

**MINUTES OF OLD SOMERBY PARISH COUNCIL MEETING**  
**HELD TUESDAY 21 March 2023 7pm AT THE FOX AND HOUNDS OLD SOMERBY DRAFT**

**PRESENT:** Cllrs: Vicky Lowndes (Chairman) Nigel Percy (Vice-Chairman), Veronica Stephens, Peter Burrows, Betty North and Parish Clerk David Holmes.  
Also present SKDC Councillor Sarah Trotter and 3 members of the public.

Prior to the meeting at 7pm a Public Forum was held. A member of the public raised issues concerning i) the entrance to Cold Harbour - roadway repairs, lack of appropriate road markings for the entrance, ii) The planting of a tree to make the late Queen's Jubilee iii) What constitutes a Public Nuisance.

**1. CHAIRMAN'S COMMENTS:** Cllr Vicky Lowndes explained the protocol for the meeting.

**2. APOLOGIES:** None

**3. DECLARATIONS OF PECUNIARY INTERESTS OR APPLICATIONS FOR DISPENSATIONS.**  
None declared.

**4. APPROVAL OF MINUTES:** i) The draft minutes of 31 January 2023 – Approval proposed by Cllr North and Seconded by Cllr Lowndes – carried unanimously. The Chairman signed the original copy. **ACTION: The clerk:** to publish.

ii) Consideration was given to the retrospective approval of Minutes of the Parish Council held 10 January 2018. It became clear in March 2023 that those minutes had not been ratified by signature because the next meeting was not quorate due to multiple resignations. It was noted that at the meeting held 3 May 2018 there is a minute to *"...accept the Clerk's notes of the ...meeting held on ... 10 January 2018"*.

**AGREED** unanimously to ratify the above minutes of 10 January 2018 on the following basis: "Whilst it is not feasible belatedly to ratify all of the decisions referred in the minutes of 10 January 2018 it is today agreed to ratify item 10 therein which refers to the Policy Relating to Abusive, Persistent & Vexatious Complaints. It was noted that the Policy was posted on the council's website subsequent to 10 January 2018 and amended and adopted by the current council at the meeting held 12 January 2021."

On that basis it was agreed that the Chairman should ratify and sign the above minutes.

**ACTION: The Clerk.**

**5. CLERK AND COUNCILLORS' ACTIONS AND UPDATES/LATEST:**

**a) Tree Planting – 100 Trees have** now been planted as announced in the press near to Ropsley Rise Woods within the Parish and will be known as the **"CORONATION COPSE"** in honour of the forthcoming Coronation of King Charles III. Possible other sites for trees to be planted will be explored in due course. Suggestions are welcome.

**b) The possible provision of a second Defibrillator.** The Clerk reported he had met with the Church Warden and a representative of Community HeartBeat from whom the current defibrillator had been purchased. The costing was likely to be some £2,300 plus installation costs and ongoing maintenance costs. Reference was made to the impact on the Budget of the costs incurred below at item **8 B. AGREED:** The Clerk to get other quotes & report back.

c) **Parish and Local Coronation Events.** It was considered appropriate on this occasion to suggest that residents join in with the events occurring in Ropsley. There had been a leaflet drop locally by the organisers who had indicated they would welcome such involvement. Councillor Vron Stephens volunteered to take a lead. **ACTION:** Councillor Stephens to make contact with the Organisers. Volunteers were available for any further leaflet drops.

**6. LCC COUNCILLOR UPDATE:** Cllr Charlotte Vernon had given her apologies for the meeting and sent in her report which was read by the Clerk: Copy attached. Cllr Vernon comments as follows:

i) **Cost of Living:** Help is available to residents struggling with the cost of living from the LCC and other organisations. Full details are available on their Website. The LCC are working in concert with District Councils including the SKDC on this issue. Details of the remaining funding available is also available on the SKDC website. Residents can also visit <https://helpforhouseholds.campaign.gov.uk/>

- ii) **LCC Budget:** The increase in Council Tax was set at 4.99% but still £7.5 was required to meet obligations. An additional £7m for road maintenance was also approved.

iii) **Voter ID for upcoming Elections:** Voters were reminded of this requirement.

iv) **Highways:** Residents were encouraged to keep using Fixmystreet to report highways issues.

**7. SKDC LOCAL COUNCILLOR UPDATE:** Cllr Sarah gave her verbal report:

i) Cllr Trotter also referred to the **Cost of Living Assistance** available locally with various groups willing to help. Details on the SKDC Website.

ii) **The CCTV local headquarters** is moving to a new location within Grantham Police Station;

iii) There had been a **huge roadside fire** in an SKDC Bin Lorry which appeared to have been started by a discarded battery in household waste. Householders were urgently requested to dispose of batteries at the Waste Amenity Site in Grantham Mowbeck Way, Grantham. Cllr Trotter was thanked for attending and for her report.

iv) There is still some funding available from the SKDC for local projects.

## **8. FINANCE:**

**A).** The latest Finance Statement had been signed off by Lead Councillor Peter Burrows and copies were presented. It shows all income and expenditure since 1 April 2022 to date and the Bank Reconciliation. The Financial Statement was accepted. A copy to be published.

The Internal Auditor presented his report to the meeting.

He had recently reviewed the entire accounting system, controls, risk management, governance and financial practices of Old Somerby Parish Council. He had found them to be sound, safe and reliable. He said he had examined the Budget 2023/24 and had no issues with it. He further commented that he had noted that a resident had objected to the External Auditors concerning the parish council's Audit 2021/2022. He noted that both Objections and all 8 associated categories in their entirety had been rejected by the External Auditor. He noted the unfairness of the present rules requiring parish councils to bear the costs rather than the unsuccessful Objector.

The Internal Auditor was thanked for his report which was accepted and was to be published.

**ACTION: The Clerk.**

**B. ANNUAL AUDIT 2021-2022** Cllr Burrows commented that a resident had once again objected to the Parish Council's Audit published July 2022. The 2 Objections raised and the associated 8 categories were all rejected by the External Auditor, as were similar objections raised in the previous year by the same resident.

As things stand the rules nevertheless require the Parish Council concerned to pay the costs of the External Auditor. Those costs amounted to **£4,260 inc VAT**. They were reduced after a successful appeal by the Clerk to **£1,278 inc VAT**. It was reported that other Parish Councils in similar circumstances had sustained huge fees – in one case some £26K.

Lobbying is taking place at national level concerning the unfairness of the rules with the costs falling on parish councils rather than on the unsuccessful Objector,

Cllr Burrows noted that if the original costs had stood and if the Precept had to be raised as a result it could cost each household in the parish some **£35 (or approx. £11** per household for the lower figure) even though it was a failed Objection. The councillors noted the response letter from the External Auditors and agreed it should be Redacted and Published with the Draft Minutes.

#### **9. CORRESPONDENCE AND ISSUES FOR INFORMATION ONLY:**

i. Emails from residents had been received concerning the **development of 6 bungalows on School Lane** with concerns at the removal of Trees etc.

The Clerk reported that the SKDC Planners had indicated that it was ever the case that the trees and hedge would be taken down to enable the land to be raised to alleviate flooding issues. Those concerns had been raised by the LCC. The clerk had been informed that it was always intended for the trees and hedging to be replaced. That would occur after the work on raising the site was finished and after completion of the dwellings but before occupation. The important "plus factor" was that a **footpath** along the front of the site would then be provided as a result of the area being raised. This would provide safer passage for foot passengers and avoid them having to cross over a busy road.

Issues had also be raised concerning the Neighbourhood Plan. However, on examination of the procedure concerning amending Neighbourhood Plans, the resident had asked for his letter to be withdrawn.

The wording of Policy 1 in the NP (page 32) was an exact replica of that same provision in the SKDC Local Plan SB2 page 43. Both Plans have equal standing but are both subject to the National Planning Framework.

The very recent advice from SKDC was that as the National Planning Framework is currently under review, that any review of Neighbourhood Plans and Local Plans should be delayed to await its publication.

ii) the clerk referred to a letter from Health Watch Lincolnshire concerning their actions to be taken regarding dentistry needs within the county.

iii) The Clerk explained the changes in place for the Lincolnshire Association of Local Councils to slim down their Management structure.

**11. REPORT FROM THE POLICE REGARDING LOCAL ISSUES:** 3 New PCSOs had been appointed to the area but that news had been tainted by the recent announcement from Lincolnshire Police to reduce overall the current number of PCSOs from 91 to 50. The Community Speed Watch programme remains the most effective means of speed reduction. He reported that there have been *“no crime series of note within the quarter”*. Regular updates will be sent to parish councils.

**12 To review a Determination made concerning a Resident relating to the Policy concerning Abusive, Persistent or Vexatious Complaints;** Proposed by the Chairman that “The Determination to continue for a further 6 months due to all the subject matters referred to in the Determination have been repeated in the Audit Objections by the resident to the External Auditors.” Seconded Cllr Burrows: Carried unanimously.

**13:** It was agreed to hold the **Annual Parish Council Meeting** and the **Annual Parish Meeting** on Monday 15 May 2023 commencing at 7pm.

The meeting concluded at 9.07 pm.

APPENDIX 1 Follows .....



[NAME REDACTED]

Sent by email: [E-Mail Address REDACTED]

**DDI:**

+44 (0)20 7516 2200

**Email:**

[sba@pkf-l.com](mailto:sba@pkf-l.com)

**Date:**

28 February 2023

**Ref:**

KJC/47131/SAAA/LI0278

## **Old Somerby Parish Council: audit of accounts for the year ended 31 March 2022**

Dear [Name REDACTED]

Thank you for your email and attached letter of objection dated 21 July 2022 in connection with Old Somerby Parish Council (OSPC or the Council). You have raised two matters in respect of the 2021/22 Annual Governance and Accountability Return (AGAR).

We wrote to you on 27 July 2022 to inform you that your objections are eligible. You then asked us to delay making our decision regarding whether or not we accepted them for further consideration. Following some further correspondence, we asked you to provide whatever evidence you have to support the facts and grounds for your objections, and in particular their relevance to the 2021/22 AGAR. We therefore accepted the objections for consideration under Step 3.

We have considered the information presented in your email of 25 January 2023, in support of your objections detailed below:

**Objection 1:** You object to the response given to Assertion 1 of the 2021/22 AGAR; and

**Objection 2:** You object to the response given to Assertion 2 of the 2021/22 AGAR.

We have written to the Council and received its formal response and all of the additional information that we requested. All documents material to our decisions on the accepted objections are in the public domain or have previously been shared with you.

You have not asked us to consider reporting on these matters in a public interest report; however, we have considered whether each accepted objection should be included in a public interest report.

Our decisions following consideration of the accepted objections under Step 3 of the National Audit Office's Auditor Guidance Note 04 are set out below and are initially presented based on the split of categories of evidence you have used to support your objection:

- 1.0 Investigation of former clerk's embezzlement
- 2.0 The former clerk's complicity in falsifying the OSPC record
- 3.0 Notice of evidence of conspiracy having been put to OSPC
- 4.0 The current clerk's conflict of interests
- 5.0 Allegations from the floor

- 6.0 Denial of natural justice
- 7.0 Review of the neighbourhood plan
- 8.0 Recent statement of accounting methodology

Taking each category in turn we have reviewed the information and evidence presented below:

### 1.0 Investigation of former clerk's embezzlement

**Findings:** This relates to a period prior to the year under review. The former clerk was prosecuted on 2 October 2020 and was in post 1 September 2016 to 4 May 2018. We note the actions taken by OSPC in response to information received on 30 April 2020, in respect of allegations against the former clerk, resulting in a full inspection of the records by a councillor on behalf of OSPC.

**Conclusion:** We do not uphold this evidence as relevant to the objection as it is outside the period under review and does not relate to the 2021/22 AGAR. Our statutory responsibilities in respect of all prior periods have been completed.

### 2.0 The former clerk's complicity in falsifying the OSPC record

**Findings:** This relates to the accuracy of the minutes of a meeting of full council held 10 January 2018.

**Conclusion:** We do not uphold this evidence as relevant to the objection as it outside the period under review and does not relate to the 2021/22 AGAR. Our statutory responsibilities in respect of all prior periods have been completed.

### 3.0 Notice of evidence of conspiracy having been put to OSPC

**Findings:** This relates to your attempt to bring an allegation of conspiracy to the attention of OSPC. We note that the correspondence and evidence presented all pre-dates the year ended 31 March 2022 and is therefore not relevant to the 2021/22 AGAR.

**Conclusion:** We do not uphold this evidence as relevant to the objection as it is outside the period under review and does not relate to the 2021/22 AGAR. Our statutory responsibilities in respect of all prior periods have been completed. In addition, matters relating to individual councillors' conduct are outside of our remit and should be referred to the Monitoring Officer.

### 4.0 The current clerk's conflict of interest

**Findings:** You contend the current clerk has a conflict of interest due to his previous post as Chair of OSPC and decisions taken during his time in office. Matters relating to policy decisions are outside of our remit. We have no power to comment on policy decisions. In terms of the conduct of members in respect of the information you have brought to their attention where no action has been taken; this would be a matter for the Monitoring Officer.

**Conclusion:** We do not uphold this evidence as the matters are outside of our remit.

### 5.0 Allegations from the floor

**Findings:** This relates to allegations of fraudulent activity by a former councillor as raised in a public forum meeting on 17 May 2022. Overtime payments made to the former clerk relate to prior periods and therefore cannot be considered. We have reviewed the current adopted financial regulations as published on OSPC's website. The arrangements and procedures, in respect of payment authorisation, set out in the financial regulations are proportionate for OSPC and there is no evidence they were not followed during 2021/22 from review of the Annual Internal Auditor Report. In addition, you contend that the minutes of the meeting do not disclose the full contents of the discussion. It should be noted that minutes do not have to record the discussion verbatim.

**Conclusion:** We do not uphold this evidence as relevant to the objection as it is outside the period under review and does not relate to the 2021/22 AGAR. Our statutory responsibilities in respect of all prior periods have been completed.

## 6.0 Denial of natural justice

**Findings:** This relates to allegations of denial of natural justice because of the imposed restrictions. It is a policy decision as to how information is disseminated by OSPC to members and therefore outside of our remit. We note the communication policy is published on the website and the requests made for all correspondence to be sent via the clerk is consistent with this. OSPC has invoked its vexatious complainant policy in respect of communication with you. Minutes of the meeting on 10 August 2021 (item 12) record the outcome of the motion regarding the review of the determination against you. You refer to minutes of a meeting on 10 January 2018 where the original determination was made as not being evidenced as signed and approved. The minutes of the meeting are not available on OSPC's website.

**Conclusion:** We do not uphold this evidence as relevant to the objection. We are minded to recommend to the Council that the decisions made at this meeting are retrospectively ratified if it is found that the minutes remain unsigned.

## 7.0 Review of the neighbourhood plan

**Findings:** This relates to the review of the neighbourhood plan at a meeting on 17 May 2022.

**Conclusion:** We do not uphold this evidence as relevant to the objection as it is outside the period under review and does not relate to the 2021/22 AGAR. In addition, it is also in relation to a policy decision which is outside of our remit.

## 8.0 Recent statement of accounting methodology

**Findings:** This relates to the presentation of a 'Statement of Financial Practices' at a meeting on 8 November 2022 and the prohibited recording of a meeting in closed session. OSPC has a 'Recording of Council Meetings' policy (adopted 21 January 2019), which states 'where press or public are excluded from meeting due to confidential nature of the business to be transacted recording of that part of the meeting will not be permitted'.

We note that the Practitioners' Guide confirms that the annual review of internal controls is implied by the undertaking the completion of the Annual Governance Statement (Section 1 of the AGAR). In order to warrant a 'Yes' response to each assertion, the Practitioners' Guide sets out what the smaller authority must do in Section 1. This is required to comply with Regulation 6 of the Accounts and Audit Regulations 2015.

**Conclusion:** We do not uphold this evidence as relevant to the objection as it is outside the period under review and does not relate to the 2021/22 AGAR.

We also note that there are no matters noted in the Annual Internal Audit Report for 2021/22 of any issues to suggest that the Council's internal control systems are not operating as intended or that any weaknesses have been identified during the period under review.

Having considered whether each accepted objection should be included in a public interest report, we have decided not to take this course of action. We do not uphold either of your objections to the 2021/22 AGAR.

Please note that there is no right of appeal against a decision not to issue a public interest report in respect of any of the objections.

Yours sincerely

Handwritten signature of PKF Littlejohn LLP, consisting of the letters 'PKF' followed by 'Littlejohn' and a stylized 'LLP'.

PKF Littlejohn LLP

cc Old Somerby Parish Council c/o David Holmes – Council Clerk