

DOWNTON PARISH COUNCIL



Minutes of the Virtual¹ Extraordinary Meeting of the Parish Council held on Monday 22nd February 2021 at 6.00 pm.

Present: Cllr Brentor (Chair) and Cllrs Cornell, Hall, Mace, Randall, Roberts and Watts.

In attendance: Mrs Bev Cornish, Parish Clerk

Also present: Three members of the public.

Part 1

323.20 Minute Taking

The Clerk was present and able to take the Minutes of the meeting.

324.20 Public Question Time:

A member of the public expressed concern about comments on social media relating to the Council's bridge project and said that a letter read out at the meeting held on 25th January was not known to most residents, so some balance needed to be provided by publishing it. She said she recognised that Longford Estates' decision to withdraw its permission was disappointing but it had done a lot for the village over the years.

Cllr Hall advised that he understood that a letter expressing the Council's disappointment at the decision was going to be sent but said that he wished to be disassociated from the letter sent because he felt it was argumentative. He said that Longford Estates had done a lot of things for the village over the years of which many people weren't aware.

325.20 Apologies

Cllr Brentor advised that apologies had been received from Cllr Pearce due to a personal commitment. Cllr Brentor proposed from the Chair and it was **RESOLVED** that the apology and the reason for it be accepted.

326.20 Minutes

Cllr Brentor proposed from the Chair and it was **RESOLVED**, that the Minutes of the ordinary meeting held on Monday 25th January 2021 be approved and signed by the Chair as a correct record.

327.20 Business Raised During Public Question Time:

Cllr Brentor proposed from the Chair and it was **RESOLVED** that the comments made during public question time be noted. She advised that the Council was not hiding anything in relation to the bridge project. The letter sent provided counter arguments to those included in the original letter from Longford Estates.

¹ In accordance with the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020

She also said that there was to be a meeting of the Trustees of Longford Estates on Friday 5th March 2021 at which the project was to be discussed, so the Working Group was awaiting the outcome of that meeting.

328.20 Declarations of Interest

a. To receive Declarations of Interest in respect of matters contained in this agenda, in accordance with the provisions of the Localism Act 2011 in respect of members and in accordance with the provisions of the Local Government Act 1972 in respect of officers:

No declarations of interest were received.

b. To consider any Dispensation Requests received by the Parish Clerk and not previously considered

The Clerk advised that no dispensation requests had been received.

329.20 Website Maintenance & IT Support

Cllr Mace gave a brief report on the information circulated to councillors in advance of the meeting providing the selection criteria and process for appointing agencies to take over the website maintenance and IT support services with effect from 1st April 2021. Following a brief discussion, Cllr Mace proposed, Cllr Cornell seconded and it was RESOLVED that the selection criteria and process be approved and noted.

330.20 Risk Assessment for the Absence of the Clerk

Following a discussion and reference to the Clerk's comments on the Locum Clerk's Risk Assessment which councillors would not have had time to consider, Cllr Brentor proposed, Cllr Cornell seconded and it was RESOLVED that only some of the additional controls for selected risks be approved at this time as follows:

- Appointment of locum clerk which has been accessed by the SLCC, if required in the absence of the Clerk.
- Amend the Financial Regulations to incorporate delegated authority to the Administrative Officer for emergency expenditure in the absence of the Clerk.
- Implementing the Staffing Committee's Terms of Reference for diarised monthly meetings. Cllr Brentor asked the Clerk a number of questions on this and she responded in her role as the Clerk and not as an employee.
- It will be easier for a Locum Clerk to understand the Rialtas Business Systems financial software than to understand spreadsheets.

331.20 Date of next meeting

Cllr Brentor advised that the next meeting of the Parish Council would be held on Monday 8th March 2021 at 7.30 pm on Zoom.

Part 2 – EXEMPT MATTERS – EMPLOYMENT & STAFFING

332.20 The Chair to propose the following resolution – ‘That under the Public Bodies (Admission to Meetings) Act 1960 it is advisable in the public interest that the press and public be temporarily excluded and they be instructed to withdraw in view of the confidential nature of the business on staffing about to be transacted’. Cllr Brentor proposed, Cllr Cornell seconded and it was RESOLVED that the meeting be closed to the press and public.

333.20 Staffing Committee Update

Cllr Cornell provided an update on staffing matters, which included the actions approved under agenda item 245.20 of the Council meeting held on 14th December 2020, and the recent letter received from a Parish Council employee disputing the decision made by the Parish Council, under that agenda item, to implement options a and g from p11 of the Pensions Report of August 2020. The advice obtained from the Parish Council's HR advisors, South West Councils, is that the most appropriate process to follow in these circumstances is that of the Wiltshire Pension Fund's internal dispute resolution procedure and for which the Parish Council, as the employer, will be required to appoint an adjudicator. The cost for the services of an adjudicator had yet to be established but it was thought that a budget of £5,000 would be more than sufficient to cover this cost.

Cllr Brentor went on to explain an alternative process which had been proposed by the employee concerned.

At the request of Cllr Cornell, Cllr Mace provided additional information, under the staffing committee update, concerning those budgets which had already been allocated by the Parish Council to the Staffing Committee, starting with following budgets which were approved in May and July last year:

Parish Council Meeting	Agenda Item	Description	Amount Approved	Amount Spent
11 th May 2020	33.20	Further legal advice	£1,000	£0
13 th July 2020	87.20	HR advice and support	£5,000	£761.67

The sum of £761.67 had been funded through the virement of budgets.

At the Parish Council meeting on 14th December 2020, under agenda item 222.20, the budgetary requirements of the Staffing Committee were reassessed and a total budget of £5,000, for 'Employment Advice', was earmarked in the Parish Council's allocated reserves.

At the same meeting, the Parish Council authorised the members of the Staffing Committee to spend the following amounts from the unallocated reserves:

Parish Council Meeting	Agenda Item	Description	Amount Approved	Amount Spent
14 th December 2020	245.20	Initial, independent review	£560	£560
14 th December 2020	245.20	Actions from initial review	£2,500	£0

Cllr Mace also reported that the £7,500 of allocated reserves to support the 2020/21 precept budget had yet to be used.

After a discussion Cllr Watts proposed, Cllr Roberts seconded, and it was **RESOLVED**:

- a) to note the contents of Cllr Cornell's update on staffing matters,

- b) to authorise the members of the Staffing Committee to appoint an adjudicator and spend up to £5,000 (ex VAT) on the services of the appointed adjudicator and
- c) to make the sum available by the virement of £5,000 from the £7,500 of reserves which had been allocated to support the 2020/21 precept.

334.20 Independent Review Report

Cllr Brentor provided a summary of the results of the initial, independent review, the options, their pros and cons, and South West Council’s recommended approach, which had been endorsed by resolution of the Staffing Committee at its meeting on 15th February 2021.

Consideration was also given to an email, from the employee concerned, which had been received that afternoon.

After a lengthy discussion, a consensus emerged which was summarised by the Chair after first checking that members did not have any other comments or suggestions for progressing the matter. Cllr Watts then proposed, Cllr Roberts seconded, and it was RESOLVED:

- a) to approve the recommendations, from the Staffing Committee meeting held on 15th February 2021, on the action(s) to be taken by the Parish Council following the Staffing Committee’s consideration of the Independent Review Report from South West Councils dated January 2021 and
- b) to authorise the members of the Staffing Committee to appoint South West Councils to conduct the recommended investigation and, for this purpose, to spend up to £5,000 from the Allocated Reserves which had been earmarked for ‘Employment Advice’.

There being no other business, the meeting ended at 9:42. pm

Members of the Council considered the foregoing in the matters in consideration of their duties: Equal Opportunities, (race, gender, sexual orientation, marital status and any disability); Crime & Disorder, Health & Safety, and Human Rights.