

SWINFEN AND PACKINGTON PARISH COUNCIL

**Ms Jayne Minor
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Our Ref: JM

16 March 2022

To: All Members of the Parish Council

Dear Councillor

You are hereby summoned to attend the Meeting of the Parish Council to be held in the **Conference Room 1, Conference Centre, HMP Swinfen on Wednesday 23 March 2022 commencing 7.00 p.m.** at which the business set out below will be transacted.

Yours sincerely

Jayne Minor

**Jayne Minor (Ms) CILCA & FILCA
Parish Clerk**

AGENDA

PUBLIC FORUM

A maximum of 15 minutes will be allocated prior to the commencement of the meeting when members of the public may put questions/comments on any matter in relation to which the Parish Council has powers or duties which affect the area [see notes at the end of the Agenda].

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST AND DISPENSATION

To receive declarations of any personal or prejudicial interest under consideration on the Agenda in accordance with the Parish Town Councils [Model Code of Conduct] Order 2007.

3. MINUTES

To approve as a correct record the Minutes of the Meeting of the Parish Council held on 19 January 2022 [Minute Nos. 50-61] [**ENCLOSURE**].

4. CHAIRMAN'S ANNOUNCEMENTS

5. THE HIGH-SPEED RAIL PLANS

Members are requested to debate the up-to-date position relating to the High-Speed Rail Plans.

6. CIL MONIES [FOR INFORMATION PURPOSES ONLY]

CIL receipts

Total amount of CIL received in financial year 2021/22 so far	£26,163.50
Total amount of CIL received in financial year 2020/21	£8,721.17
Total amount of CIL received in financial year 2019/20	£410.55
Total amount of CIL received in financial year 2018/19	£1,037.77
TOTAL RECEIVED	£18,890.66

CIL Spent

Total amount of CIL spent in financial year 2021/22 so far	£4,908.00
Total amount of CIL spent in financial year 2020/21	£2,316.60
Total amount of CIL spent in financial year 2019/20	£354.00
Total amount of CIL spent in financial year 2018/19	£1,037.77
TOTAL SPENT	£8,616.37

CIL Unspent

TOTAL UNSPENT	£27,716.62
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7. REVIEW OF EFFECTIVENESS OF INTERNAL AUDIT

Members are requested to receive and note the attached report [ENCLOSURE].

8. STATEMENT OF INTERNAL CONTROL AND ANNUAL REVIEW OF EFFECTIVENESS OF INTERNAL AUDIT

Members are requested to receive and note the attached report [ENCLOSURE].

9. STAFFORDSHIRE PARISH COUNCILS' ASSOCIATION (SPCA)

Members are requested to consider renewal of membership of the SPCA at a cost of £130 per annum.

The Association was founded in 1939 and:

- Saves you time and money by streamlining your Council's "business" using model documents.
- Provides legal/financial advice.
- Provides free quarterly newsletters to all Clerks/Councillors to keep Councils in touch with the latest developments.
- Suggests sources of funding for projects and provides guidance and advice on public sector borrowing approval

- Provides access to a database of suppliers who provide products and services for Councils, website design, Council notice boards, playground equipment, shelters, bins etc.

10. EXCLUSION OF THE PRESS AND PUBLIC

The Chairman will move:

That under the Public Bodies [Admissions to Meetings] Act 1960 [Section 2] [and as expended by Section 100 of the Local Government Act 1972], the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information.

11. PARISH CLERK'S SALARY

Members are requested to approve the payment of the Parish Clerk's February and March 2022 salary **[PINK ENCLOSURE]**.

12. DATE AND TIME FOR NEXT PARISH COUNCIL MEETING

The next Parish Council meetings will be held on:

Wednesday 18 May 2022 – Annual General Meeting

PUBLIC FORUM SESSION AT PARISH COUNCIL MEETINGS

Residents of Swinfen and Packington Parish Council have an opportunity to speak at each Parish Council meeting:

1. *The Public Forum session will usually be the first item on the Agenda.*
2. *The Public Forum will last up to 15 minutes and members of the public can ask the Parish Council a question (or make a statement).*
3. *Your statement or question must relate to a matter of special relevance to Swinfen and Packington or within the responsibility of the Parish Council.*
4. *Matters relating to the conduct of any individual councillor or officer will not be permitted – in such circumstances you should write to the Parish Council.*
5. *You will be allowed to speak for up to 3 minutes and you can raise more than one issue within the overall limit of 3 minutes allowed to you.*
6. *After each speaker the Chairman of the Parish Council (or his/her representative) will answer the question or give notice that he/she will provide a written answer as soon as possible.*

If a written answer is to be given this will be sent to you at your stated address.

**MINUTES OF THE SWINFEN AND PACKINGTON PARISH COUNCIL HELD AT THE
CONFERENCE CENTRE, HMP SWINFEN ON WEDNESDAY 19 JANUARY 2022
COMMENCING AT 7.08 PM**

PRESENT

Councillor Barnes in the Chair
Councillors Dyott and Loescher

In attendance:

Ms J Minor, Parish Clerk

PARISH FORUM

No members of the public were present.

50. APOLOGIES FOR ABSENCE

Councillors Armstrong, Mrs Phillips and Mrs Pope.

51. DECLARATIONS OF INTEREST

Councillor Dyott made reference to discussions surrounding the development of HS2 which may affect his land.

52. MINUTES

It was proposed by Councillor Barnes, duly seconded and

RESOLVED That the Minutes of the Meeting of the Parish Council held on 10 November 2021 [Minute Nos. 38-49] as circulated, be approved as a correct record.

53. CHAIRMAN'S ANNOUNCEMENTS

Packington Hall

Councillor Barnes informed Members that he had been led to believe that 40% of the properties have been sold. They are being marketed by Paul Carr Estate Agents based in Sutton Coldfield.

54. THE HIGH-SPEED RAIL PLANS

Councillor Barnes stated that Councillors [himself and Councillor Loescher] held attended a meeting via Microsoft Teams on Wednesday 12 January 2022. He confirmed that the meeting was chaired by David Emery, Project

Director of Balfour Beatty Vinci. Also in attendance from Balfour Beatty Vinci was Andy deBell, Head of Community Engagement, Jayne Willetts, Community Engagement Specialist and Ella Sanders, Community Engagement Specialist. No-one from HS2 was present at the meeting. Councillor Barnes also confirmed that Jayne Willetts no longer worked for Balfour Beatty Vinci.

At the meeting, Mr Emery provided an update of the Swinfen area overview using maps and details as per the presentation [slides of the presentation to be provided to Members together with the draft Minutes – **received 21 January 2022**]. Confirmation was provided that at the plant crossing at Flats Lane the travelling public have right of way over construction traffic. It was confirmed that a memorial stone retained from the Whittington Golf Club demolition has been passed to the barracks regiment museum and is to be sited in a memorial garden. Mr Emery confirmed that the demolition of Packington Moor Farm required the completion of ecology surveys. Mr Emery stated that the A51 details cannot be provided at the moment as they are developing it and confirmed that Balfour Beatty Vinci will engage with the Parish Council when it is ready.

RESOLVED It was proposed that Councillor Loescher would draft an email response to questions raised at the meeting by both Balfour Beatty Vinci representatives and Councillors. The email to be sent by the Parish Clerk.

- **Car Parking Area by Hopwas Woods**

Councillor Barnes has contacted the landowners of this site to check if they would be in agreement to the work being carried out and they have confirmed their approval. There are some local matters and we will come back to BBV as soon as we have further information. The Parish Council would appreciate the assistance of BBV in progressing this project which they believe would be good PR for HS2 and BBV locally.

- **Heathland Habitat Creation Area by the A51**

The Parish Council has looked again at the Environmental Statement that accompanied the Hybrid Bill (now Act of Parliament). This makes it clear that the mitigation of the area would be put into Heathland Habitat creation (woodland habitat creation and grass land habitat creation). See attached documentation. This was not “potential” or “possible” Heathland Habitat creation, but “actual” Heathland Habitat creation. The Parish Council are unclear how do anything other than set out in the Environmental Statement and the Act can be achieved. The Parish Council is however willing to consider modifications on a “give an take” basis provided all local stakeholders are consulted and agree. It should be noted that planting and mitigation East of the line in this area is very sensitive as it provides mitigation for the residents of Botany Bay.

- **Tree Planting**

The Parish Council would like to emphasise the need for a more appropriate choice of trees on the additional areas of planting now agreed. As mentioned in the meeting on 12 January 2022, the planting on the Toll Road is a good example of what can be achieved.

The Parish Council understand why the bund cannot be completed until the irrigation pipe work and the Culvert are completed. The Parish Council would

however like all planting (bund, A51 Heathland Habitat creation and additional planting now agreed) to be put in place as soon as possible, within the constraints of the project, to facilitate a prompt mitigation and “healing” of the landscape.

- **Road Closures**

As noted in the meeting, it is helpful to locals they can be informed of Road closures in an accurately way minimising the window of the proposed closures. It is appreciated that the latest closure was put in place, not by BBV, but SSW. A proposed closure of two weeks was cleared in 2 days. This does not help local residents plan for the potential disruption.

- **Use of Councillor Barnes Ponds for Relocation of Fish**

Councillor Barnes asked me to confirm that his offer of the use of his ponds for relocation of fish remains.

- **Future Engagement**

The Parish Council would like to thank BBV for the meeting on 12 January 2022 which was very helpful. It was agreed by the Parish Council that regular meetings (quarterly) would be helpful. This could be at the Cappers Lane compound. The Parish Council would like to emphasise that they would like to work constructively with BVV and believe that prompt and open communication would assist in resolving issues.

55. CIL MONIES

RESOLVED That the CIL unspent to date totalling £27,716.62 be noted.

56. ANNUAL GOVERNANCE AND ACCOUNTABILITY RETURN 2021/22

RESOLVED That as the Parish Council's gross income will exceed £25,000, it be noted that the Part 3 of the AGAR at a cost of £200 plus VAT will need to be completed.

57. REPLACEMENT BUS SHELTERS BUDGET

The Parish Clerk informed Members that the Section 50 Licenses for the two new bus shelters on Tamworth Road have now been received and the Permits to Dig for both sites have been submitted. The whole process will cost approximately £1,500 plus VAT.

With regard to the vandalised bus shelter opposite Whittington Barracks Members were informed that a quotation had been received for the removal and disposal of existing vandalised panel and supply and fit replacement UV stabilised polycarbonate glazing panel including fixings in the sum of £189.50 plus VAT.

With regard to the existing timber bus shelter Members were informed that a quotation had been received for the removal and disposal of the existing timber shelter including skip hire, and manufacture and installation of a 3-bay commuter cantilever with full end returns in the sum of £4,145.00 plus VAT.

It was proposed by Councillor Barnes, duly seconded and

RESOLVED That the quotations be accepted.

58. UPDATES TO THE PARISH COUNCIL'S WRITTEN RULES OF OPERATION

It was proposed by Councillor Barnes, duly seconded and

RESOLVED That Standing Order 9(a) and Financial Regulation 11.1[h] be updated.

59. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED That under the Public Bodies (Admissions to Meetings) Act 1960 (Section 2) (and as expended by Section 100 of the Local Government Act 1972), the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information.

60. PARISH CLERK'S SALARY

RESOLVED That cheques be drawn in respect of the Parish Clerk's December 2021 [**cheque number 100617**] and January 2022 [**cheque number 100620**] salary, HMRC - December 2021 [**cheque number 100618**], Staffordshire Pension Fund – December 2021 [**cheque number 100619**], HMRC – January 2022 [**cheque number 100621**] and Staffordshire Pension Fund – January 2022 [**cheque number 100622**].

61. DATE AND TIME FOR NEXT PARISH COUNCIL MEETING

RESOLVED That:
Wednesday 23 March 2022
Wednesday 18 May 2022 – Annual General Meeting

All meetings will commence at 7.00 pm.

[The Meeting closed at 7.55 pm]

Signed

Dated

SWINFEN AND PACKINGTON PARISH COUNCIL

REVIEW OF EFFECTIVENESS OF INTERNAL AUDIT

1. OVERVIEW

- 1.1 The Local Audit and Accountability Act 2014 imposes a duty on local councils to “maintain an adequate and effective system of internal audit of its accounting records and of its system of internal control”.
- 1.2 Internal audit is a key component of the system of internal control. The purpose of internal audit is to review whether the systems of financial and other controls over a council’s activities and operating procedures are effective.
- 1.3 Local councils are required, at least once a year, to conduct, in accordance with proper practices, a review of effectiveness of internal audit. The council is required to sign the annual governance statement (on the Annual Return submitted to the external auditor) to evidence that this review has been undertaken.

2. REVIEW OF EFFECTIVENESS OF INTERNAL AUDIT

- 2.1 The following criteria must be satisfied for internal audit to be considered effective:
- That the Internal Auditor is independent of the other financial controls and procedures of the Council which are subject to review.
 - That they are competent to carry out the role in a way that will meet the business needs of the Council.
 - That consideration is made of how many times in a year the systems and records should be subject to internal audit.
 - That the scope of the internal audit is sufficient.
 - That any internal audit report is considered in full by a meeting of the Parish Council.
 - That appropriate action is taken on any recommendations contained in the internal audit report.
 - The Council must also satisfy itself that the quality of delivery of the internal audit service provides reliable assurance about the Council’s internal controls and its management of risk.
- 2.2 Considering these requirements for internal audit for Swinfen and Packington Parish Council:

2.3.1 Independence

The Internal Auditor has no involvement in the Parish Council’s financial controls, procedures or decision making. They are not related to, nor associated with, any member of the Parish Council or the Parish Clerk. The Internal Auditor has direct access to the Parish Council should they think this necessary.

2.3.2 Competence

The Internal Auditor is familiar with the criteria on financial matters applied to local councils and the Audit Commission’s current ‘Light Touch’ audit process and has

access to "Governance and Accountability for Local Councils – a Practitioner's Guide 2010 (England)". There is no evidence/reason to believe that the internal audit will not be carried out competently, ethically and with integrity and objectivity.

2.3.3 **Frequency of Internal Audit**

One internal audit undertaken after the annual accounts have been prepared is considered to be adequate for the Parish Council's needs given the current level of activity.

2.3.4 **Scope of Work**

The scope of the internal audit work carried out by the Internal Auditor follows the suggested approach to internal audit provided by the "Governance and Accountability for Local Councils – a Practitioner's Guide 2010 (England)".

2.3.5 **Audit Report**

The Internal Auditor will prepare a report in their own name and addressed to the Council following their completion of the internal audit. It will be presented to the Parish Council at the next meeting after it has been issued. Act actions to be taken on the recommendations made will be minuted.

3. RECOMMENDATION

- 3.1 That the Town Council considers for itself whether the system of internal audit is sufficiently effective, using this report as prepared by the Parish Clerk as a starting point for those considerations.

**SWINFEN AND PACKINGTON PARISH COUNCIL
INTERNAL AUDIT REVIEW CHECKLIST
PART 1 – MEETING STANDARDS**

EXPECTED STANDARD	EVIDENCE OF ACHIEVEMENT	YES/NO	AREAS FOR DEVELOPMENT
1. Scope of Internal Audit	<ul style="list-style-type: none"> ▪ Internal audit work takes into account both the Council's risk assessment and wider internal control arrangements. ▪ Internal audit work covers the Council's anti-fraud and corruption arrangements. 	<p style="text-align: center;">Y</p> <p style="text-align: center;">Y</p>	
2. Independence	<ul style="list-style-type: none"> ▪ The Internal Auditor has direct access to those charged with governance. ▪ Reports are made in own name to management. ▪ The Internal Auditor does not have any other role within the Council. 	<p style="text-align: center;">Y</p> <p style="text-align: center;">Y</p> <p style="text-align: center;">Y</p>	
3. Competence	<ul style="list-style-type: none"> ▪ There is no evidence of a failure to carry out internal audit work ethically, with integrity and objectivity. 	<p style="text-align: center;">Y</p>	
4. Relationships	<ul style="list-style-type: none"> ▪ All responsible officers (Clerk/RFO and Finance Officer) are consulted on the internal audit plan. ▪ Respective responsibilities for officers and the Internal Auditor are defined in relation to internal control, risk management and fraud and corruption matters (job descriptions and engagement letter). ▪ The responsibilities of Council members are understood; training of members is carried out as necessary. 	<p style="text-align: center;">Y</p> <p style="text-align: center;">Y</p> <p style="text-align: center;">Y</p>	

5. Audit Planning and Reporting	<ul style="list-style-type: none"> ▪ The annual internal audit plan properly takes account of all the risks facing the Council. 	Y	
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Review conducted on behalf of the Council by:

Ms Jayne Minor, Parish Clerk and Responsible Financial Officer

Report considered and adopted by Members at a meeting of the Parish Council held on 23 March 2022:

Chairman of the Council

Ms Jayne Minor, Parish Clerk and Responsible Financial Officer

**SWINFEN AND PACKINGTON PARISH COUNCIL
INTERNAL AUDIT REVIEW CHECKLIST
PART 2 – CHARACTERISTICS OF EFFECTIVENESS**

EXPECTED STANDARD	EVIDENCE OF ACHIEVEMENT	YES/NO	AREAS FOR DEVELOPMENT
1. Internal audit work is planned	<ul style="list-style-type: none"> ▪ Planned internal audit work is based on risk assessment and designed to meet the Council's needs. 	Y	
2. Understanding the whole Council, its needs and objectives	<ul style="list-style-type: none"> ▪ The annual audit plan demonstrates how audit work will provide assurance for the Council's Annual Governance Statement. 	Y	
3. Be seen as a catalyst for change	<ul style="list-style-type: none"> ▪ The Internal Auditor supports the Council's work in delivering improved services to the community. 	Y	
4. Add value and assist the Council in achieving its objectives	<ul style="list-style-type: none"> ▪ The Council makes positive responses to the Internal Auditor's recommendations and follows up with action where this is called for. 	Y	
5. Be forward looking	<ul style="list-style-type: none"> ▪ National agenda changes are considered in formulating the annual audit plan. ▪ The Internal Auditor maintains awareness of new developments in the services, risk management and corporate governance. 	Y Y	
6. Be challenging	<ul style="list-style-type: none"> ▪ The Internal Auditor focuses on the risks facing the Council. ▪ The Internal Auditor encourages officers and Members to develop their own responses to risks, rather than relying solely on audit recommendations. 	Y Y	

<p>7. Ensure the right resources are available</p>	<ul style="list-style-type: none"> ▪ Adequate resource is made available for the Internal Auditor to complete his work. ▪ The Internal Auditor understands the Council and the legal and corporate framework in which it operates. 	<p>Y</p> <p>Y</p>	
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Review conducted on behalf of the Council by:

Ms Jayne Minor, Parish Clerk and Responsible Financial Officer

Report considered and adopted by Members at a meeting of the Parish Council held on 23 March 2022:

Chairman of the Council

Ms Jayne Minor, Parish Clerk and Responsible Financial Officer

SWINFEN AND PACKINGTON PARISH COUNCIL

STATEMENT OF INTERNAL CONTROL AND ANNUAL REVIEW OF EFFECTIVENESS OF INTERNAL CONTROL

1. OVERVIEW

- 1.1 The Local Audit and Accountability Act 2014 imposes a duty on local councils to ensure “that the financial management of the body is adequate and effective and that the body has a sound system of internal control”.
- 1.2 Local councils are required to conduct, at least once a year, in accordance with proper practices, a review of the effectiveness of its system of internal control. The council is required to sign the Annual Governance Statement (on the Annual Return submitted to the external auditor) to evidence that this review has been undertaken.
- 1.3 In order for the Parish Council to review the effectiveness of the Internal Control System there needs to be clarity on the internal controls in place.
- 1.4 Some internal controls are listed in the Financial Regulations document but the system of controls goes beyond this. A Statement of internal Controls has been prepared and is appended to this report.

2. RECOMMENDATION

- 2.1 That the Parish Council consider the attached Statement of Internal Controls and consider whether the controls currently in place are effective.

SWINFEN AND PACKINGTON PARISH COUNCIL

STATEMENT OF INTERNAL CONTROL

Cash Book/Bank Reconciliations	<ul style="list-style-type: none"> ▪ The Cash Book is kept up-to-date and reconciled to the bank statement on a monthly basis.
Financial Regulations	<ul style="list-style-type: none"> ▪ A document listing the Parish Council's financial regulations, based on the model version prepared by NALC/SLCC, is maintained. The regulations are reviewed for continued relevance and amended where necessary by the Responsible Financial Officer (RFO) with any proposed amendments subject to approval by the Parish Council. ▪ The Financial Regulations are complemented by the approved "Duties of the Responsible Financial Officer".
Order/Tender Controls	<ul style="list-style-type: none"> ▪ The Financial Regulations list the number of estimates, quotations or full tenders that must be invited depending on the value and nature of the work. ▪ Official letters or emails are sent to suppliers for services which are not regular in nature.
Legal Powers	<ul style="list-style-type: none"> ▪ A proper legal power is identified in advance of any expenditure.
Payment Controls	<ul style="list-style-type: none"> ▪ Letters/emails ordering the work are matched to invoices. ▪ A Schedule of Payments is presented to the Parish Council for approval (such approval is recorded in the Minutes). ▪ All cheques and financial documents are signed by at least one Councillor and the Parish Clerk. ▪ Original invoices are provided to the Councillors signing the cheques. ▪ The cheque number used to settle an invoice is noted on the invoice for cross reference purposes.
The Free Resource, i.e. LGA 1972, s.137	<ul style="list-style-type: none"> ▪ A s.137 account is maintained. ▪ The proper minute authorising expenditure from s.137 is prepared on each occasion.
VAT Repayment Claims	<ul style="list-style-type: none"> ▪ The RFO ensures that all invoices are addressed to the Parish Council. ▪ The RFO ensures that proper VAT invoices are received where VAT is payable.

	<ul style="list-style-type: none"> ▪ The Finance Officer/RFO maintains a VAT account to show that the correct amount of VAT is reclaimed in the year.
Income Controls	<ul style="list-style-type: none"> ▪ The RFO ensures that the amount of Precept received is correct in accordance with the Precept request submitted to the District Council. ▪ The Finance Officer/RFO ensures that all other receipts are received when due and correctly calculated.
Financial Reporting	<ul style="list-style-type: none"> ▪ The performance to date and latest year end forecast against the agreed annual Budget are presented to the Parish Council.
Budgetary Controls	<ul style="list-style-type: none"> ▪ The budget is prepared in consultation with the Parish Council. ▪ The Precept is set on the basis of the budget by the deadline set by the District Council.
Payroll Controls	<ul style="list-style-type: none"> ▪ All staff are paid under PAYE. ▪ All staff salaries are set by the Parish Council and a minute is prepared to show the agreed salaries. ▪ Salaries are currently paid by cheque; all cheques are signed by at least one Councillor and the Parish Clerk. ▪ The RFO will ensure that all the necessary payroll returns are made to HMRC and will retain evidence that this has been done.
Asset Control	<ul style="list-style-type: none"> ▪ The Finance Officer/RFO maintains a full Asset Register. ▪ The existence and condition of assets is checked on an annual basis. ▪ The adequacy of insurance of the Parish Council's assets is considered annually in advance of the insurance renewal.

Report considered and adopted by Members at a meeting of the Parish Council held on 23 March 2022:

Chairman of the Council

Ms Jayne Minor, Parish Clerk and Responsible Financial Officer