

WHINBURGH & WESTFIELD PARISH COUNCIL

Minutes of a Meeting of Whinburgh & Westfield Parish Council on Tuesday, 20 April 2021 at 7.30 p.m. This was a Zoom on-line meeting.

Present Councillors: Tony Needham (Chairman), Nick Anema, Siân Carrell, Mark Hansell, Karen Latham, Simon Whiteley.
Julian Gibson (Clerk).

Absent: Councillor: Mike Goodrick.

- 1 **Apologies for absence.** It was **resolved** to accept the reason for absence offered by Cllr. Goodrick.
- 2 **Declarations of interest.** None.
- 3 **Dispensations.** None.
- 4 **Public Participation Session.**
 - 4.1 Breckland Cllr. Ian Martin said that his Council was now dealing with the Government Restart grants, and getting large amounts of funding out to businesses to help them get the economy going again. He said that the partnership with South Holland Council had now been terminated, but that Breckland was looking at the possibility of sharing services and personnel with another Norfolk council. Finally, he urged the Council to respond to the Government *Call for Evidence* on Virtual Meetings (see Agenda item 17).
 - 4.2 County Cllr. Ed Connolly pointed out that the Elections would take place on 6 May, and said that he had enjoyed attending Council meetings during his term.
- 5 **Minutes.** The minutes of the Meeting held on Tuesday, 16 March 2021 were **confirmed**, and **signed** by the Chairman.
- 6 **Matters arising.**
 - 6.1 [9, Minutes of 16 February 2021] **Maintaining the option of virtual meetings.** George Freeman MP has forwarded a response to his question to the MHCLG, and received a response from the Minister saying that the Government has received representation from local authorities and sector representative organisations making the case for the continuation of remote meetings beyond 7 May 2021 and saying that they are "carefully considering next steps in this area." Mr Freeman says he will "continue to follow matters closely." (See also item 13 onwards.)
 - 6.2 [6.1] **Goal post.** The Clerk has arranged for this to be added to the Council's insurance. No additional premium will be required for the current year.
- 7 **Correspondence.** The following correspondence was **received**.
 - 7.1 Breckland Council: *National Non-Domestic Rate Demand 2021/22* - Amount due: £0.00.
 - 7.2 HM Revenue & Customs: *Important information for all employers* - (regarding year-end).
 - 7.3 Barclays Bank Plc: *Your business accounts - at a glance* - Your balances on 30 March 2021.
 - 7.4 Barclays Bank Plc: *Your Active Saver Account* - 27 February - 31 March 2021
 - 7.5 Barclays Bank Plc: *Your Active Saver Account* - 27 February - 31 March 2021.
 - 7.6 Royal British Legion Industries: *VE Day 8th May 2021*.
 - 7.7 Cllr. Ian Martin: *Breckland monthly report*.
 - 7.8 Cllr. Ed Connolly: *Norfolk County Council Annual Highlights*.
- 8 **Planning.**
 - 8.1 **3PL/2021/0477/LB: Whinburgh Old Hall, Dereham Road, Whinburgh.** Maintenance and improvement work, (see schedule of works). It was **resolved** that the Council had no objections.
- 9 **Condition of B1135.** The Council considered a request from Garvestone Reymerston & Thuxton Parish Council to join their campaign to press for improvements to the state of the

B1135. It was **agreed** that the road needed a lot of maintenance doing, but the Council was concerned that too much "improvement" might lead to more heavy traffic on the road. The Clerk was asked to respond to the Garvestone Reymerton & Thuxton clerk accordingly.

- 10 **1 million trees for Norfolk.** A message from the Norfolk County Council Cabinet Member for Environment and Waste, concerning *1 million Trees for Norfolk* was **received**.
- 11 **Play and Adult exercise area fencing.** It was **agreed** that the existing fencing was in adequate condition to be retained, subject to re-proofing. Cllr. Whiteley said he would be planning beech coppice trees to infill the northern boundary of the area the following day.
- 12 **Financial Reserves Policy.** The Clerk explained that he was aware that the External Auditors had expressed their intention to apply more scrutiny to the level of reserves being held by councils, and, as the Council now has considerable reserves as a result of the Covid grants, thought that it was important that there was a formal Policy. The draft that he had submitted was **approved**. The policy should be reviewed as part of the annual budgeting process, and the amounts held in each Fund are now reported on the usual monthly financial reports.
13. **Virtual meetings.** Notice from Luke Hall MP, Minister for Regional Growth and Local Government, stating that the Government has decided not to bring forward emergency legislation to extend the regulations permitting virtual meetings from 7 May 2021 was **received**. This was on the grounds that primary legislation would be required, and there was not time in the Parliamentary program to achieve at this late stage. This is despite,
 - full-page newspaper Coronavirus adverts from the Government stating, "Every online meeting is making a difference";
 - letters being sent to people previously advised to shield, stating, "It is important that you continue to keep the number of social interactions that you have low";
 - the route-map out of lockdown saying that organised indoor meetings (and therefore the opening of village halls) will not be permitted until 17 May at the earliest;
 - Scottish local authorities having had express provision to meet remotely prior to the pandemic, and the Welsh Government having since passed legislation coming into force on 1 May and makes express indefinite provision for Welsh local authorities to meet remotely;
 - MPs being able to continue to attend the House of Commons remotely until 21 June; and
 - the Speaker of the House of Commons having announced that Select Committees are to continue meeting virtually until 17 September.
14. **Action in the High Court.** It was **noted** that Lawyers in Local Government, the Association of Democratic Services Officers, Hertfordshire County Council and others have asked the High Court to rule that, as there is nothing in current legislation that actually debars Councils from meeting virtually, no changes are required and that virtual meetings are legally permitted under existing laws. It was also **noted** that the Secretary of State for Housing, Communities and Local Government was supporting this action. The Court will hear the case on 21 April, and has agreed that the case will be fast-tracked. A decision is expected by the end of the month.
15. **Possible Rescheduling of May meeting.** It was **agreed** that, in the event that the action in the High Court was not successful, and it was deemed not to be legal to hold meetings virtually from 7 May onwards, the Annual Meeting of the Parish Council originally scheduled for 18 May would be moved to 5.30 p.m. on 4 May so it could take place virtually. However, if the action succeeds it would be held virtually on 18 May.
16. **Delegation of powers to the Clerk.** In case it is deemed not to be legal to hold meetings virtually from 7 May onwards, and bearing in mind that in those circumstances it may well be impossible on occasions to, (a) find a suitable place for the Council to meet physically, or (b) to muster a quorum at such a meeting as a result of Coronavirus concerns, it was **agreed** that power be delegated to the Clerk to take all decisions on any matter where such delegation is legally possible, after consulting members by a virtual meeting or by other means.
17. **Call for evidence on virtual meetings.** It was **agreed** that the Clerk should respond on behalf of the Council asking for Parish Councils to have the power to take this decision in relation to

all future meetings, so that this option exists, whether or not the Council at the time decides to make use of it.

18. Energy supply. It was **noted** that, after consultation with members, the Clerk had entered the Council into a 24-month fixed rate contract for electricity supply from Octopus Energy, the current supplier.

19. Play equipment inspection. It was **noted** that the Clerk had cancelled the planned inspection by Playsafety Limited in view of the imminent replacement of all the existing equipment, and will arrange for them to come when the new equipment is installed, in order to provide an independent check that all has been carried out correctly.

20. Wayleave payments. It was **noted** that that the Clerk has noticed that once again UK Power Networks had stopped paying the Council under a long-standing Wayleave Agreement because they had lost the document. It took some chasing, but eventually they have paid up, in two parts.

21. Finance.

21.1. Subscriptions. It was **resolved** that cheque number 100867 for £153.47 to the Norfolk Association of Local Councils be signed, in settlement of their invoice no. 4910 for the annual subscription for 2021/22. (*Local Government Act 1972 s.143*)

21.2. Subscriptions. It was **resolved** that cheque number 100868 for £11.25 to SLCC Enterprises, be signed being this parish's share of invoice no. BK201819 for the Clerk to attend the Virtual Regional Training Seminar - East on 21 April 2021. (*Local Government Act 1972 s. 111*)

21.3. Subscriptions. It was **noted** that on or around 26 April 2021 the Information Commissioner's Office will collect £35.00 from the Council's account by direct debit, being the new data protection fee due under the *Data Protection (Charges and Information) Regulations 2018*. (*Local Government Act 1972 s.111*)

21.4. Field & Pavilion. It was **noted** that on 30 March 2021 Everflow Water deducted £12.66 from the Council's account by Direct Debit, in settlement of their Invoice no. 905916 for water services. (*Local Government Act 1972 s. 111*)

21.5. Credits. Receipt of the following credit was **noted**:

21.5.1. Eastern Power Networks Plc - Wayleave Payment - £2.32 - 3 April 2021.

21.5.2. Breckland Council - Precept - £3,725 - 7 April 2021.

21.5.3. HM Revenue & Customs - VAT reclaimed - £1,133.73 - 9 April 2021.

21.5.4. Eastern Power Networks Plc - Wayleave Payment - £7.44 - 19 April 2021

21.6. Monthly Report. The report for the month ending 31 March 2021 was **received**.

22. Matters for consideration at next meeting.

22.1. Date for erection of Whinburgh Village Sign.

23. Next meeting. The Annual Meeting of the Parish Council was **confirmed** as **Tuesday, 4 May 2021 at 5.30 p.m. or 18 May 2021 at 7.30p.m.** (see Agenda item 15 above) via **Zoom video link**.

Confirmed:

signature)

....., Chairman

...4... May 2021