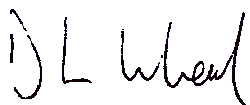


**Members of the Parish Council are summoned to attend a meeting to be held at the
Bishopstoke Memorial Hall, Riverside, Bishopstoke on Tuesday 24 March 2020 at 7.30pm
This Meeting is Open to the Public (7.30pm – Question Time)**

AGENDA

1. Apologies for Absence
2. To adopt and sign Minutes of the Parish Council meeting held on 28 January 2020
3. To consider Matters Arising from the above Minutes not covered elsewhere in the agenda
4. Declarations of Interest and Requests for Dispensations
5. To adopt the Emergency Delegation Policy
6. To adopt the General Power of Competence
7. To receive reports from County, Borough and Parish Councillors on matters of interest
8. To receive the Clerk's Monthly Report
9. To consider content for the March 2020 Press Release
10. Date, time and place for next meeting



*D L Wheal
Clerk to Bishopstoke Parish Council
18th March 2020*

**Minutes of a Meeting of the Bishopstoke Parish Council
held in the Parish Office, Riverside, Bishopstoke
commencing at 7.33pm on 25 February 2020**

Present: Councillor Sue Toher (Chair)
Councillor Geoff Harris (Vice Chair)
Councillor Peter Brown
Councillor Andrew Daly
Councillor Anne Dean
Councillor Chris Greenwood
Councillor Trevor Mignot (from item 150)
Councillor Andy Moore
Councillor Mike Thornton
Councillor Gin Tidridge

In Attendance: Mrs Sophie Thorogood (RFO to Bishopstoke Parish Council)

Public Session 0 members of the public were present.

FULL_1920_M09/

Public Session

144 Apologies for Absence

144.1 Apologies had been received and accepted from Cllr Francis, Cllr Parker-Jones, Cllr Roling and Cllr Winstanley.

145 Councillors' Questions

145.1 Cllr Tidridge asked if it would be possible to arrange a session for residents considering applying to become a Parish Councillor in the May elections. And also, whether it would be possible to include a section in the next newsletter to encourage not only potential new Parish Councillor candidates, but also to encourage participation in the elections themselves. Cllr Toher advised discussions would be held with the Clerk to see what was feasible.

Action: Clerk

145.2 Linked to Cllr's Tidridge's question about upcoming Parish elections, Cllr Daly asked whether it would be possible to place a sign advertising the disabled entrance at the junction of Portal Road to Spring Lane.

Action: Clerk

145.3 Cllr Moore commented on the number of potholes in the village. Cllr Toher asked for this to be discussed further in the meeting.

146 To adopt and sign Minutes of the Parish Council meeting held on 28 January 2020

146.1 The minutes of the above meeting had been circulated prior to this meeting.

146.2 Proposed Cllr Greenwood, Seconded Cllr Harris, **RESOLVED** unanimously that the minutes of the Parish Council meeting held on 28 January 2020 be adopted as a true record.

146.3 Cllr Tidridge asked for clarification on item 138.2 whether it was unanimous, or whether she had abstained.

Action: Clerk

147 To consider Matters Arising from the above Minutes

147.1 The Clerk reports that The CCTV notes are not yet fully transcribed. When they are they will be added to the minutes and of course, made available to the new Council as requested.

There were no further actions for the Clerk

Action: Clerk

148 Declarations of Interest and Requests for Dispensations

148.1 No declarations or requests made.

149 Report on Planning Committee Meetings of 28 January 2020 – to note Resolutions and to determine Recommendations

149.1 The Planning Committee Minutes from 28 January 2020 had been circulated prior to this meeting.

149.2 Proposed Cllr Brown, Seconded Cllr Greenwood, **RESOLVED** unanimously to note the resolutions of the Planning Committee meetings held on 28 January 2020.

150 Report on Finance and General Purposes Committee Meeting of 11 February 2020 – to note Resolutions and to determine Recommendations

150.1 The Finance and General Purposes Committee Minutes from 11 February 2020 had been circulated prior to this meeting.

150.2 Proposed Cllr Tidridge, Seconded Cllr Dean, **RESOLVED** unanimously that the resolutions of the Finance and General Purposes Committee meeting held on 11 February 2020 be noted.

150.3 Cllr Thornton declared an interest in the grant to the Street Pastors. Proposed Cllr Toher, Seconded Cllr Harris, **RESOLVED** unanimously that the Council increase the grant to £700 to the Street Pastors.

150.4 Cllr Toher suggested that the Council writes to Ascension Trust, the organisation behind the Street Pastors, to explain that by increasing the annual membership fees, leading to each Street Pastor section struggling to meet the running costs and applying for grants. Eventually it could lead to the various Street Pastors around Eastleigh Borough merging and overall reducing the combined membership fees Ascension Trust receive.

150.5 Cllr Toher declared an interest in the war memorial. Proposed Cllr Tidridge, Seconded Cllr Moore, **RESOLVED** unanimously that the central war memorial plaque is replaced, bringing the

Initial: _____ Date: _____

wording to the same height as the adjacent plaques, and replacing the phrase “all other Bishopstoke men and women” with “all from Bishopstoke”.

151 Report on Buildings Committee Meeting of 18 February 2020 – to note Resolutions and to determine Recommendations

151.1 The Buildings Committee Minutes from 18 February 2020 had been circulated prior to this meeting.

151.1 Proposed Cllr Dean, Seconded Cllr Greenwood, **RESOLVED** unanimously that the resolutions of the Buildings Committee meeting held on 18 February 2020 be noted.

152 To receive reports from Working Groups and other bodies

152.1 It was noted that the Neighbourhood Plan Working Group will be meeting on 27 February 2020.

152.2 No other reports were received.

153 To receive the RFO's Report and approve the February 2020 Statement of Accounts

153.1 The RFO reported nothing further to add to the Statement of Accounts.

153.2 Proposed Cllr Toher, Seconded Cllr Moore, **RESOLVED** unanimously to receive the RFO's report and approve the February 2020 Statement of Accounts.

154 To receive reports from County, Borough and Parish Councillors on matters of interest

154.1 Cllr Brown gave an update on the works to remove asbestos in Bishopstoke Community Association.

154.2 Cllr Greenwood expressed concerns at the length of time it had taken to repair the damaged drain cover outside Stokewood Surgery.

154.3 Cllr Harris reported that he attended the Airport Consultative Committee meeting and a ceremony was held to mark the contribution of Godfrey Olson. Another 30 day consultation period for the airport extension would begin in June 2020. Cllr Harris also attend the BIFFOH meeting and reported that the Parish Council are not being kept up to date.

154.4 Cllr Moore reported that he has received complaints about the number of potholes in the village, and expressions of concern of the money being spent on the cycle way improvements along Bishopstoke Road.

154.5 Cllr Daly suggested whether the potholes could be dated so that the length of time to repair them could be monitored.

154.5 Cllr Thornton reported that he had attended an Eastleigh and Romsey area Mencap meeting and a production of Honk at Wyvern College. Cllr Thornton has been lobbying Hampshire Highways about the number of potholes in the village; there are 12 alone in Underwood Road.

154.6 Cllr Tidridge reported that she had attended the LAC meeting where the main matter was the proposed TRO for Church Road. Cllr Tidridge had also attended a team meeting where the next batch of proposed TROs were discussed – the Underwood Road section was discussed during the Planning Committee earlier in the evening. Studies are outstanding for the next section of TROs to be placed at the top of Church Road – Stoke Park Road to Bishopstoke Lane, Bracken Crescent to Fox Close. Cllr

Initial: _____ Date: _____

Tidridge reported that new bins will be placed in Mitre Copse, underpass on Fair Oak Road, Sewall Drive/Edward Avenue. Cllr Tidridge had attended 2 meetings of the Policy and Scrutiny Panel where a rise in crime was discussed. BIFFOH are asking ELAC to improve signage on train bridge for cyclists. Finally, Cllr Tidridge had attended Full Council where the 2020-21 budget was passed.

154.7 Cllr Toher spoke at the LAC and attended the final meeting of the BMH Management Committee.

155 To receive the Clerk's Monthly Report

155.1 The Clerk reports that the Parish Office roof has now been fixed at a very reasonable cost. A large branch had come off one of the trees along the path through from the office to Portal Road and that has been dealt with by Green Smile.

155.2 Interviewing for the Cemeteries Officer and Admin Assistant post has gone well with all candidates appearing suitable for the role. The position has been offered and the new employee is expected to start in the second week of March.

155.3 The Clerk has recently received a few more requests for bin calendars. In contrast to earlier requests, these latest ones have simply phoned up and demanded a copy of their calendar be posted to them.

156 To consider content for the February 2020 Press Release

156.1 It was agreed that the press release would include: the grant for the Street Pastors; the replacement of the War Memorial plaque; to advertise a session for potential candidates for Parish Councillors; and to advertise the change in ownership of the BMH with new contact details.

Action: Clerk

157 Date, time, place and agenda items for next meeting

157.1 The next meeting will be on Tuesday 24 March 2020, at 7:30pm in the Parish Office.

157.2 Agenda items for the meeting to the Clerk by Monday 16 March 2020 please.

There being no further business, the Chair closed the meeting at 8.33pm

Chair's Signature: _____ Date: _____

Clerk's Signature: _____ Date: _____



Full Council – 24 March 2020

Emergency Delegation Notes

Parish Council matters that are time limited and are the duty of the Council to decide:

To hold an Annual Meeting in May, at which the Chair, and Vice Chair, are elected.

To hold a Parish Assembly between 1st March and 1st June.

To approve the annual accounts (before mid-June).

To complete the Annual Governance Statement (before mid-June)

To complete the Accounting Statements (before mid-June)

To consider the Internal Auditor report and the Parish Council response (before mid-June)

Review rents and charges (October for us, to feed into the budget)

Approve the budget (January)

Set the Precept (January)

It is anticipated that government will bring forward legislation to cover the Annual Meeting, the Parish Assembly and audit procedures. The remaining items – rents, charges, the budget and the precept, should come late enough in the year that we may well be back in the normal cycle of meetings by then.

All other Parish Council functions, duties, powers and services etc are either already delegated to Officers or can be delegated to Officers.

The recommendation of the National Association of Local Councils is that Councils consider delegating those functions that are not currently in the remit of the Clerk and other Officers to a group consisting of the Chair, Vice Chair and Clerk. This advice is echoed by the Lawyers in Local Government and the Association of Democratic Services Officers. It is anticipated that, where appropriate, some decisions could be based on timely responses from Council / Committee members, whereas others would simply be taken by the appointed group that would be permitted to come to decisions on behalf of the Council, without having to meet either in person or in public.

These powers, if granted, would be limited to the period in which normal Council meetings could not take place, and would end once Council business resumed.

Whilst this policy has been created in response to the current coronavirus outbreak, it would be entirely possible for Council business to be interrupted for other reasons and so it is recommended that this policy be available for use in those circumstances too.

BISHOPSTOKE PARISH COUNCIL

EMERGENCY DELEGATIONS POLICY

**This Policy was adopted
by the Parish Council at its meeting on dd mmmm yyyy**

**D Wheal
Clerk to Bishopstoke Parish Council**

BISHOPSTOKE PARISH COUNCIL
EMERGENCY DELEGATIONS POLICY
Amendment Sheet

Amendment No.	Date Incorporated	Subject
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DRAFT

EMERGENCY DELEGATIONS POLICY

1 Introduction

- 1.1 The following pages set out the manner in which Bishopstoke Parish Council delegates its powers in the event that the normal Council timetable of meetings is disrupted and cannot be followed.
- 1.2 There are certain specific duties and obligations which are set in legislation as the responsibility of the Council and cannot be delegated. These duties are set out in Section 2 and can only be altered by legislation. There are other duties and obligations that are already delegated to the Clerk or other Officers, and they are detailed in Bishopstoke Parish Council's Delegations Policy. The remaining duties and obligations are usually either delegated to the various Committees and Working Groups of the Council, or routinely dealt with by the Full Council itself. It is those duties and obligations which are dealt with by this Policy.
- 1.3 The intention of the Emergency Delegations Policy is to enable the Council to continue to act when the normal methods by which certain Council decisions are taken is no longer possible.
- 1.4 Wherever the Clerk is referred to in this document it shall be understood that the Assistant Clerks can deputise for the Clerk both in the absence of the Clerk and to enable the efficient and effective running of the Parish Council. Where the Chair or Vice Chair are referred to, it shall be understood that in the event either is unable to fulfil the duties laid out in this Policy then the Council may nominate another member to take their place.
- 1.5 Where appropriate, Council and Committee members will be asked to contribute to discussions and decisions taken under this policy. Where that is not practical, all decisions taken under this policy will be communicated to Councillors as soon as is practical. The decisions of the Council will continue to be made public in the form of minutes, notes, announcements or whatever method is deemed appropriate.

2 Duties And Obligations Not Covered By This Policy

- 2.1 The following are powers that remain reserved to Full Council unless legislation dictates otherwise AND that occur at certain specific times of year:
 - 2.1.1 Setting the precept and approval of the Council's budget;
 - 2.1.2 Approval of the Annual Accounts;
 - 2.1.3 Completion of the Annual Return including the Governance Statement;
 - 2.1.4 Consideration of an Auditor's report made in the public interest (within one month of receipt);
 - 2.1.5 To order, regulate and generally supervise the Council's finances within the general financial policy of the Council which shall be expressed in the annual budget.
- 2.2 The Council is legally required to hold an Annual Meeting in May, at which the Chair and Vice Chair are elected, unless legislation is brought forward to alter this.

- 2.3** The Council is legally required to hold a Parish Assembly at some point from 1st March to 1st June. This also can only be amended by legislation.
- 2.4** The following are powers that remain reserved to Full Council but are not time limited in any way:
- 2.4.1** The making, amending or revoking of Standing Orders and Financial Regulations;
 - 2.4.2** Adoption or revision of the Council's Code of Conduct;
 - 2.4.3** Confirmation (by resolution) that the Council has satisfied the statutory criteria to exercise the General Power of Competence (once confirmed this is then renewed at the Annual Meeting);
 - 2.4.4** Determination and review of the Bank Mandate;
 - 2.4.5** Matters of principle or policy;
 - 2.4.6** Nomination or appointment of representatives of the Council to outside bodies (except approved conferences or meetings);
 - 2.4.7** Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Parish, excluding those matters specific to a committee;
 - 2.4.8** The making, amending or revoking of byelaws;
 - 2.4.9** Agreement to write off bad debts;
 - 2.4.10** Approval by resolution, before payment, of any grant or single commitment in excess of £5,000;
 - 2.4.11** Authorisation as to the terms and purpose for any application for Borrowing Approval and subsequent arrangements for the loan;
 - 2.4.12** Approval of any financial arrangement which does not require formal borrowing approval from the Secretary of State (e.g. hire purchase or leasing of tangible assets);
 - 2.4.13** Approval of purchase, acquisition by other means, sale, lease or disposal of tangible moveable property over £1,000;
 - 2.4.14** Approval of purchase, acquisition by other means, lease, sale or disposal of real property (interests in land);
 - 2.4.15** Approval of the virement of unspent and available amounts to other budget headings or reserves;
 - 2.4.16** Approval of changes in earmarked reserves as part of the budgetary process;
 - 2.4.17** The dismissal of Officers;
 - 2.4.18** The overall review of rents and charges.

3 Emergency Arrangements

- 3.1** The Emergency Delegations Policy will come into effect automatically if the Parish Council is unable to fulfil its regular timetable of meetings for a period of more than one month, or by resolution of the Council.
- 3.2** This Policy covers all Council business not listed in Section 2 and not already delegated to the Clerk and other Officers as detailed in the Delegations Policy.
- 3.3** All decisions covered by this Policy will be delegated to an Emergency Group consisting of the Chair, Vice Chair and Clerk. This group will not be required to meet in public, or in person, but will be permitted to come to decisions via email, phone or other remote communication methods.
- 3.4** The advice of the Clerk will hold the same weight as in ordinary Council meetings. The presence of the Chair and Vice Chair allows alternate decisions to be taken if thought appropriate.
- 3.5** Where a decision would normally be taken at a Council meeting, and where practical, Council members will be asked for their opinions regarding that decision. Those opinions will be taken into account by the deciding group provided that they are received in a timely fashion.
- 3.6** As in 3.5 above, where a decision would normally fall to a particular Committee or Working Group, the members of that Committee or Working Group will be asked for their opinions.
- 3.7** The Clerk will keep a record of the decisions taken by the Emergency Group, which will be circulated to all Councillors as soon as is practical. This record will be kept in the minutes book and will be published on the Council website.
- 3.8** Once the Council is able to resume a normal timetable of meetings then the delegations authorised by this Policy will cease. A report on the decisions taken during the operation of this Policy will be presented at the first Council meeting following the resumption of the normal Parish Council timetable.

REPORT TO BISHOPSTOKE PARISH COUNCIL

24th March 2020

Agenda Item:

Report Subject: General Power of Competence
Report Author: The Clerk
Executive Summary: This report explains the background of the General Power of Competence, its uses and limitations, and the qualifying criteria that apply.
Recommendations: The Parish Council is recommended to: <ol style="list-style-type: none"> 1) Resolve that it confirms the eligibility criteria for the General Power of Competence as set out in the Localism Act 2011 2) Adopt the General Power of Competence
Notes: <p>Background</p> <p>Town Councils are corporate bodies and traditionally have only been able to carry out their roles, duties and functions through legislative powers accumulated since 1894. These powers were always constrained to specific and appropriate legislation.</p> <p>Recognising the potential limiting effect this might have on local Councils, the Localism Act 2011 provided local councils with a general power of competence, a new power with wide ranging possibilities. The general power of competence was brought into force by SI (1) 961, The Localism Act 2011 (Consequential Amendments) Order</p> <p>What does the power allow Councils to do?</p> <p>The General Power of Competence enables eligible local council to take an enhanced role and allows them to do things they had previously been unable to do. It is designed to give local authorities greater freedom to carry out the functions that are required locally. It gives eligible local councils, “the power to do anything that individuals generally may do” as long as they do not break other laws. It is intended to be a power of first, not last, resort.</p> <p>The Council has to ask itself if an individual is allowed to do it, if the answer is yes then a council is normally permitted to act in the same way.</p> <p>Risks and Restrictions limiting the General Power of Competence</p> <p>Existing duties remain in place, such as having regard to the likely effect on crime and disorder, biodiversity and the duty to consider the provision of allotments.</p>

Existing financial and procedural duties remain in place for regulating governance for example - no delegation to a single councillor.

Councils must continue to comply with relevant existing legislation - employment law, Health and Safety legislation, equality legislation and duties related to data protection and freedom of information.

If another authority has a statutory duty to provide a service (e.g. education) it remains their duty to provide it but the Town Council may assist. The Council needs to ask itself whether an individual, private company or community trust could help, if the answer is yes, then the Council can assist. An appropriate delivery body may need to be set up to do so.

If the action the Council wishes to take is also covered by a specific power then any restrictions that apply to the overlapping power remain in place. So, if existing legislation requires the Council to seek permission before acting, then it must do so. For example, the council asks permission of the Highways Authority before doing work on roadside verges.

How does the General Power of Competence relate to S137 expenditure?

Monies that can be spent under Sec 137, Local Government Act 1972 are limited and have to be budgeted for separately, they are restricted in that they cannot be used to give money to individuals and expenditure must be commensurate with the benefit. A council that is eligible to use the General Power of Competence can no longer use Sec 137 as a power for taking action for the benefit of the area or its community except Sec 137 (3) which permits the council to contribute to UK charities, public sector funds and public appeals remains in place.

How to become eligible to use the Power of General Competence

The conditions for eligibility are set out in the Statutory Instrument, Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012.

For a local council to become eligible it must confirm at a full council meeting (or at the Annual Council Meeting after an election) that:

- the Clerk is qualified to one of the two sector-specific qualifications and has upgraded those qualifications to cover the General Power of Competence and
- two-thirds of the Council has stood for election

The Council meets both of these criteria.

Reasons for the Decision:

This will give the Parish Council greater freedom to carry out its functions, and leave it better placed to enhance the lives of its residents.

Background Papers:

Local Council Charter Toolkit
Web links provided in notes