K grant scheme available for Parish Councils for 2024/5.

The PFOs at the meeting were rather grumpy. As far as we could see there have been no protocols for initiating and ordering kit for maintenance and repairs - it seems to be a lottery based on usage and influenced by whoever is shouting loudest with Balfour Beatty favouring 'big ticket' items. In our opinion, the whole thing is a mess with no way of collating data before, during and after any problem is reported and repairs or maintenance put in hand. The HC officers advised us that on taking over the footpaths from BB they found there are three computers systems in use with no cross over of information - eg data submitted by the reporting app has to be inputted by hand into the job sheets and supplies ordering documentation and reference numbers issued on the Reporting App do not correspond to the job sheet and supplies numerical referencing. There are no updates issued to PFOs or Parish Councils so no one can easily find out the up to date progress of any issue that has been reported except by speaking to an officer which is virtually impossible! I guess it will be a while before this is sorted out.

To date I haven't heard anything more from Herefordshire Council about their hopes and intentions.

In the meantime I am compiling a list of stiles, gates, bridges etc in need or repair which I hope to have ready for the Parish Council by the end of June. I will also report all these items to HC via the Reporting App but it has to be done individually as, in order to get a handle on the size of the footpath problems across the county, HC does not want any kind of list nor, at the initial stage, should communication to be made direct to Crispin Abel who is our area County Footpaths Officer.

However the list of capital items could be part of the Parish Council's bid for some of the £250,000 which has been made available in the current financial year. I understand that the Hawkchurch bridge is on the HC list but at an estimated cost of £65,000 it might not be a priority!

Andrew Mottram
22nd May 2024

The Clerk reported that the stile for LC5/LC13 had now arrived with the Lengthsman. (Cllr. Hadley stated later that he would be prepared to fit the stile on behalf of the landowner).

63/24 Statement of Accounts and Annual Return for 2023-24

- (a) *To consider:* a report from the Responsible Financial Officer
- Activity remained at the higher level reported last year and is increasingly inflated by grants from Herefordshire which, welcome though they undoubtedly are, result in more work at Parish level. For the year grants received totalled around £12,700 whereas four years earlier they had been zero.
 - The precept was significantly increased from £13875 to £18,300. Part of this increase was to adjust for inflation (18% since the last increase in 2020-21) and part to recover the unbudgeted cost (£2,000) from the unexpected by-election in 2021-22.

- In summary income was over £30,000 and expenditure was over £33,000 resulting in a trading loss of about £3000. However, VAT on the expenditure can be claimed back and grant payments of £5,000 have been invoiced so the “loss” then becomes a surplus of about £5000. When payments due for early April 2024 are accounted for the realistic surplus is about £2000 and is the amount necessary to offset the unexpected by-election cost in 2021-22.
- Currently the intention is to retain this level of precept is retained for 2024-25 and create a reserve of £2000 against another election. For 2025-26, the financial climate at the time and the level of Council commitments will determine the precept.
- Looking forward the car park construction costs are likely to be the major factor in the accounts and will see the Council re-enter the loan market for the first time since the Parish Hall was funded. Probably somewhere around £50,000 will be needed for land purchase and construction and such funding cannot come directly from the precept. However, over a sufficient period, say 20 years, the repayments can. Hopefully interest rates are on the way down and affordability will not be a problem.
- There are clear indications that grants from Herefordshire will rise in the future as we get more control and authority to do local works. Already Lengthsman, drainage and rights of way grants have been announced which could be around £10,000. Add to this the NDP grant of around £6,000 and 2024-25 looks to be no quieter than 2023-24.

(b) *To approve:* the Statement of Accounts for the year ended 31 March 2024

Note: although this document was presented to the Council at the meeting it has subsequently been amended by observations from the Internal Auditor. The document has been updated and will be re-presented at the next meeting for final agreement.

To approve: the Bank Reconciliation Statement for the year ended 31 March 2024

Note: although this document was presented to the Council at the meeting it has subsequently been amended by observations from the Internal Auditor. The document has been updated and will be re-presented at the next meeting for final agreement.

To consider: the Internal Audit Reports and checklist

Following the resignation of Mr Pardoe during 2023-24 it has not been possible to recruit a suitable local person to carry out the role of Council internal auditor. As a last resort HALC offers an audit service at a cost of £250+VAT and Council now has no option but to accept this service.

HALC has advised it cannot look at Council's documents before 3rd June 2024 so no internal audit report is available for this meeting. Once the report is available it can be considered at a future meeting

(f) *To approve:* the Annual Governance Statement for year ended 31 March 2024

To approve: the Accounting Statement for the year ended 31 March 2024

Note: these documents cannot be approved until the Internal Auditor's report is received

(g) *To approve:* the proposed period for Exercise of Public Rights

A legal requirement of the AGAR process is that when Council has signed off the financial returns for 2023-24 a Notice must be published informing citizens that they have the right to inspect the financial records for the year. This right runs for a set period of 30 working days which must include the first 10 working days of July. For this year it is recommended that the period for exercise of public rights runs from Monday 1st July 2024 until Friday 9th August 2024 inclusive. Council accepted this recommendation.

(h) *To note:* since expenditure exceeded the £25,000 threshold the External Auditor will carry out a Limited Assurance Review

Annual business – review of current regulations and policies

64/24 Review of Standing Orders

The Clerk had reviewed the Standing Orders and recommended that no changes were necessary.

65/24 Review of Financial Regulations

The Clerk had reviewed the Financial Regulations and recommended that no changes were necessary.

In reviewing banking arrangements it was agreed that all current Councillors would be added to the list of signatories.

66/24 Review of Council procedures and policies

The Clerk had reviewed the remaining Council policies and procedures and recommended that no changes were necessary.

Council agreed that regulations and policies should remain under review but that no changes were necessary at this time.

Annual business – forthcoming year

67/24 Review of assets and insurance

(a) *To receive:* the list of fixed assets

ASSET REGISTER - PENCOMBE GROUP PARISH COUNCIL 2023-2024				
Asset	Purchase cost	Est. life yrs.	Est. Current Value	Further information
· Pencombe & Little Cowarne Parish Hall (Custodian Trustee only)	£0.00		£1.00	
· St John's Churchyard, Pencombe (closed churchyard)	£0.00		£1.00	
· War memorial	£0.00		£1.00	
· Notice board - Little Cowarne (purchased 2006/07)	£25.00	25	£7.00	
· Bus shelter (purchased 2014/15)	£2,392.37	50	£1,913.00	Donation from Tony Davies of £2400
· Notice board - Pencombe (purchased 2020)	£1,452.00	20	£1,162.00	Replacement notice board
· Computer (purchased 2015/16)	£390.00	8	£25.00	
· Brother MFC L2500DW Printer	£261.00	5	£157.00	Replaced 2022
· Defibrillator - Pencombe (donated 2016/17)	£0.00		£1.00	
· Defibrillator - Sparrington installed 2019	£1,875.00	10	£937.00	
· Defibrillator - Little Cowarne installed 2020	£1,312.00	10	£787.00	
· Parish map (purchased 2016/17)	£146.00	10	£29.00	
· 2 footpath/PROW maps map (purchased 2022)	£100.00	10	£90.00	
· 1 small footpath/PROW map for LC kiosk (purchased 2022)	£50.00	10	£40.00	
· Footpath Officer high visibility waistcoat (purchased 2017/18)	£4.99		£4.99	
· Telephone kiosk no.6 - L. Cowarne (purchased 2018/19) Restored 2021	£1.00	50	£6,000.00	
· Telephone kiosk no.6 - Pencombe (purchased 2022)	£1.00		£1.00	
· Bench - The Pound, Pencombe	£1.00		£1.00	
· Bench 1 - St John's Churchyard, Pencombe supplied 2022	£125.00	20	£112.00	
· Bench 2 - St John's Churchyard, Pencombe supplied 2022	£125.00	20	£112.00	
· Bench 3 - St John's Churchyard, Pencombe	£540.00	25	£370.00	
· Bench - Post Office, Pencombe	£1.00		£1.00	
· Bench - Causeway, Pencombe	£1.00		£1.00	
· Bench - Causeway, Pencombe	£1.00		£1.00	
· Bench - Cemetery, Pencombe	£1.00		£1.00	
Total asset values	£8,805.36		£11,752.99	

The RFO explained the method of estimating current asset values based on age and lifetime.

To receive and consider: the RFO's report and recommendations on Risks & Insurance

The RFO confirmed that with £11 753 asset values the insurance policy has cover up to £15,000 and so is adequate to properly insure the Council's fixed assets.

However, the insurance covered many more risks than simply assets and a risk register had been created to estimate if the assessed risks were suitably mitigated by the insurance cover. The register is contained in appendix 1.

The risk register lists areas where, if a risk became an event it would have financial, legal, safety and/or reputational damage implications for the Council. Risks cannot be avoided but they can be reduced by careful planning and management. Any residual risk after such measures can usually be controlled with suitable insurance.

The RFO demonstrated how the register worked by considering the LIKELIHOOD of any risk and the IMPACT that risk would have if it became an event, For this register-

$$\text{RISK} = \text{LIKELIHOOD} \times \text{IMPACT}$$

Likelihood and impact are both estimated on a scale of 0 to 3 so risks are estimated on a scale of 1 to 9. Within this scale –

LOW scores 0 – 3
MEDIUM scores 4 – 6
HIGH scores 7 - 9

The RFO gave examples of how the register worked with particular focus on the conflict of interests of Councillors in relation to possible legal challenges. The mitigation for this risk is that all Councillors have signed to abide by the Code of Conduct and also maintain a Register of Interests. Meetings are run in accordance with Standing Orders and these Orders are kept under review.

Discussion centred on risks associated with events particularly those using volunteers. The RFO pointed out that many events were covered by the Hall insurance but in cases where that did not apply and Council insurance was covering the risks, the Clerk would carry out a risk assessment before the event to ensure suitable mitigation measures were in place.

Recognising that risk management was a new area for the Council and experience would build over time, Council accepted the adoption of the risk register without any changes.

The RFO presented the summary of insurance cover-

Property, contents	£15,000
Money – cheques & in safe	£250,000
Money – elsewhere (in custody / not)	£2500 / £250
Employer liability	£10,000,000
Public liability	£10,000,000
Fidelity guarantee	£250,000
Libel and slander	£250,000
Official's indemnity	£500,000
Personal accident compensation	£100,000
Legal expenses	£250,000

Council agreed that having considered the risk register the insurance cover was adequate.

68/24 Allocation of portfolios to Councillors

Councillors have allocated portfolios of Council business which typically they will take a lead role in discussing and explaining at meetings etc. These roles have not been reviewed for 2 years so the Clerk has prepared a draft revised set of responsibilities for discussion-

Councillor	Current Responsibility	Proposed Responsibility
Cllr. Brazier	Lengthsman, Car Park project	Lengthsman, Car Park project
Cllr. Legge	NDP	Working Group
Cllr. Hadley	Planning	Planning
Cllr. Lewis	The Wheelwrights Inn	The Wheelwrights Inn
Cllr. Burge	Working Group	NDP
Cllr. Thomas	Not yet allocated	Finance

Council accepted the proposed allocation

69/24 Dates of meetings for 2024-25

The following dates were proposed and agreed in line with the usual formula (4th Tuesday of every month with no meeting in the month of December). Held in the Parish Hall.

Tuesday 25 June 2024, Tuesday 23 July 2024, Tuesday 27 August 2024, Tuesday 24 September 2024, Tuesday 22 October 2024, Tuesday 26 November 2024, Tuesday 28 January 2025, Tuesday 25 February 2025, Tuesday 25 March 2025, Tuesday 22 April 2025, Tuesday 27 May 2025 all at 7.30pm.

Ordinary business

70/24 Report from the District Councillor

Cllr Baker had sent a report as follows-

The Wyescapes project launched on 8th May with its inaugural meeting held on the banks of the Wye in Hereford. The project brings together 40 land holdings covering more than 4000 hectares of land along the river corridor, spanning the county of Herefordshire from north to south.

The farmers and land managers are working to identify actions and changes they can make to restore the rivers' health such as reducing nutrient use, reverting high risk fields from arable cropping to grassland, creating new wetlands, floodplain meadows and woodlands.

The project's long term aim is to restore the Wye catchment to a healthy condition, so its rivers and their tributaries can support the unique wildlife that depends on them, provide clean and plentiful water, be resilient to climate change, mitigate flood risk, provide places for people to enjoy – all while supporting sustainable food production.



You will all be aware of the proposals in the pipeline, by a private organisation, to develop the old railway line that ran from Worcester to Leominster. Part of this old route runs across the top of the county, with most of it within Hampton Ward, hence the wide circulation. A feasibility study was carried out a couple of years ago at a cost of some £35k in this area alone. They are looking to create a footpath, cycle way and equestrian facility to run across the north of the county.

No detailed consultations were carried out with the owners of properties on these lands, or the landowners themselves, which has caused much concern and worry to those residents who could be seriously affected if these plans were to be adopted.

I'm pleased to be able to tell you that at a meeting this morning I was informed that these proposals are purely on a wish list and have no grounding in fact. Such developments have no chance of success in this county and can be disregarded.

One or two members of the organisation have recently been seen circulating around the area spreading falsehoods and rumour and they should be discouraged from trespassing on private property and any similar such actions.

Will you circulate this information as far and wide as possible in order to reassure residents that their homes and lands are safe.

Herefordshire Council has confirmed that it will be investing a total of £38.388m in improving the highway network in 2024/25, which is an increase of nearly £12m when compared with the previous year.

This increased funding will allow the council to target investment at those roads in the county that need it most, through resurfacing and surface dressing schemes.

To identify which roads will be included, the council uses data gathered from surveys, statutory inspections and reports of defects from members of the public. This data is then used to determine the condition of the road and what intervention would be optimal to prevent further

deterioration and achieve best value for money.

In previous years the council has allocated the funding it receives for roads exclusively to our Public Realm Contractor (Balfour Beatty Living Places (BBLP)) however this year will also see the introduction of our new Herefordshire Highways Framework, which allows the Council to use alternative contractors where appropriate to deliver additional work. BBLP will still remain responsible for the delivery of public realm services and road maintenance work as agreed in the Annual Plan.

71/24 Planning - report from Cllr. Hadley

- (a) Cllr. Hadley reported that there was one new application-

240561 Land adj. to Pencombe & Little Cowarne Parish Hall

Proposed car-parking area to serve the village of Pencombe, with access road, pedestrian footpath and landscaping. Revised design of approved permission 231201. **Undecided**

- (b) *To note:* updates on planning applications

240749 Shortwood Farm, Little Cowarne.

Application for a Lawful Development Certificate to establish that planning permission DCNC2003/2219/F has been lawfully implemented and is therefore extant.

Undecided

72/24 Public participation

The issue of roads was raised in regard to Herefordshire priorities. The particular issue of the damage to the safety barrier in Little Cowarne was also raised.

There was discussion about the Wyescapes Improvement project with some concern that the focus was exclusively on farmers and land managers. Many of those present recalled that previously much had been made of improving sewage treatment by establishing reed beds at sewage plant outlets but this initiative was not mentioned. The Clerk would feed these comments back to Cllr. Baker.

73/24 General Financial Matters – report from the RFO

Unity Trust bank balance 23 May 2024 £14648.03

Payments made since last meeting

No.	Name	Amount £	Details
1	Groundworks	6372.77	Return of unspent NDP grant
2	Herefordshire Council	54.34	Cemetery rates
3	A M Drew	289.00	Refund of car park planning application fee
4	Autela	78.33	Payroll

5	David Legge	52.05	Refund for lunch items at Design Codes meeting (NDP grant)
6	A M Drew	1024.95	April salary + arrears
7	Grange Heating	1782.60	25% deposit for Parish Hall boiler replacement
	TOTAL	9654.04	

Income received since last meeting

No.	Name	Amount £	Details
1	N C Pegler Monumental Masons	200.00	Memorial to Timothy & Valerie Marling
2	Herefordshire Council	5026.00	Grant for Lengthsman work
3	HMRC	3467.71	VAT refund for 2023-24
4			
	TOTAL	8693.71	

Payments for Authorisation

No.	Name	Amount £	Details
1	A M Drew	363.55	Clerk's May salary
2	Parish Online	45.00+VAT	Mapping services
3	D C Garden Services	520.00+VAT	April grass cutting
4	Herefordshire Tree Warden Network	30.00	Annual subscription for Parish tree warden
5	Mr Eddie Prince	44.22	Refund for materials for work carried out on Parish Hall drain
6	Society of Local Council Clerks	148.00	Annual subscription
7	P&LC Parish Hall	22.00	Hire for Design Codes meeting
	TOTAL	1521.87+VAT	

Mr Nicholson raised the point about prompt payment to residents for work done, rather than waiting for the monthly meeting. Council granted delegated authority to the RFO

to make payments in such cases up to the value of £100+VAT. The Financial Regulations will be amended accordingly.

Council then agreed all the above payments.

74/24 Lengthsman & Grass cutting – report from Cllr. Brazier

Cllr. Brazier reported the sad news that one of the Lengthsman's sons – Jake – who worked in the business, had been killed in a road accident on the A44 a few days earlier. It was agreed that the Council would send a sympathy card to David and Pam Campbell from both Council and the Parishioners.

75/24 Village Car Park – report from Cllr. Brazier

The revised planning application (240561) for the car park has been successfully validated and was discussed under agenda item 71/24. The main change to the application is a new entrance onto the C1110 opposite "Twisted Oak" and the good news is that Highways have no objection to the application. Since all other planning matters remain as in application 231201 it seems almost certain that the revised application will receive consent shortly.

76/24 Clerk's working hours

The Clerk presented the following report on his working hours-

As Clerk I have been in post since June 2019. The contracted hours are 32.5/month (390/year). Over that time I have managed the work involved with increasing efficiency, partly down to growing experience and partly due to the kind sponsorship by the Council of my CiLCA training program in 2021-22.

Until about a year ago I knew I was spending more time than contracted by around 10-15% - about 40 hours/month would be the average for the years 2021-2023. I was reasonably content with this situation recognising that the Clerk position is part employee but also part volunteer.

However, during 2023-24 and into 2024-25 it is clear the amount of work required has grown significantly. The major reasons for this are-

- **Devolution of responsibilities from Herefordshire to the Parishes.**
Increased grant aided works which have to be applied for planned, organised, monitored, managed and accounted for. Over the past 6 months of grant aided activity, I estimate an extra 25 hours of work which did not exist 2 years ago.
- **End of year financial work**
Many improvements have been made to the financial accounting system which have contributed significantly to the efficiency of working. However, with the Council now exceeding the £25,000 threshold on income/expenditure for the second year running a whole series of additional documents have to be prepared for the external auditor. Such preparation and the inevitable correspondence with the auditor takes around 15 hours, again work which did not exist 2 years ago. With the grant monies driving

income higher and the precept rising over time there is no chance of returning to the “exempt” status (below £25,000) in future.

- **Internal Audit function.**

Loss of Council’s internal auditor and the unwillingness of any suitable resident to step forward and help, has meant contracting the HALC service for this function. The list of documents requested by HALC to discharge this function is remarkable, even by local Government standards. I estimate it will take 5-8 hours to assemble and with this level of documentation I can expect many questions to be raised.

- Over the past year work, in terms of financial activity, has roughly doubled by value and increased around 40% by volume.

Measure	2019-20	2020-21	2021-22	2022-23	2023-24
Cash book transactions	74	80	84	101	95
Income (£k)	15.4	19.7	24.4	25.0	30.3
Exp. (£k)	21.3	16.7	23.3	30.8	36.4

- Finally, there is a need to be honest with my successor, whoever that may turn out to be. It would be knowing misrepresentation to offer a successor a contract based on 390 hours/year.

In conclusion I ask Council to consider a 10% increase in contracted hours from 390 to 430 per year.

Council accepted that the extra work was valid and agreed the increase in hours from 390 to 430 per year.

77/24 Short term banking support for the Arkwright Trust

Council will know of the Pencombe Arkwright Trust which is a charity operating for the benefit of the Pencombe and Grendon Warren civil parish.

Over the past year the trust has been re-constituted with new Trustees and officers. The Council Clerk currently provides clerk services to the Trust.

The problem of the trust’s (Lloyds) bank account has become acute. Despite 5 months of effort and two full applications it has not been possible to change the signatories on the Lloyds account from the previous, (now resigned), Trustees to the new Trustees. As a result the Trustees cannot access any funds to pay for anything, including making grants to applicants from the Parish.

At the last Trustees meeting on 22 May it was agreed that the Lloyds account would be closed and a new account opened with Royal Bank of Scotland. That new account is being progressed but as in most things to do with banks no-one can say when the new account might be opened and the funds transferred.

In the interim Council is invited to agree that the Trust may use the Council bank account to perform essential business. The Trust can deposit funds into the Council account via the existing Trust signatories. These funds can then be used by the

Council RFO on behalf of the Trustees until their new arrangements are fully in place. All transactions and arrangements will be under the control of the RFO. Cllr. Brazier (as an Arkwright Trustee) expanded on the above points. He emphasised that at the last Trustees meeting grants to both the Hall and the PTA had been agreed and it was now quite urgent that these grants be paid. The RFO emphasised that Council would not be lending the Trust any money but only allowing it to use the Council banking facilities for a short time up until the new Trust account was opened.

Council considered that it was in the best interests of the community to help the Trust where possible and the arrangement was agreed.

78/23 Matters for information and future business

There were outstanding matters for which time had not allowed discussion and which would be deferred to a future meeting.

The meeting closed at 9.30pm

Signed (Chairman)..... Date.....

Risk Assessment and Management

The Parish Council should have in place a system to help it to manage risk. Given the limited range of activities and responsibilities under-taken by the Council, this system does not need to be complex, and the approach in this document is taken from standard guidance and templates provided by the Society of Local Council Clerks.

Risk management is important. The failure to manage risks effectively can be expensive in financial terms and also in terms of service delivery. Councillors are ultimately responsible for risk management because risks threaten a council's ability to achieve its objectives. This document therefore:

- Identifies the key risks facing the council
- Evaluates the potential to the council of one of these risks taking place; and
- Details the measures to avoid, reduce or control the risk or its consequence.

Every local council is different and there is no such thing as a standard list of risks. There are however a number of common themes which have been examined for potential risk:

- Physical assets – buildings, equipment, IT hardware etc.
- Finance – banking, loss of income, petty cash etc.
- Injury to the public – in playgrounds and recreation grounds, in village halls, at burial grounds etc
- Complying with legal requirements – agendas and minutes, records, etc
- Councillor propriety – declarations of interest, gifts and hospitality etc

All these risks can be minimised or transferred by various means such as taking out insurance, physical measures or by regular inspection and maintenance. In addition to identifying risk, a judgement has been made about the likelihood of the risk occurring and its potential impact. Classification of this is simplified to high, medium or low.

For any new business, event, activity or project, a general risk assessment form will be used to assess the risks and identify the measures to be taken to manage those risks.

This document is presented in the format recommended in the March 2019 Practitioners' Guide..

This document will be reviewed annually by the Clerk / Responsible Financial Officer together with the internal auditor, prior to approval by the Council at the Annual Meeting, Changes from the previous year are highlighted.

Allan Drew, Clerk and Responsible Financial Officer

17 April 2024

PENCOMBE GROUP PARISH COUNCIL - RISK ASSESSMENT AND MANAGEMENT April 2024

Area	Risk	Impact	Likelihood (1-3)	Impact (1-3)	Risk	Notes	Control (and agreed improvements)
Assets	Damage to or theft of physical assets in public places.	Cost of repair and replacement	2	2	Medium (4)	The Council has limited physical assets (see Asset Register), and does not own its own premises. Public Access Defibrillators at Little Cowarne, Pencombe & Sparrington. Clerk's laptop sometimes taken to meetings.	Insurance policy through Aviva includes sufficient All Risks cover (£15,000) from 01/06/24.
	Damage to or theft of physical assets and supplies in Clerk's home		1	2	Low (2)	Only items of significant value is the printer/copier	Fire alarms, burglar alarms and locks fitted to premises. Aviva insurance policy cover includes all assets for All Risks.
	Deterioration of physical assets		2	1	Low (2)	Benches installed over a number of years. Maintained as required. Defibrillators installed at Little Cowarne, Pencombe & Sparrington .	Other street furniture inspected regularly by Lengthsman or Clerk and any repairs to be funded as required.. Weekly checks of defibrillator made by Clerk and recorded.
Finance	Loss of investments and savings	Financial loss	0	3	NIL	Current account with Unity Trust (balance of up to £20,000)). No investments.	All balances covered by government bank guarantees.
	Loss or theft of cash or cheques		1	1	Low (1)	All cheques banked promptly. Small sums of petty cash (max £100) held.	Cheques insured for £250,000, cash for £2500 in transit or in a safe; cash for £250 not in a safe at Clerk's or councillor's premises or at events.
	Loss of income		0	0	Nil	Most income is precept from Herefordshire Council or delegated funding.	Insurance not required, as main income is precept, levied by statute.
	Loss of cash through theft or dishonesty		1	1	Low (1)	No cash is handled other than on very infrequent occasions.	Receipts obtained/issued for all cash transactions.

						Cash banked within 48 hours using paying-in slips. Fidelity Guarantee Insurance in place (£250,000 from 1 June 2019) adequate for level of risk
Errors in financial controls and records or financial loss through dishonesty or fraud by Council officers or councillors.		1	2	Low (2)	Invoices, cheques, cash books, receipts and bank statements managed by RFO. Currently nearly all payments made by internet banking, requiring two signatories (nominated councillors). Limited number of payments made by direct debit where no alternative given (e.g.ICO).	Bank reconciliations prepared by RFO, reported to Council with bank statements and signed by nominated councillor each quarter. All receipts & payments recorded with banking receipts . Two signatories on cheques and IB payments. Internal audit of cash books, receipts, statements etc undertaken in April. Fidelity Guarantee Insurance in place (£250,000) against fraud by RFO/Clerk or councillor.
Non-compliance with VAT Regulations	Financial penalties and loss	1	2	Low (2)	Council not VAT-registered but can reclaim non-business VAT.	VAT accounted separately in cash books and accounts. VAT reclaim for previous financial year made each April.
Poor budgeting to underlie annual precept	Inadequate finance for required functions	1	2	Low (2)		Precept estimation is now on a more robust footing and improved spreadsheet automation has made budgeting system much less prone to human error.
Non-compliance with borrowing restrictions	Penalties and requirement to cancel or	1	0	Nil	No borrowing at present.	If borrowing required, a business plan will be prepared and submitted through HALC

		repay borrowing					for approval, and all borrowing conditions complied with.
	Misuse or loss of debit card	Financial loss	1	0	Nil	Council does not hold a debit card	
Public Liability	Legal liability arising from Lengthsman work	Financial loss and reputational damage	1	3	Medium (3)	Minor highway maintenance work undertaken through independent contractors under delegated powers from Herefordshire Council. Council and contractors required to have £5m liability insurance.	Public liability insurance of £10m, and contractors required to provide to Parish Council a copy of insurance certificate of £5m liability insurance. Contractors asked to confirm in writing they have undertaken required training and have appropriate equipment.
	Legal liability arising from accident at events or activities		1	3	Medium (3)	Council rarely organises events. Most events are through the village hall using hall insurance	Council's Public Liability insurance (£10m). Assessment of any new events undertaken. Written risk assessment and plan prepared by Clerk for any activity using volunteers.
	Legal liability as consequence of asset ownership		1	3	Medium (3)	Few physical assets, unlikely to give rise to liability, with exception of public access defibrillator.	Public liability Insurance in place (£10m). At least annual inspection of physical assets for safety/maintenance by Clerk, reported to Annual Meeting. Defibrillator registered with WMAS and inspected weekly/monthly by Clerk; no liability if checked and ok.
	Libel or slander by councillors or employees		1	3	Medium (3)		Official council publications/documents approved by Clerk and Chairman or nominated councillor. Insurance (£250,000) in place from 1 June 2019.
	Negligent act or error by employee or councillor including unauthorised disclosure of personal data		1	3	Medium (3)	GDPR in force 25 May 2018..	Officials' Indemnity insurance covered under Public Liability cover from 1 June 2019. GDPR compliance Action Plan in place.
Employer Liability	Non-compliance with Employment Law	Financial penalties	1	2	Low (2)		Membership of HALC and SLCC to keep up-to-date with requirements.

	Non-compliance with HMRC requirements	Financial penalties	0	2	NIL	Autela handles all HMRC issues	.
	Safety of staff, councillors and public at meetings or events	Legal action with financial loss and reputational damage	1	3	Medium (3)	Meetings held on hired premises covered by premises' insurance.	Employer's Liability insurance (£10m) in place.
Personal Accident	Assault on staff or others carrying cash	Financial loss and harm to staff	1	2	Low (2)		Personal Accident (Assault) cover provided under Money insurance. However no cash handled by Council in last 5 years.
	Accident to staff or councillors whilst carrying out duties	Claim for damages and harm to councillors	1	3	Medium (3)		Personal Accident insurance (£100,000) in place.
Legal Liability	Council acting beyond legal powers	Challenge to actions, with consequential financial loss and reputational damage	1	3	Medium (3)	Limited range of activities and responsibilities. Council has General Power of Competence..	The General Power covers all normal situations Clerk clarifies legal position on any new proposal. Legal advice to be sought where necessary
	Inadequate Minutes and documents recording authority to act		1	2	Low (2)	Council meets monthly.	Draft minutes circulated to members and approved at next meeting. Minutes made available to press and public on website
	Inadequate document control		1	2	Low (2)	No important legal documents or leases/deeds held. Minutes on numbered pages in loose-leaf minute books.	Minutes signed by Chairman. Electronic copy of minutes since 2016 on computer and off-site back-up.
Councillor propriety	Conflicts of interest by councillors	Challenge to actions, with consequential	2	3	High (6)	Legal requirement for councillors to complete/submit Register of	Code of Conduct provided to all councillors. Clerk ensures councillors submit Register of Interests and retains copy.

		financial loss and reputational damage				Interests to county Monitoring Officer. Code of Conduct adopted. Standing Orders specify policies and procedures in line with legislation.	Agenda item at Annual Meeting reminding councillors of duty to keep Register up to date, Clerk ensures Standing Orders followed. Council reviews any changes to legislation and required changes to Standing Orders at least annually at Annual Meeting.
	Gifts and hospitality to councillors		1	2	Low (2)	Legal requirement to declare gifts and hospitality received	Code of Conduct provided to all councillors.
Legal expenses	Costs of legal proceedings	Unexpected financial loss	1	3	Medium (3)		Legal Expenses insurance in place (£100,000 from 1 June 2019).
Staffing	Loss of services of Clerk/RFO temporarily	Inability to act or meet legal obligations;	2	2	Medium (4)	Council's sole employee and officer.	Use temporary qualified Clerk service from HALC.
	Loss of services of Clerk/RFO permanently	loss of financial controls.	1	3	Medium (3)	Council's sole employee and officer.	In interim, use temporary qualified Clerk service from HALC. Appoint any Deputy Clerk as Acting Clerk with assistance from HALC, or pay HALC to provide a qualified person to be Acting Clerk with the Deputy Clerk supporting.