



# LYMPSTONE PARISH COUNCIL

Clerk to the Council: A J Le Riche, DMS,

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14<sup>th</sup> September 2015

To All Members of the Parish Council

You are summoned to attend a meeting of Lympstone Parish Council, to be held **7.30pm or at the conclusion of the Planning Committee, whichever is the later**, on **Monday 21<sup>st</sup> September 2015** in the Village Hall. The business to be transacted is set out below. Members of the Public are cordially invited to attend and to speak in the open session.

A J Le Riche, Clerk to the Parish Council

## AGENDA

<b>1</b>	<b>Public Session</b> Mrs Carter will report on the Exe Estuary Trail	<b>7.30</b>
<b>2</b>	<b>Apologies</b>	<b>7.45</b>
<b>3</b>	<b>To receive any Declarations of Interest</b>	<b>7.45</b>
<b>4</b>	<b>Minutes</b> – To confirm the minutes of the meeting held on 7 <sup>th</sup> September 2015	<b>7.50</b>
<b>5</b>	<b>Report of the Footpath Warden, Jenny Moon</b> attached.	<b>7.55</b>
<b>6</b>	<b>Village Website</b> Liz Griffiths will talk about website advertising. Cllr Ms Everett will report on other website matters.	<b>8.00</b>
<b>7</b>	<b>DCC Parking restrictions review</b> – details are attached	<b>8.10</b>
<b>8</b>	<b>External Audit report</b> The External Auditor, Grant Thornton, has approved the Council's accounts but noted that the Council did not review the risks that it faces. It recommends that this should be done each year. It also recommends that internal controls, the Clerk's salary package and insurance cover should be reviewed annually. These are set out below.	<b>8.20</b>

<b>9</b>	<b>Risk Management</b> To review the risks the Council faces. Schedule attached	<b>8.30</b>
<b>10</b>	<b>Review of Internal Controls</b> As part of the Risk management process the Council is required to review its internal controls annually. Details are attached.	<b>8.35</b>
<b>11</b>	<b>Clerk's salary package. Annual review.</b> Details are attached	<b>8.40</b>
<b>12</b>	<b>Insurance Review</b> – details are attached.	<b>8.45</b>
<b>13</b>	<b>Cemetery fees review</b> These have not been reviewed for 5 years. The Council is requested to review the charges. The current schedule of charges is attached.	<b>8.50</b>
<b>14</b>	<b>Parish Council grants</b> The availability of Parish Council grants has been advertised. The Council is requested to review the grant criteria, attached.	<b>8.55</b>
<b>15</b>	<b>Working Together for the Future of East Devon'</b> EDDC are holding this annual event for voluntary and community groups and town and parish councils from throughout East Devon. It's on Friday 9 October, 9.30am to 2.30pm.at Knowle, Sidmouth. The focus is 'Keeping Well'. There will be speakers on several topics including: The mental health of young people Dementia, from the national organisation, Dementia UK Admiral Nurses The mental health of children and young people in schools Parishes Together Grants More speakers will be added.	<b>9.00</b>
<b>16</b>	<b>Devon Highways Conference</b> The Parish Council is invited to send a rep to this event to be held on Wednesday, 14 October 2015 from 09:30 to 15:30 at <b>Ashill Village Hall</b> , Ashill, Cullompton EX15 3NL	<b>9.05</b>
<b>17</b>	<b>Matters raised by other Councillors.</b> (These are not normally discussed in depth but investigated and considered at the next meeting.)	<b>9.10</b>

**Report of the Footpath Warden, Jenny Moon.**

**Item 5**

Hello Tony

I walked the footpaths yesterday, getting nicely soaked in the process. I did a lot of incidental clipping of brambles and nettles, but in general I would say that the paths are in better shape than I have ever seen them. ED must have done a good job this year!

FP 1 by the nursery and dairy seems still to be closed. I am not sure why since the closure does not cover the demolition site and the demolition is finished.

By chance on my walk, I met Pete Redbourne of Sowden Edge. He told me that it was he who sorted the wet area at the bottom stile of FP 7. As we suspected, it was a leaking pipe and he says it is his pipe. It was also Pete who has put wood into the potential pool (dry now) that we often see at the W side of the second stile and he says he will put more into the potential pool at the W side of the third stile.

All the best  
Jenny

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Jenny Moon  
01395-276569

### **Scope**

To review parking restrictions in Lympstone as identified by the community and at the request of the County Councillor and Parish Council. The review is carried out as a desk top study considering the principles of the proposals put forward and highlighted on the plans shown below. Should the proposals be taken forward to detailed design amendments may be required.

### **Locations**

#### 1. School Lane / Church Road

Double yellow lines for the extent of School Lane were previously proposed in 2004. Due to the number of objections received from local residents to the loss of parking and concerns about increases in vehicle speeds the proposals were dropped. Whilst the principle of parking restrictions along School Lane and Church Road re affirms the narrow nature of the road and ensures the free flow of traffic, careful consideration will need to be given about what knock on effect this may have in terms of displaced parking and vehicle speeds.

#### 2. Burgmanns Hill

The majority of properties on this section of carriageway have off road parking, so the proposals are unlikely to have too much impact on residents. Careful consideration would need to be given to the width of the carriageway beyond the proposed extent of the double yellow lines, as inappropriate parking practices could be shifted.

#### 3. Longmeadow Road

Devon County Council records indicate that an advisory disabled bay has been installed adjacent to number 1 Westview Terrace, this falls in the area highlighted for double yellow lines. There are very few properties on Longmeadow Road with off road parking therefore displaced parking will occur. Within the area highlighted on the plans there would be scope for sections to remain unrestricted where vehicle flow in at least one direction remains unhindered.

#### 4. Dawlish Park Terrace

The proposal is for a short section of double yellow lines in what is essentially a rural lane. Maintenance of the lines will be problematic and enforcement at best would be reactive. It is anticipated that the only vehicles parking in this area belong to the residents of Dawlish Park Terrace and this should be addressed by a local letter drop to highlight problems.

#### 5. The Strand

The minimum length for a disabled parking bay is 6.6 metres in length. The length of double yellow line restriction between the limited waiting bay and the access road to the railway station is in the region of 6-7 metres. Providing a disabled parking bay at the location indicated would severely restrict visibility for vehicles and cyclist exiting the side road. Devon County council would recommend that an alternative option is considered, such as converting part of the limited waiting bay.

### **Consultation/ Risk**

To provide, amend or remove parking restrictions from the Public Highway requires the Highway Authority to follow a legal procedure defined with the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996. This requires that proposed amendments are advertised in the local press and that Highway Authorities take such steps considered appropriate for ensuring adequate publicity. Devon County Council will place notices on site and can also mail drop local residents on more contentious schemes.

Any objection or comment on proposals put forward will need to be considered following Devon County Councils constitution, which could include taking a report to an appropriate committee for consideration.

It would be useful for the Parish to conduct consultation prior to proceeding any further to understand what effect this will have on residents directly affected by any proposals and seek to address these prior to entering the legal phase of the process.

Devon County Council can make no guarantees that proposed amendments can be implemented and during detailed design additional issues may be identified that will require modifying the proposals.

**Cost**

It is anticipated that the costs associated with an order such as this would be £5,000. This covers legal fees and advertising costs, officer time and implementation of the restrictions.

Lee Cranmer  
Senior Traffic Technician

**RISK MANAGEMENT (adopted 2 December 2002)**

The External Auditor has pointed out that the Council should take steps to review the risks that it faces, at least annually.

As a minimum, Members should

Take steps to identify the key risks facing the Parish Council

Evaluate the consequences if an event identified as a risk, takes place.

Decide upon appropriate measures to reduce or control the risk or its consequences.

Risk management is the process whereby local councils methodically address the risks associated with what they do and the services which they provide. The focus of good risk management is to identify what can go wrong and take proportionate steps to avoid this or successfully manage the consequences.

Risk management is not just about financial management; it is about protecting the achievement of objectives set by the council to deliver high quality public services. The failure to manage risks effectively can be expensive in terms of litigation and reputation, the ability to achieve desired targets, and, eventually, on the local community's Council Tax bills.

The following was adopted in 2002 and reviewed regularly since then. Members are asked to consider this.

RISK AREA	MANAGEMENT
Protection of physical assets owned by the council	Insurance. Under constant review as purchases are made. Up to date register of assets. Regular maintenance arrangements of physical assets. Reviewed annually. Internal Audit. Health and safety and associated policies in place
Risk of damage to third party property or individuals as a consequence of the council providing services or amenities to the public	Public Liability Insurance £5m. Regular maintenance arrangements of physical assets. Reviewed annually. Health and safety and associated policies in place.
Loss of cash through theft or dishonesty	Fidelity Insurance. Reviewed annually. Internal Audit testing: review of internal controls in place and their documentation. Testing of specific internal controls and reporting findings to management. Full reconciliation and bank statements available at each meeting.
Legal liability as a consequence of asset ownership	Public Liability Insurance £5m. Reviewed annually.
Irregular costs for works, bad workmanship,	Standing orders and financial regulations dealing with the award of contracts for services or the purchase of equipment. Preparation of specifications and competitive pricing. Internal Audit testing. Ensuring appropriate insurance cover provided by suppliers. Use of Specialist where necessary
Ensuring all business activities are within legal powers applicable to local councils and financial records in	Training of members and the Clerk. Read publications from DAPC and SLCC. Research from Websites.

accordance with statutory requirements. Complying with restrictions on borrowing	Regular scrutiny of financial records and proper arrangements for the approval of expenditure. Internal Audit inspects records and examines systems
Ensuring that all requirements are met under employment law and Inland Revenue regulations	Regular returns to Inland Revenue, system for updating records of any changes in relevant legislation. Training of members and the Clerk. Read publications from DAPC and SLCC. Research from Websites.
Ensuring all requirements are under Customs and Excise regulations (VAT)	Training for the Clerk, Regular returns of VAT. Contact with Customs & Excise DAPC and Audit Commission.
Ensuring the adequacy of the annual precept within sound budgeting arrangements	Sound and detailed budget process. Maintenance of balances. Regular budget monitoring.
Proper, timely and accurate reporting of council business in the Minutes	Minutes properly numbered and paginated with a master copy kept in a safe place.
Meeting statutory rights of inspection of documents	Procedures to deal with enquiries from the public. Publication Scheme for Freedom of Information.
Meeting the laid down timetables when responding to consultation invitations	Consultation documents circulated to all members via Information items and email. Any needing a response within the month are reported to Council. Any directly involving the Parish are reported to Council.
Proper document control	Procedures for document receipts, circulation, responses, handling and filing.
Corruption and malpractice by Members	Register of members' interests and gifts and hospitality in place, complete accurate and up to date procedures in place for recording and monitoring members' interests and gifts and hospitality received, adoption of codes of conduct of members.
Injury to Councillors and volunteers	Training, awareness and insurance
Internal Controls for finance	Internal Audit: review of internal controls: Review of minutes. Testing of income and expenditure from minutes to accounts, from bank statements to accounts, including petty cash transactions. Review and testing of arrangements to prevent and detect fraud and corruption. Testing of specific internal controls and reporting findings to management. Invoices and bank statements available at first meeting in the month.

**Review of system of internal controls**

**Originally APPROVED by Finance Committee 25<sup>th</sup> November 2008**

The Accounts and Audit Regulations require the Council to review its system of internal controls at least once each year and to publish a statement of assurance with the annual accounts.

Guidance suggests that the review should cover the following.

	Response
Safe and efficient arrangements to safeguard public money	All payments must be approved by the Council. In an emergency or during the summer break, payments may be authorised by the Chairman and Vice-Chairman. These will be identified separately in the next Finance report to the Council. The voucher for payment is presented at the time that the cheque is requested. The Clerk holds the cheque book but is not a signatory to the account. All cheques must be signed by two Councillors.
Regular scrutiny of financial records and proper arrangements for the approval of expenditure	A financial summary is presented to the first Council meeting each month, including the bank reconciliation. The relevant bank statement is also available for Members to inspect at this Council meeting. With regard to the Deposit account, all payments into this account shall be from the current account and all withdrawals will be payable to Lympstone Parish Council and paid into the current account.
Recording in the minutes the precise powers under which expenditure is being approved	This is not usually done
Regular employer returns to HM Revenue and Customs; contracts of employment for all staff, annually reviewed by the Council, systems of updating records for any changes in relevant legislation.	The Clerk uses HMRC Basic Tools for PAYE. Contracts in place. The Clerk's contract is reviewed annually. DAPC, SLCC and HMRC advise on employment updates
Regular returns of VAT; training the responsible officer in matters of VAT and other taxation issues as necessary	VAT returns are ad hoc depending on the amounts involved. The Clerk has attended an SLCC course on VAT
Regular budget monitoring statements.	These are presented each month.
Developing systems of performance measurement	This is the role of Lead Councillors
Procedures for dealing with and monitoring grants or loans made or received.	Grants are small and general one-off items. It is not considered that monitoring is needed.

	The Council is asked to review its grant criteria as the next item on the agenda.
Minutes properly numbered and paginated with a master copy kept in safekeeping.	These are kept by the Clerk in hard copy and on the laptop and on the website
Documented procedures to deal with enquiries from the public.	
Documented procedures to deal with responses to consultation requests.	Consultations are reported to Council meetings either in the list of items for information or if they are directly relevant to the Council, then as an agenda item.
Documented procedures for document receipt, circulation, response, handling and filing.	No written procedures in place
Procedures in place for recording and monitoring Members' interests and Gifts and Hospitality received.	All members complete a register of interests
Adoption of codes of conduct for members and employees	Code of Conduct is in place.

**The scope of internal audit** – This includes financial regulations, financial systems, accounting systems, reporting and internal audit.

**Independence** – The Internal Auditor, Mr David Hinchcliffe, is a former Assistant County Treasurer and Parish Councillor. He is fully independent of the Council and is able to report to the Council in his own name.

**Competence** – Several Councillors are aware of Mr Hinchcliffe's experience. He performs similar services to other Parish and Town Councils

**Relationships** – The Clerk must be consulted if the Council wishes for there to be any change in this or additional emphasis placed on any aspect of Parish Council business. Councillors are aware that they should not approach the Internal Auditor on any matter without the prior consent of the Clerk and the Parish Council.

*The Council is RECOMMENDED to consider the items as set out above and discuss any changes.*

The Audit process suggests that the Council should set out and review the Clerk's Conditions of Appointment each year.

Set out below is the current package relating to the employment of the Clerk and the use of his home as the Parish Council Office. The Clerk's contract of employment is based on the SLCC Model Contract and covers the following:

Start Date	1 <sup>st</sup> March 2004
Salary Scale	Scale 1 for part time Clerks – Scale points 15 – 27 currently £8.428ph – £12.317ph. The Clerk is currently on point 27, the top of the Scale (£12.317ph)
Hours	Hours 13.5 per week Includes attendance at Council meetings, the Annual Parish Meeting) + others where needed.
Use of home	An allowance of £39.95 per month is made, increased in line with annual % increase in salary scales. This is to cover the cost of the Clerk providing the Parish Office at his home.
Telephone / Internet	50% line rental + 50% of calls package = 50% of Broadband fee
Mileage	A Mileage allowance from the Clerk's home is paid at the Inland Revenue level of 45p per mile
Others	Reimbursement for other expenses eg postage.

The, NALC / SLCC pay scales were set in July 2015.

**Local Council Policy Schedule**

The Policy, the Policy Schedule, Certificates of Insurance and Endorsements form one document and should be read together. This Schedule replaces any previous Schedule.

Policy Number YLL-122007-1473 Insured Lympstone Parish Council Business Parish / Town Council.

Period of Insurance From 02nd September 2014 To 01st September 2015 and any other period for which cover has been agreed.

Renewal Premium £ 1,560.75inc tax.

Long term agreement active until 01st September 2016

**Policy Cover Declaration:**

You, the Insured, know of no known losses, events that could give rise to a claim, or circumstances that would be prejudicial to us, the Insurer, should the basis of cover on the below given insurance product (s) be changed.

**PART A – Material Damage**

**Table Headings**

Contents (a) Furniture, fixtures, fittings and tenants improvements

Contents (b) Other contents and consumable stock not specified below including printed books and unused stationery

Contents (c) Computer equipment, other office equipment and sports equipment

Contents (d) Televisions, audio-visual and photographic equipment (excluding videos), beer, wine, spirits, tools and gardening equipment

Contents (e) Tools and Tobacco

Contents (f) Camcorders, videos and gaming machines

Contents (g) Civic Regalia

**Sums Insured**

		<b>Loss of Rent</b>	<b>Cont (a)</b>	<b>Cont (b)</b>	<b>Cont (c)</b>	<b>Cont (d)</b>	<b>Cont (e)</b>	<b>Cont (f)</b>	<b>Cont (g)</b>
1. Public Conveniences, Lympstone, EX8 5JY	£134,276.58	N/A	£0.00	£0.00	£0.00	£0	£0	£0	£0
2. Lympstone Youth Club, Lympstone, EX8 5JY	£121,992.78	N/A	£12,550.55	£374.80	£1,880.72	£0	£0	£0	£0

**For Premises:** 1, 2

**Insured Perils applicable to Material Damage : 1-13, 15 & 16**

**Excesses Applicable to Building 1 & 2**

The following Excesses apply to each and every loss arising in respect of each and every separate premises:

Accidental Damage £100  
 Theft £100  
 Malicious Damage £250  
 Storm or Flood £250  
 Escape of Water £250  
 Falling Trees or Branches £250

**PART C – All Risks**

**Table Headings**

Contents (a) Furniture, fixtures, fittings and tenants improvements  
 Contents (b) Other Contents and consumable stock not specified below including printed books and unused stationery  
 Contents (c) Computer Equipment, other office equipment and sports equipment  
 Contents (d) Televisions, audio-visual and photographic equipment (excluding videos), beer, wine, spirits, tools and gardening equipment  
 Contents (e) Tobacco  
 Contents (f) Camcorders, videos and gaming machines  
 Contents (g) Civic Regalia

**Additional Items:**

Where no premises address is shown, the item is not based at one location and cover is provided anywhere within the TERRITORIAL LIMITS.

<b>Item Description</b>	<b>Sum Insured</b>	<b>Excess</b>
Britain In Bloom Waterford Silver Plated Rose Bowl	£426.16	£100
Silver Jubilee Cup	£1,149.55	£100
Chain of Office	£961.60	£100
Office Equipment	£1,170.31	£100
Webb Crystal Bowl (in locked case)	£206.53	£100
Candy's Field Youth Activity Trail	£10,927.27	£100
Candy's Field Toddlers Play Area, inc fencing & surfacing	£21,854.54	£100
Multi Use Games Area inc goal posts, basket ball nets, fencing & surfaces	£10,927.27	£100
Laptop	£343.11	£100
Projector	£548.55	£100
Camera	£100.53	£100
Screen	£163.90	£100

**PART E – Public Liability**

**Limit of Indemnity:** £10,000,000

**Excess:** £100 each and every claim in respect of Section 2(d)(ii)

**PART G – Employers Liability**

**Limit of Indemnity:** £10,000,000

**PART H – Libel and Slander**

**Sum Insured** £250,000

**Excess:** 10% each and every claim or £1,000 whichever is the lower

PART N – Fidelity Guarantee

Persons Guaranteed: Sum Insured

All MEMBERS and EMPLOYEES

£100,000

Excess: £100 each and every loss

PART O – Personal Accident

Cover is limited to £500,000 any one person and £2,000,000 any one incident.

Persons Insured:

Employees

Capital Sum

£80,000.00

Weekly Sum

£100.00

Cover Sections 2 and 3 - Accident and Assault Cover

Volunteers

Capital Sum £80,000.00

Weekly Sum £100.00

Cover Sections 2 and 3 - Accident and Assault Cover

Directors/Councillors

Capital Sum £80,000.00

Weekly Sum £100.00

Cover Sections 2 and 3 - Accident and Assault Cover

**PART P – Legal Expenses**

The Claims Handling Agent is DAS Legal Expenses Insurance Company Limited.

**Section:**

3. Employment Disputes and Compensation Awards

(A) Employment Disputes Operative

(B) Compensation Awards Operative

4. Legal Defence Operative

5. Property Protection and Bodily Injury

(A) Property Protection Operative

(B) Bodily Injury Operative

6. Tax Protection Operative

7. Contract Disputes Not Operative

8. Statutory Licence Protection Operative

**Limit of Indemnity:** £100,000

## LYMPSTONE PARISH COUNCIL

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8 Drakes Gardens, Drakes Avenue, Exmouth, Devon, EX8 4AD  
Tel 279665/ 07866 535580, Email: [clerk@lympstone.org](mailto:clerk@lympstone.org)

### LYMPSTONE PARISH COUNCIL CEMETERY

#### FEEES APPLICABLE

With effect from 7<sup>th</sup> December 2010

Applications for purchase of exclusive right of burial or interment will only be accepted in respect of people who have local connections.

#### ALL FEES ARE PAYABLE IN ADVANCE

	Proposed
1 INTERMENT	
1a Interment of stillborn baby or a child whose age at the time of death does not exceed 18 years	£0 Non resident - £70
1b Interment of a body whose age at the time of death exceeds 18 years	£160
1c Additional interment	£160
2a Exclusive right of burial 1a above	£75
2b Exclusive right of burial 1b above	£180
2c Cherry Tree Garden — Ashes interment inclusive of erection of memorial on the Plot — plot size one metre square	£150
2d Additional interment of Ashes	£150
2e MEMORIAL TREES equal to the cost of 2b above	£180
3 MONUMENTS	
3a Headstone for burial, Size not to exceed: - 1.10 m (43") high; 0.80 m (31½ " ) wide; 0.38 m (15") deep	£90
b) Headstone for cremation, Size not to exceed: - 0.765 m (30") high;0.61 m (24") wide; 0.38 m (15") deep	£90
c) Small stone vase situated next to headstone only including inscription 25mm — 10 inches	0
d) Wood Cross including inscription	0
e) Additional inscription	£30
4. FOR NON PARISHIONERS with a previous local connection: -	All fees will be doubled
5. REMINDER OF DEPTH OF GRAVES	
Purchased double depth grave	2.00metres
Purchased single depth grave	1.7 metres

## Lympstone Parish Council Grants criteria

### General Criteria

1. The Parish Council can only fund activities which directly benefit some or all of the residents of Lympstone Parish.
2. The Parish Council can only fund organisations which are constituted voluntary organisations or registered charities. Grants cannot be given to individuals
3. The Parish Council can only fund schemes which operate within the boundaries of Lympstone, where the majority of the beneficiaries live in the parish.
4. The Parish Council can offer funds towards capital or revenue costs.
5. Grants will usually be between £50 - £300 but exceptional grants could be higher but as much notice of this as possible should be given so that funds can be put in place..
6. The Parish Council will look favourably on organisations which can demonstrate a commitment to equal opportunities, or who will learn more about this subject. We expect all organisations dealing with children and youths to have child protection policy and safeguarding policy and training in place.
7. Funds from the council are limited and applications often will exceed funds available.