



HALE PARISH COUNCIL

of the Halton Borough in the County of
Cheshire



NEXT MEETING

Members of the Council are summoned to the **PARISH COUNCIL MEETING** to be held on
Thursday the 23rd January 2020 at **HALE VILLAGE HALL, HIGH STREET, HALE VILLAGE, L24 4AE**
COMMENCING AT 7.30PM

W V Mcennerney-Whittle Clerk and RFO – 16th January 2020

Note to Councillors:

If you are unable to attend the meeting, please notify the clerk of your apologies either by e-mail
clerk@haleparishcouncil.gov.uk or telephone 01772 733829

Note to Public:

Members of the public wishing to address the Council should note that they must advise the clerk before 10am on the day of the meeting both of their wish to participate in the public forum and their topic. If residents fail to inform the clerk prior to the meeting, permission to speak at the meeting will be at the discretion of the Council. All participants are restricted to a maximum of three minutes. If the public wish to ask the Council questions, please note that the Council may not be able to answer the question if the council has not considered or resolved the question on an agenda item at a prior meeting. Should this be the case, the Council will advise correspondence with the clerk to request the item be discussed at a future parish council meeting. If the question is considered outside the remit of Hale Parish Council, residents will be referred to Halton Borough Council.

MEETING AGENDA

1. To receive Apologies
2. To consider and approve the Minutes of the meetings held on the 18th November 2019, 19th December 2019 and 9th January 2020.
3. To receive Declarations of Interest
4. To receive and note (if available) the police report on crime statistics

Please also note that the report whether in writing or given verbally is FOR INFORMATION ONLY and no decisions can be made in respect of any of its content.

5. To receive an update with regard to the Village Hall.

Please note that the report whether in writing or given verbally is FOR INFORMATION ONLY and no decisions can be made in respect of any of its content.

6. To adjourn the meeting for a period of public participation

Please note that the Council may not make any lawful decision during this session – any items raised by members of the public may be considered for a future agenda. Members of the public are defined as any persons present other than parish council members or officials. This session will be conducted by the Clerk as it is not part of the official Council meeting.

7. To receive and ratify the list of payments (enclosed) made between 31st October 2019 and 31st December 2019 recorded in the Cash Book Record which has been reconciled to the Bank Statements to that date all payments having been made under Financial Regulation 6.4
8. To receive and approve the quarterly statement of accounts as at 31st December 2019
9. To approve a payment of £120 to Mal Sutton for the provision of the 2019 Christmas tree
10. To consider whether this Council should pay for the materials to repair the Christmas Nativity Scene which has deteriorated considerably over recent years at a cost of approx £200. The repairs to be carried out by a local group of volunteers.
11. To approve the following policies/documentation which have already been circulated to members in advance of this meeting
 - Asset Register as at 31st December 2019
 - Grievance Procedure
12. To appoint a Hearing Panel as may be required from time to time to undertake any Disciplinary or Grievance hearings should an initial informal approach as set out in this Council's policies fail to achieve a satisfactory solution. It is suggested that five members are appointed in the first instance as a pool which will include the Chairman and Vice Chairman of the Parish Council although only three of those five would be required at any one time.

Selection from the pool will be done by the Chairman or in his absence the Vice Chairman taking into account any experience, training and/or any personal involvement of any member of the pool with the issue which has caused the Hearing Panel to be convened in the first place.

Please note that in the case of any Grievance or Disciplinary procedure the decision of the Hearing Panel might be the subject of an appeal which would then be heard by the remaining Members of the Council who had not been involved in the issue or hearing in the first instance.
13. To note that the next meeting is scheduled for Monday the 27th February 2019



HALE PARISH COUNCIL

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MINUTES of the **PARISH COUNCIL MEETING** held on Monday the 18th November 2019 at
HALE VILLAGE HALL, HIGH STREET, HALE VILLAGE, L24 4AE
COMMENCING AT 7.30PM

Present: Cllrs Trevaskis, Williams, Kierman, Wright, Healey, Hunter, Cleary and Mitchell
There were 24 members of the public present

1. To receive Apologies

Cllrs Spargo and Anderson

2. To consider and approve the Minutes of the meetings held on the 12th September, 17th September, 23rd September and 3rd October 2019.

It was resolved that the minutes of the meetings held on the 12th September, 17th September, 23rd September and 3rd October 2019 should be approved and that the chairman should sign them as a true and accurate record.

3. To receive Declarations of Interest

None

4. To receive and note (if available) the police report on crime statistics

No police report was available

5. To receive an update with regard to the Village Hall.

A verbal report was presented confirming that bookings were increasing substantially, the Civic Service and Beer Fest had been well attended, the new web site was attracting a lot of business, good feedback has been received concerning the well maintained standards at the hall and a number of housekeeping requirements including PAT testing, lift servicing and fire extinguisher servicing has now been completed. The electricity bill had now finally been resolved and gas costs were still being investigated. Whole in whole significant progress had been made in the last few months.

6. To adjourn the meeting for a period of public participation

It was mentioned and confirmed that the provisional figure allocated to obtain professional advice with regard to past Vat building reclaims had proved insufficient and that an agenda item was to be discussed later in the meeting to consider the quotation now received from the recommended professional firm who could provide indemnified advice on how to proceed.

It was mentioned that lights may have ben left on all night at the village hall on one recent occasion. This led to a further discussion concerning the terms and conditions concerning the use of solar power within the village hall. It

was stated that no monies had been received as a result of supplying the National Grid and that it had not been envisaged that this would occur. Whilst the electricity bill had now been settled further investigation might be required concerning the exact terms for using solar power.

The Chairman of Hale Bank Parish Council made a statement asking for the support of this Council and other local Councils in writing to the Secretary of State asking that planning powers be removed from Halton Borough Council as it was considered that their planning dept was not fit for purpose. A meeting is to be arranged shortly to discuss this and members of this council will be invited. The Clerk confirmed that no decision could be made tonight but that any proposed letter should be sent to him so that it could be placed before the Council for consideration.

A resident stated that a complaint had been made against him a member of this Council and that he was considering what action he should take.

A resident expressed his support for the proposal outlined above by Hale Bank Parish Council.

7. To receive and ratify the list of payments (enclosed) made between 11th September 2019 and 30 October 2019 recorded in the Cash Book Record which has been reconciled to the Bank Statements to that date all payments having been made under Financial Regulation 6.4

It was resolved that the list of payments detailed above should be ratified – it was suggested that a little more specific detail might be appropriate in future

8. To receive a summary of income and expenditure to the 31st October 2019 for Hale Village Hall and a projection of income and expenditure for 2020/2021 which will be required to assist HPC setting its Precept for 2020/2021

It was resolved that the above documentation should be received and that the projection of income and expenditure for 2020/2021 should be accepted as the basis for the Parish Council making a provision to support the VH to the extent of £7K in year 2020/21, if required, for revenue purposes only as no potential further capital expenditure had been included. Any additional capital expenditure would require a grant request to be made either to the Parish Council or another external funder for consideration.

9. To consider and approve that Scott Harris should be engaged as a sole trader with a Service Contract for 6 months to undertake open space works on behalf of this Council as required from time to time – cost quotations will be obtained in advance for any works proposed to be undertaken, such works currently including the cutting of Hale Park hedges and the maintenance of various borders within the village whilst ground works around the Village Hall will be included on a specific hourly basis as defined in his existing employment contract.

It was resolved that Scott Harris should be engaged as a self-employed sole trader to undertake open space works on behalf of the Parish Council and Village Hall as outlined above. A service contract for 4 hours per week at a rate of £15 per hour to be drawn up to cover VH Groundworks and Hale Park hedges which would also incorporate provision to offer other specific works at the same hourly rate provided such works including the specification and hours to be paid for were agreed in advance. The contract to be fixed term to 31st March 2020.

10. To approve that Scott Harris should continue as the cleaner and caretaker for the Village Hall on an extended employment contract for a further period of 6 months for 14 hours per week at a rate of £9.00 per hour to coincide with item 9 on this agenda.

It was resolved that the above employment contract should be varied and extended to the 31st March 2020 for 14 hours per week at the existing rate of £9 per hour.

11. To consider whether to appoint John Henry to undertake a full review of and implement all necessary policies and privacy statements in relation to GDPR and thereafter act as this Council's Data Protection Officer at a first-year cost of £600 and annual fee (subject to review) of £400 per annum thereafter.

It was resolved that the proposals mentioned above should be implemented

12. To consider the appointment of Steve Parkinson to investigate and establish the legal position concerning recent Vat reclaims made in respect of the building of the new Village Hall and advise this Council on any necessary actions to protect the Council's position by providing indemnified advice at a cost of £2000.

It was resolved that the proposals mentioned above should be implemented

13. To approve the following policies which have already been circulated to members in advance of this meeting
- Disciplinary Procedure
 - ACAS Dignity in the Workplace Policy
 - Social Media Policy
 - Volunteer Policy
 - Risk Management Policy
 - Risk Management Register

It was resolved that the policies mentioned above should be adopted

14. To consider the draft budget proposals (enclosed) and taking into account any financial decisions made previously at this meeting and any amendments that may be put forward by members agree and set the Precept for 2020 / 2021

The RFO went through the proposals and the following amendments to the outturn and budget were made:

The Guildswomen outturn should be reduced to £100 since all expenditure for this year had been made

The Legal / Consultation Budget should be increased to £3100 to take account of the decisions at items 11 and 12 above

The Budget for Guildswomen should also be reduced to £100 for 2020 / 2021

The Grants budget should be reduced to £1500 for 2020 / 2021

Following amendments to the draft budget by the RFO motions below were considered:

A motion was then put to decrease the Wellbeing budget from £5500 to £2500

The motion was defeated

A motion was put that the amended Grants Budget should be reinstated at £3000.

The motion was defeated

It was then resolved that in the light of the budget now agreed that the Precept for 2020 / 2021 should be set at £49000.

15. To note that the next meeting is scheduled for Monday the 20th January 2019

It was noted that the next scheduled meeting is on the 20th January 2019



HALE PARISH COUNCIL

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MINUTES of the **EXTRA ORDINARY PARISH COUNCIL MEETING** held on

Thursday the 19th December 2019 at

THE CHILDE OF HALE FUNCTION ROOM commencing at 6.15pm.

Present: Cllrs Trevaskis, Williams, Kierman, Wright, Spargo and Mitchell
There were 5 members of the public present

1. To receive Apologies

Cllrs Hunter, Anderson, Healey and Cleary

2. To receive Declarations of Interest

None

3. To adjourn the meeting for a period of public participation

A question was put as to why Policies and Risk Assessments had not been put in place when the VH reopened in 2017. In response it was stated that the Council did pay for Policies to be written at that time, but they had not been updated since and that no formal Risk Assessments seemed to have been undertaken. There had been a number of queries and complaints raised by some residents and after consultation with qualified personnel it has been suggested that there was an urgency to bring matters up to date and that best practice suggested that Risk Assessments should be formally written which would stand the PC in good stead should some unfortunate occurrence take place.

It was noted that this Council did not have a competent person to sign off Risk Assessments and that was why consideration was being given to have a thorough professional review of the VH Policies and Risk Assessments which would also cover the use of external contractors and the duty of care responsibilities this Council had when engaging same.

It was also suggested that some local residents might be suitably qualified however the issue seemed to be that whilst some might have had knowledge in the past, it might not be up to date and any such person would need to sign off the documentation which brought with it a level of responsibility and liability should anything go wrong.

A lively debate which included residents present took place, some concerns were raised that this meant more money had to be spent which might involve an increased Precept however it was pointed out by one resident that this would only amount to approx one pound per year per household on average. A very small price to pay to ensure that the PC were protected and were protecting both its employees and complying with its duty of care to external contractors

4. To consider the appointment of a qualified professional to review the policies of the parish council relating to health and safety, amend or draw up new policies as required and produce risk assessments as required so as to meet the statutory responsibilities of the parish council in respect of its activities and whether it would be appropriate to engage that qualified person to be appointed on an ongoing basis to act as the 'competent person' who would review and advise with regard y health and safety issues and undertake risk assessment checks as required in respect of Hale Parish Council activities including any responsibilities with regard to external contractors.

It was resolved that the quotation from Risk Support Services Ltd should be accepted on a rolling basis at £75.00 per month plus Vat to undertake the works set out in the quotation/specification attached to the agenda for this meeting which include a 12 month rolling contract term with a 3 month cancellation notice period required thereafter.



HALE PARISH COUNCIL

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MINUTES of the EXTRA ORDINARY PARISH COUNCIL MEETING held on

Thursday the 9th January 2020 in Hale Village Hall commencing at 6.30pm.

Present: Cllrs Trevaskis, Williams, Kierman, Wright, Spargo, Hunter, Anderson, Cleary and Mitchell
There were 21 members of the public present

1. To receive Apologies

Cllrs Healey.

2. To consider resolution to exclude the public and press under the Public Bodies (Admission to Meetings Act) 1960 on the grounds of the confidential nature of the business to be transacted.

A recorded vote was requested:

Those in favour: Cllrs Trevaskis, Spargo, Kierman, Wright, Williamson and Anderson

Those against: Cllrs Cleary, Mitchell and Hunter

3. To receive Declarations of Interest

None

4. To adjourn the meeting for a period of public participation

Notwithstanding a vote to exclude the public a discussion took place regarding the management of the Village Hall and the considerations later to be resolved by the Parish Council. A summary of the statement and responses made by the Chairman is attached.

The Chairman explained that in July of 2013 Hale Parish Council were approached by the Chair and Vice Chair of the Parish Council at the time advising that the previous Hale Village Hall Management Committee, after the resignation of a number of volunteers, had had no luck finding anyone to take on the responsibility of the bookings and finances. From that date onwards, the minutes recorded that the Parish Council were to manage the Hall, and there is clear indication that the Parish Council has done so ever since.

For the past seven years, the minutes clearly record all the decisions made by Hale Parish Council regarding the management of Hale Village Hall, including the application for grants, the decision to demolish the previous building, and the reconstruction of the new building as it stands today.

For a number of years, it was explained to the previous Hale Village Hall Management Committee that it was not possible to simultaneously have two separate corporate bodies managing Hale Village Hall and in 2017 the previous Hale Village Hall Management Committee disbanded.

Whilst there is clear indication that Hale Parish Council have been acting as sole trustee, the Trust Deed was not amended by the disbanded Hale Village Hall Management Committee and it had not been minuted that Hale Parish Council had agreed to act as sole trustee, therefore the legal documentation to enable Hale Parish Council to have managed the hall for the past seven years was never updated.

In recent years, Hale Parish Council have made decisions that could have a number of legal implications if it did not have the legal power to do so, such as accepting money for grants, submitting VAT reclaims, and managing the ongoing functions of Hale Village Hall. If it was to be decided that Hale Parish Council was not acting as the sole trustee, the Parish Council would have to resolve these issues, which could have financial consequences, and would not have any lawful power to continue managing Hale Village Hall.

The grant applications submitted to the National Lottery clearly outline the intent for the new village hall to be managed by the Parish Council, and the grant was awarded on this basis, however the term 'sole trustee' was not mentioned.

A meeting was called in 2019 to see if there were any existing members/trustees of the Hale Village Hall Management Committee who wished to continue in an official capacity and no attendees expressed an intent to take on the liability of a trusteeship.

Hale Parish Council have contacted ACRE, an advisory body, to assist in recent months in resolving these issues. ACRE recommended the Parish Council approach the Charity Commission and ask for a special resolution to amend the Trust Deed. The Charity Commission have replied and advised they will not meet with us to resolve this issue and very rarely investigate matters concerning trusteeships, unless some misappropriation had taken place.

It was confirmed that Hale Village Hall Charity was still being run as a charity, with a separate bank account and that the building had not at any point been used to generate any revenue for Hale Parish Council.

A meeting was held with a previous trustee the same day of this meeting, who wrote a report that was unanimously approved in 2017 by the previous Hale Village Hall Management Committee for Hale Parish Council to form a new Committee made up of members of the Parish Council and members of groups within Hale. This is also within the advice received from ACRE.

The Clerk also explained in detail the legal significance of the Trusteeship of the Village Hall and reiterated that it was important to remember that the Trustee was a separate entity to the Parish Council. Should the appropriate resolutions be passed later at the meeting then the PC would seek to correct documentation that should have been completed several years ago by the previous Trustees before handing over management to the PC in line with the business plan upon which grant funding for the new VH had been obtained. He went on to state that once the documentation was complete then the PC as the sole Trustee of Hale Village Hall would create a new VHMC which would include resident membership and that from then on, that VHMC would undertake the routine day to day business of the VH. Meetings would be completely separate to those of the PC and not Committee Meetings of the PC. The Trustee (being the PC) would of course have overall responsibility and would be expected to undertake its responsibility in line with ACRE guidelines. At any point in the future the position could be reviewed and if appropriate changes made that would return the management to the control of individual named Trustees who would then take full personal responsibility for and full personal liability for the VH in its entirety without any day to day support from the PC.

At this point the public left the meeting and the PC continued the business as set out on the agenda.

5. To ratify and resolve that Hale Parish Council took on the management of Hale Village Hall Charity as Sole Trustee in 2017 in accordance with the business plan submitted to the National Lottery on which grant funding for the building of a new VH was based and agreed.

A recorded vote was requested:

Those in favour: Cllrs Trevaskis, Spargo, Kierman, Wright, Williamson and Anderson
Those against: None

Abstentions: Cllrs Mitchell, Cleary and Hunter

It was resolved to ratify that Hale Parish Council took on the management of Hale Village Hall Charity as Sole Trustee in 2017 in accordance with the business plan submitted to the National Lottery on which grant funding for the building of a new VH was based and agreed.

6. To arrange for and amend the 1974 Trust Deed of Hale Village Hall Charity so as to replace the clauses covering appointment of a management committee of Trustees with a clause or other required documentation appointing Hale Parish Council, as a separate corporate entity as the Sole Trustee of Hale Village Hall - this to be achieved through ACRE at a cost of approximately £300.

It was resolved that this Council should seek to amend the 1974 Trust Deed of Hale Village Hall Charity so as to replace the clauses covering appointment of a management committee of Trustees with a clause or other required documentation appointing Hale Parish Council, as a separate corporate entity as the Sole Trustee of Hale Village Hall - this to be achieved through ACRE at a cost of approximately £300.

7. To remove the names of the disbanded Trustees from the Charity Commission's website and replace with Hale Parish Council as the Sole Trustee.

It was resolved that changes to the website should not be made until the documentation referred to in item 6 had been completed and signed off.

8. To authorise the Trustee of Hale Village Hall Charity, once the above documentation has been completed, to establish a new Hale Village Hall Management Committee in line with the business plan submitted to the National Lottery and in accordance with ACRE guidelines governing the management of a Village Hall managed by a Sole Trustee.

It was resolved to authorise the Trustee of Hale Village Hall Charity, once the above documentation has been completed, to establish a new Hale Village Hall Management Committee in line with the business plan submitted to the National Lottery and in accordance with ACRE guidelines governing the management of a Village Hall managed by a Sole Trustee.

A recorded vote was requested:

Those in favour: Cllrs Trevaskis, Williams, Kierman, Wright, Spargo, Hunter, Anderson, and Cleary.

Those against: None

Abstentions: Cllr Mitchell

9. To consider approaching National Lottery to request an extension to the project and ask that the remaining revenue grant money be spent on the recruitment of a bookings officer for Hale Village Hall to assist with the open/closes and ensure correct management of all bookings.

It was resolved that the above extension and change of use for the remaining revenue grant monies should be requested from the National Lottery.

HALE PARISH COUNCIL ACCOUNTS EXPENSES 2019/2020

DATE	DETAILS	CHQ NO	MINUTE NO	PYT NO	TOTAL
04/11/2019	GOOGLE SUITE	ON LINE		99	37.26
18/11/2019	PRINSTAT - CIVIC SERVICE	ON LINE		100	78.00
18/11/2019	PRINSTAT - TABLE SALE BANNER	ON LINE		101	48.00
18/11/2019	PRINSTAT - NEWSLETTER	ON LINE		102	150.00
18/11/2019	WREATH MAKING PROVISIONS	ON LINE		103	173.28
18/11/2019	SIMON MORRIS SIGN LANGUAGE COURSE LEADER	ON LINE		104	450.00
02/12/2019	SEWING COURSE HIRE VILLAGE HALL	ON LINE		105	220.00
02/12/2019	HMRC TAX DEDUCTED SALARIES AND NI EMPLOYER	ON LINE		106	639.24
03/12/2019	GOOGLE SUITE	ON LINE		107	37.26
04/12/2019	W/MCENNERNEY WHITTLE NET SALARY AND EXPENSES	ON LINE		108	987.23
19/12/2020	ANN KIERNAN - REIMBURSE PUMPKIN EVENT	ONLINE		109	100.54
19/12/2020	SCOTT HARRIS - OPEN SPACE WORK AS PER CONTRACT	ONLINE		110	360.00
30/12/2020	WV MCENNERNEY WHITTLE SALARY AND EXPENSES	ONLINE		111	867.23
30/12/2020	HALE VILLAGE HALL ROOM HIRE APRIL TO DECEMBER	ONLINE		112	850.00
30/12/2020	HMRC TAX AND NI DEDUCTIONS	ONLINE		113	629.11
31/12/2020	BANK CHARGES	ONLINE		114	18.00

BUDGET 2019 2020			
BUDGET	INCOME	POSITION	
		31st December 2019	
6235	Balance b/f 1st April 2019	6235.15	
43225	Precept	43225.00	
	Bank Interest		
2500	V A T Recovered		
17000	Grant Neighbourhood Plan		
10857	Grant for VH Manager	10857.00	
179	Other	179.00	
20	Class Fees	100.00	
80016	Total	60596.15	
	LESS EXPENDITURE		
600	Asset Purchase	587.17	
5500	Well Being Committee	2748.19	
500	Guildswomen Committee	100.00	
1286	War Memorial Committee		
500	Civil Service Committee	704.20	
17000	Parish Plan Committee		
1000	Legal / Consultation Fees	500.00	
3350	Grants	950.04	
1000	Training	583.40	
2700	Insurance	2750.98	
550	Web Site	147.02	
1000	Newsletter	125.00	
1500	Audit	993.00	
1100	Subscriptions	994.34	
15000	Staffing	11584.05	
	National Insurance	979.00	
700	Administration	557.24	
1600	Allowances / Expenses	1228.19	
400	Payroll and Scribe	72.00	
6000	Village Hall Support Costs	1150.59	
3000	Election Costs	3004.70	
10875	VH Manager	4666.67	
1200	Rent	880.00	
1200	Vat	928.03	
77561	Total	36233.81	
2455	Balance in hand	24362.34	
	Bank Balance	24362.34	
	Net Balance	24362.34	