

Porlock Parish Council

Notes from meeting held on 14th December 2022 at 7.30pm

In attendance: Councillors Marc Mariner, Duncan McCanlis, Sue McCanlis and David Thornton

Also in attendance: Amy Tregellas, Governance Manager and Monitoring Officer, Somerset West and Taunton Council

Approximately 30 members of the public

(The meeting commenced at 7.30pm)

Statement from the Monitoring Officer, Somerset West and Taunton Council

Welcome to this evenings meeting of Porlock Parish Council.

I'm Amy Tregellas, Governance Manager & Monitoring Officer from SWT Council. As Porlock Parish Council doesn't currently have a Chair, I am opening the meeting.

Before we move to the election of the Chair, I will just say a few words about the Council's current position.

The last Town and Parish Council elections took place in May 2022. 15 people stood for 12 seats on the Council, so the election was contested on 5th May 2022.

At the end of September 2022, 7 out of the 12 Councillors resigned from the Council. As per the correct legal process, a notice of casual vacancy was published for 14 days.

10 or more electors wrote to SWT asking that an election be held.

The notice of election was published on 7th November 2022 with the closing date for nominations being 18th November 2022. Only 5 sets of nomination papers were received and therefore the election was uncontested. All 5 Councillors have signed their Declaration of Acceptance of Office form and had them witnessed by an appropriate person.

This leaves two remaining seats that can be co-opted by the Council.

On 29th November 2022, the remaining 5 Councillors resigned from Porlock Parish Council. This included the Chair of the Council.

The notice of casual vacancy has been published and electors have until Thursday 22nd December 2022 to write to SWT to call for an election.

I can confirm that to date enough letters have been received to trigger an election. Nominations will open in early January 2023 and if more than 5 nominations are received, the election will be contested.

The Council is also without a Clerk. The new Councillors will be dealing with recruitment matters as soon as possible but in the interim period, one of the Councillors will fill that role. This will be unpaid and on a temporary basis only until the new Clerk has been recruited and is in post.

As all 12 Councillors elected in May have resigned, the roles of Chair and Vice-Chair of the Council and Chairs of the Committees will be elected/appointed this evening. These appointments will be until the Annual Meeting of the Council in May 2023.

Can I have nominations for the Chair of the Council please?

1. Election of Chair of Porlock Parish Council

The Council **RESOLVED** that Councillor Duncan McCanlis be elected Chair of the Council for the remainder of the municipal year.

Councillor McCanlis made and signed the declaration of acceptance of office.

(proposed by Cllr M Mariner, seconded by Cllr D Thornton)

2. Election of Vice-Chair of Porlock Parish Council

The Council **RESOLVED** that Councillor Marc Mariner be elected Vice-Chair of the Council for the remainder of the municipal year.

Councillor Mariner made and signed the declaration of acceptance of office.

(proposed by Cllr D McCanlis, seconded by Cllr S McCanlis)

3. To minute signing the Declarations of Acceptance of office of Councillors elected 18th November 2022.

The Council **RESOLVED** to note that the Declaration of Acceptance forms for all Councillors had been completed and witnessed by the appropriate person.

(proposed by the Chair, Cllr D McCanlis)

4. Apologies for absence

Apologies were received from Councillor Lesley Thornton, who was unable to attend due to a personal matter.

Apologies were also received from Cllr Andy Milne (Somerset West and Taunton Council Ward Member) and Councillors Frances Nicholson and Steven Pugsley (Somerset County Council).

5. To elect Chairs and Members for the following Committees: Finance, HR & Staffing and Planning

The Council **RESOLVED** that Cllr L Thornton be elected as the Chair of the Finance Committee.

(proposed by Cllr S McCanlis, seconded by Cllr D McCanlis)

The Council **RESOLVED** that Cllr S McCanlis be elected as the Chair of the HR & Staffing Committee.

(proposed by Cllr M Mariner, seconded by Cllr D Thornton)

The Council **RESOLVED** that Cllr D Thornton be elected as the Chair of the Planning Committee.

(proposed by Cllr M Mariner, seconded by Cllr D McCanlis)

The Council **RESOLVED** that the following Councillors would sit on the following Committees, until the end of the Municipal Year:

Committee	Councillors
Finance	Cllr Lesley Thornton (Chair) Cllr Duncan McCanlis (ex-officio) Cllr Marc Mariner (ex-officio) Cllr David Thornton
HR & Staffing	Cllr Sue McCanlis (Chair) Cllr Lesley Thornton Cllr Duncan McCanlis (ex-officio) Cllr Marc Mariner (ex-officio)
Planning	Cllr David Thornton (Chair) Cllr Sue McCanlis Cllr Duncan McCanlis (ex-officio) Cllr Marc Mariner (ex-officio)

6. To approve a temporary, voluntary Clerk

Following on from the earlier statement made by the Monitoring Officer, Councillors clarified that the appointed Councillor would carry out the Clerks role on a temporary, voluntary basis only, and that Annie Dallaway would continue as the Locum Responsible Financial Officer.

The Council **RESOLVED** that Cllr Lesley Thornton be appointed as the temporary, voluntary clerk on an interim basis only, until a permanent postholder has been appointed.

(proposed by Councillor D McCanlis, seconded by Councillor M Mariner)

- 7. To received an update regarding casual vacancies, following the resignations of Councillors Wood, Ware, McCoy, Fraser and Gable, and to accept their resignations.**

Following on from the earlier statement made by the Monitoring Officer, it was clarified that there are currently two vacancies on the Council where co-option can take place.

The Council **RESOLVED** to accept the resignations from Councillors Wood, Ware, McCoy, Fraser and Gable.

(Proposed by the Chair, Councillor D McCanlis)

- 8. To Co-opt up to two Councillors from the applications received by the deadline of 5pm on Monday 12th December 2022**

The Chair, Cllr D McCanlis notified the Council that no applications had been received and that, therefore the two vacancies remain unfilled at this time.

- 9. Declarations of Interest and Disclosable Pecuniary Interest Dispensations**

No declarations of interest were made

10. Public Participation

The Chair, Councillor D McCanlis invited members of the public to speak, reminding them that they had up to three minutes each to speak.

There were four public speakers.

Mrs Terry Gable read out the following statement:

'For the record I am Mrs Terry Gable, and I also feel privileged to have been an ex parish councillor of many years standing, having been re-elected by my peers on the 5th May 2022. I wish to particularly ask Councillors Lesley Thornton and Duncan McCanlis why they are occupying those parish council seats this evening? As I recall, one of the prerequisites of being a Porlock Parish Councillor is to be an integral member of the community and a person that Porlock residents feel they can trust. At the last free elections, neither of you were re-elected, in fact Mr McCanlis you in particular had very few votes. What I would like to know is how stepping into the recent vacant co-opting positions without any mandate from the village makes you feel that you are entitled to this position? You knew that controversy, division and incredulous disbelief by the community would follow your actions so as you are not going to be representing the wishes of the majority of the community, who do you feel you are representing? Because, I for one, feel very pessimistic about the future of this council and regret the upset you have caused amongst our community by your pre-meditated actions.'

Councillor D McCanlis confirmed that an election had been called by local people but as only the five Councillors had put themselves forward it was an uncontested election rather than them being co-opted.

Mr Lee Bloys, an ex councillor confirmed that he had comments to make to Councillor Lesley Thornton but it would be inappropriate to make them at this time due to her absence.

Mr Nigel Alcraft spoke, commenting that he had been asked to be on Porlock Parish Council several times but had refused as he liked to be on the public side of the house. He also commented that if he witnesses any private agendas he will pull the Councillors and/or Council up on it.

Ms Deborah Stanyon spoke in relation to an recent press article which suggested 'possible financial irregularities'. Ms Stanyon asked if the financial irregularities have been investigated by the Responsible Financial Officer. If yes, what actions are being taken by the Council to address the issues? If no, what will the Council do to investigation the irregularities?

Councillor D McCanlis confirmed that a report from the Responsible Financial Officer (RFO) was on the agenda tonight and was publicly available on the website. He commented that he was confident that there was no fraud involved but that there were doubts about the way items had been recorded. This will be followed up as per the RFO report and the external auditors report would also be chased up.

Ms Stanyon asked again if the RFO has looked into the alleged 'financial irregularities' and whether they have been investigated.

The question was also asked as to how the finances have got into this state.

The Monitoring Officer commented that having been a Town Clerk previously, she would expect the Council's arrangements to include:

- regular reporting to the Finance Committee on income and expenditure, monthly budget monitoring, monthly bank reconciliation, etc
- The report from both the Internal Auditors and External Auditors should go before Full Council as part of the Annual Governance and Accountability Returns (AGAR).
- Where there are recommendations from the Auditors, these should be put into an action plan and be taken regularly to the Finance Committee and/or Full Council to give progress updates and to ensure that the recommendations are actioned.

11. To receive reports from Somerset County Council (SCC) and Somerset West and Taunton Council (SWT) Councillors

The Chair confirmed that apologies had been received from Councillors Andy Milne (SWT), Steven Pugsley (SCC) and Frances Nicholson (SCC).

12. To approve the minutes for the Full Council meeting held on the 9th November 2022

The Chair confirmed that none of the Councillors had been Councillors at the time of the meeting on 9th November 2022, and that therefore they were unable to approve the minutes of the meeting. Instead they would note the minutes and they would remain as draft on the website.

The Council **RESOLVED** to note the minutes of the Full Council meeting held on the 9th November 2022.

(proposed by the Chair, Councillor D McCanlis)

13. Finance

The Chair confirmed that the Council would take each of the 13 points listed on the agenda separately.

- i. To approve the Minutes for the Finance Committee Meeting of the 24th November 2022

The Chair confirmed that none of the Councillors were members of the Finance Committee on 24th November so, again the minutes would be noted rather than approved.

The Council **RESOLVED** to note the minutes of the Finance Committee meeting on the 24th November 2022.

(proposed by the Chair, Councillor D McCanlis)

- ii. To approve the recommendations from the Finance Committee Meeting of the 24th November 2022:
 - a. To review and approve the Finance Committees response to the Locum RFO's Financial Review Report dated 26th October, 2022.
 - i. Accept the recommendations therein.

The Council **RESOLVED** to approve the recommendations set out in the Locum RFO's Financial Review Report dated 26th October 2022.

(proposed by Councillor Mariner, seconded by Councillor D Thornton)

- ii. Accept the Finance Committee response thereto.

The Council **RESOLVED** that it would not accept the response of the Finance Committee and that the new Finance Committee would be asked to draft a response to the RFO's report

(proposed by the Chair, Councillor D McCanlis)

- b. To redact staff salary payments on the monthly Payments Schedule.

- c. To allocate up to £50 for the installation of the new OSC sign.
- d. To approve all PPC employees to receive NMW rates backdated to 1 April 22 as necessary.
- e. To approve all PPC employees to be paid in line with new NMW rates from 1 April 23.
- f. To approve all PPC employees appointed on NJC pay scales to be paid at the correct rates
(including pension & NI contributions) backdated to 1 April 21 as appropriate.

The Council **RESOLVED** to approve recommendations b to f

(proposed Councillor D Thornton, seconded Councillor S McCanlis)

- iii. To approve and sign the Bank Reconciliation to end November 2022.

The Council **RESOLVED** that the Finance Committee review and approve the Bank Reconciliation to the end of November 2022.

(proposed by the Chair, Councillor D McCanlis)

- iv. To receive the detailed Receipts & Payments to end November 2022

The Council **RESOLVED** to receive the receipts and payments to the end of November 2022.

(proposed by the Chair, Councillor D McCanlis)

- v. To approve Locum RFO's hours for November 2022 and Final Payments Schedule for December 2022

The Council **RESOLVED** to approve the Locum RFO's hours for November 2022 and final payments schedule for December 2022.

(proposed by Councillor D McCanlis, seconded by Councillor S McCanlis)

- vi. To approve application for Unity credit card

The Council **RESOLVED** to approve the application for Unity credit card

(proposed Councillor Mariner, seconded Councillor D Thornton)

- vii. To receive an update on transferring allotment account to Unity

The Chair updated that the RFO had looked into transferring the allotment account to Unity but that the costs were too high. Therefore the RFO has advised the Council to keep the allotment account with Natwest.

The Council **RESOLVED** that the allotment account will continue with Natwest and that bank balances will be presented to the next meeting of the Finance Committee.

(proposed by Councillor S McCanlis, seconded by Councillor Mariner)

- viii. To approve expenditure not exceeding £250 to provide winter colour in PPC floral displays

The Council **RESOLVED** to approve the expenditure for floral displays

(proposed by Councillor S McCanlis, seconded by Councillor D Thornton)

- ix. To approve expenditure to date for Late Night Shopping

The Chair confirmed that the latest position was that not all costs had been received yet. Therefore the expenditure would not exceed the grant of £1,350 approved by the previous Council.

The Council **RESOLVED** to approve expenditure for Late Night Shopping, not exceeding the grant of £1,350.

(proposed by Councillor S McCanlis, seconded by Councillor D Thornton)

- x. To receive an update on the External Audit for 2021/22

The Chair confirmed that the Annual Governance and Accountability Return (AGAR) had been completed and subject to review by the Internal Auditor before going to PKF Littlejohn, the External Auditor for Town and Parish Councils. This year there were a number of challenges to the AGAR and the Council is still waiting for the report from PKF Littlejohn.

- xi. To receive an update on the draft Budget/Precept setting and grant applications

The Chair advised that the RFO had confirmed that the Council is not in a position to consider the budget and grants at this meeting.

The Council **RESOLVED** to defer the item on the budget and grants to the Full Council meeting in January 2023.

(proposed Councillor D McCanlis, seconded by Councillor Mariner)

- xii. To receive an update on the Asset Register

The Council **RESOLVED** that the Asset Register would go to the next meeting of the Finance Committee and then Full Council.

(proposed by the Chair, Councillor D McCanlis)

xiii. To approve change of bank mandate signatories for Unity Bank

The Council **RESOLVED** that all five Councillors are bank mandate signatories for Unity Bank

(proposed by Councillor D McCanlis, seconded by Councillor S McCanlis)

14. To review the draft Annual Cycle from the Locum RFO and approve the introduction of an Annual Cycle of Council Business

The Chair confirmed that the RFO is still working on this and it will be brought forward to the January 2023 meeting

The Council **RESOLVED** to defer the Annual Cycle of Council business to the Full Council meeting in January 2023.

(proposed by the Chair, Councillor D McCanlis)

15. To review and approve the Clerk and RFO job descriptions and approve the recruitment of a separate Clerk and RFO

The Chair confirmed that at the last meeting of the Finance Committee it was agreed to split the Clerk and RFO into two roles. The job descriptions now need to be written to proceed with the recruitment process.

The Council **RESOLVED** to approve the recruitment of a separate Clerk and Responsible Financial Officer, and that the Job Descriptions for both roles are referred to the HR & Staffing Committee

(proposed by Councillor D McCanlis, seconded by Councillor S McCanlis)

16. To receive correspondence

Cllr D Thornton confirmed that two pieces of correspondence had been received.

The first was from Watchet asking the Council to support a complaint to Somerset West and Taunton Council with respect to car parks and the use of the app to get a ticket when the signal coverage is poor in the local area.

The Council **RESOLVED** to support the request from Watchet and to write to Mr Stuart Noyce at SWT (Cllr S McCanlis offered to draft a letter)

(proposed by the Chair, Councillor D McCanlis)

The second piece of correspondence was from Mr Peter ^{Whitby} ~~Whit?~~ who was concerned about roots spreading at the graveyard near to his daughters grave. The Chair confirmed that former Councillor Malcolm McCoy would be the best person to speak to, and Councillor D Thornton agreed to take this forward.

17. To receive reports from outside bodies

Coastal Communities: No update provided

Doverly Manor: normally have a Parish Council representative. The Chair asked outside bodies to give the Council time to get more Councillors before they agree who will be on which outside body

Highways: To be raised with Frances Nicholson that the roads in the village are in a terrible state with holes all over the road

Porlock Library: No update provided

Porlock Vale Tourist Association: No update provided

Porlock Weir: No update provided. Again, this is on the list of outside bodies

3 PPC CLM on the Committee

Recreation Ground: Need to appoint three Councillors. There are questions being asked in the village as to where the money is being spent. The Chair asked for this to be added to the agenda for the February/March 2023 Full Council meeting when more Councillors were in place.

St Dubricius First School: No update provided

Village Hall: No update provided. Again, this is on the list of outside bodies

At the end of the meeting the Chair confirmed that Councillors will be available an hour before the meeting starts so that people can come along and talk to them about anything.

Meeting closed: 8.46pm

*Signed by the Chair,
Duncan M. Carlis
at the FC meeting 11/1/23*


11/01/2023