

From: [Objector]
Sent: 22 July 2021 12:28
To: sba
Subject: AGAR Bleadon Parish Council

Dear PKF Littlejohn,

Re: Bleadon Parish Council's Notice of Public Rights and Publication of Unaudited Annual Governance & Accountability Return - Accounts for the year ended 31 March 2021 - ending on Friday 23 July 2020

Following my conversation and correspondence last AGAR, I am hoping you can assist me with Bleadon Parish Council's approach to the AGAR process, including access to its financial records. Apologies for the last-minute submission but due to circumstances beyond my control I've only just been in a position to review the information and write to you, and this is my best attempt in the time available. For the last three years AGARs, and intervening information requests, I have been denied access to associated financial documentation, which has obscured financial transparency, as you may recall from my email correspondence last July regarding BPC's restrictive AGAR approach. Hopefully you can help address the ongoing issues this year.

Some current councillors are supportive of my AGAR and general financial queries, as they too do not know the answers. Unfortunately, they are generally outvoted when it comes to asking full council for BPC transparency of financial and contractual decision making (see abstentions below). The long-standing quarterly Finance Committee has now been abandoned, seemingly without full council discussion/resolution, and despite some councillors requesting its reinstatement. Budget meetings are now held behind closed doors and undocumented, and financial reports and documentation are not available to the public during, nor generally after, the full council meetings. Website information is sporadic and incomplete and the BPC Publication Scheme appears not to be followed.

I have six main concerns that I believe could be easily resolved if the BPC RFO would be courteous, cooperative and transparent enough to discuss in person/via teleconference:

1. The BPC AGAR process - seems to contradict its published notices, e.g. no access to related documentation, which I find needlessly restrictive and obstructive, especially if BPC state they are transparent in their actions.
2. Contracts - Paid positions and posts tend not to be widely advertised (despite full council resolution), and appear to have no published job description or Terms of Reference. When they do exist BPC refuse to release them to the public, or are created after the post has been filled.
3. Grants - appear to be given without application or going through full council process, despite there being a Grants Policy. Also, BPC VAT connected queries.
4. Lack of published financial information (including for some councillors) - or information being removed from the website, with an increase in undocumented working groups obscuring any potential need for declarations of interest.
5. Asset Register - Lack of clarity over council ownership vs 'custodial trusteeship', anomalies and omissions.
6. Reserves - Lack of transparency and clarity over what reserves are held, why they are held, their expenditure and balances.

I will attempt to detail my concerns below, following on from my submission to you during last year's AGAR.

1. AGAR PROCESS

BPC's currently published AGAR notice, illustrating a lack of attention to detail, states:
*"ACCOUNTS FOR THE YEAR ENDED 31 MARCH 2020 Any person interested has the **right to inspect and make copies** of the accounting records for the financial year to which the audit relates and all books, deeds, contracts, bills, vouchers, receipts and other documents relating to those records must be made available for inspection by any person interested. For the year ended 31*

March 2021, these documents will be available on reasonable notice by application to ..." the Parish Clerk/RFO.

The following is a summary of responses I have received during the AGAR process for the last three years.

2021 This year's AGAR (see attached BPC AGAR queries email chain)

- On requesting associated information for the AGAR meeting I was informed, "*The matters listed as a minimum do not form part of the accounts that have been prepared for 20/21 and examined by the Parish Council's Internal Auditor*" and "*The greater percentage can be located within the Parish Council's records as set on the Website such as Agendas Minutes and Financial Records.*" (The information that I am requesting is not on the BPC website)
- At the AGAR meeting the appointed Responsible Financial Officer did not attend, the two councillors who did attend were unable to answer my queries.
- The documentation that I am asking to view for the third year was not available, especially re: contracts, deeds, leases, grants, TOR, etc.
- End of year information did not seem to be present e.g. budget information dated Oct 20 not Mar 21.
- Budget information for 2016-19 seems to no longer exist in either paper or electronic forms. The annual amount agreed by full council does not appear to be recorded in the official minutes, nor are there any associated published breakdowns. BPC wrote, "*I have recently attempted to peruse documents that are located in the Coronation Hall and I have been unable to locate any working documents/papers that reflect the Budget preparations for the period of 2016-2019.*"
- Is this correct transparent financial procedure?

2020 Last year's AGAR 15JUN20 - 24JUL21 (please refer to emails sent to your office last July AGAR)

- During last year's AGAR I was informed by the RFO, "*I am not intending to send you the financial information for 2019-20 as this will be easily extracted when you have had an opportunity of inspecting the accounts ...*" No meeting was arranged, despite JPAG/NALC advice that electors still had the right to inspect the Accounts 'in person'.
- The BPC Chair wrote regarding my request to inspect the records on 22Jul20, "*Any suggestion I have might not be acceptable!!! However, until we know what is happening Covid wise then she will just have to wait and not make another request. WE will contact HER*" (capitalisation as in received email). The Chair made it clear that there was no intention to hold a physical inspection meeting during the COVID19 policy restrictions, despite the BPC posted AGAR notice. My subsequent complaint to the Monitoring Officer regards the tone of this statement was upheld.
- Three days before the AGAR period ended the clerk wrote on 21 July 20, "*I also stated what my position was regarding your wish to inspect the 2019-2020 Parish Council Accounts. To date I have not received any suggestions from Councillors who reside in the village how the challenge of inspecting the accounts can be overcome given the Coronavirus Governmental restrictions and the advice received from both the Members Local and National Association as well as the Town and Parish Council Clerks professional organisation.*" This response came the day after BPC's Full Council meeting on Monday 20 July, where I this issue was not on the agenda, nor was it raised by the clerk.
- No AGAR meeting was arranged, no related information was supplied, especially re: contracts, deeds, leases, grants, etc. Not even a list of contracts and values as indicated as

available via the BPC Publication Scheme, see publication_scheme_adopted_-_july_2020.pdf (bleadonparishcouncil.co.uk)

- Budget information for years 2016-19 was not available, stated to be locked in the Halls, closed due to COVID19 policies. Now stated to be not present, in either electronic or paper form, see above.
- Is this correct transparent financial procedure?

2019 AGAR 01JUL19 - 09AUG19 (please refer to emails sent to your office last AGAR)

- A meeting was held with a former RFO and former Chair of Finance & Personnel.
- No associated documentation was available, especially re: contracts, deeds, leases, grants, etc.
- In the AGAR meeting the RFO said that the information would be forwarded to us, but the day after the AGAR deadline ended I received an email stating, "*I confirm that the new clerk will arrange for you to view (but not copy) all contracts relating to the financial year 2018-19. As she does not start until 1st September I trust you will be patient.*"
- The next newly appointed clerk/RFO (who resigned shortly after) wrote on 11 Sept 19, "*The time available to formally ask questions (as limited by law), has now closed – indeed has been closed for over a month already, with the accounts being approved and signed off by the external auditor.*"
- No related information was supplied, especially re: contracts, deeds, leases, grants, etc.
- Is this correct transparent financial procedure?

2. CONTRACT AWARDING

There seems to be little transparency with regards to paid appointments for either councillors or the public, presumably why the two attending councillors were unable to answer my financial queries despite being two of the three councillors making up the Personnel Committee seemingly responsible for contracts. Throughout the year councillors publicly stated that they did not have access to associated financial information, e.g. contracts, job descriptions, final lease, etc., before being asked to appoint or sign off on payments.

Please can you ascertain whether payments over £500 should be advertised and require three quotes as previously stated by councillors?

2020-21 - This year's AGAR

- NEWSLETTER
 - The newsletter is budgeted and financially managed by BPC/RFO but it is stated as being independent, with full editorial control given to an independent paid Editor/contractor, with unpublished responsibilities. The Editor wrote, "*I must state that the magazine is entirely my own ...*" Is it correct to have a publicly funded private newsletter?
 - June 2020 The newsletter post became a paid post for the first time for over 20 years, no 'fee' or job description was discussed or agreed at full council. The post was to be widely advertised but it was not and was therefore given to the original pre-chosen 'applicant'. Terms Of Reference were finally agreed in November but are still not posted on the BPC website or available at the AGAR process.
 - June 2020 (Min 333.9.f) "*Bleadon Village News It was agreed that the advert regarding the current vacancy should be given greater emphasis by being placed on as many village platforms as possible*" - not done
 - Sept 2020 (Min 335.7.5) "*To regularise the appointment of Miss Ellie Young as the Editor of the Bleadon Village News. Discussion was had as to how the Miss Young was introduced to the Parish Council as a potential candidate for the post of the Bleadon Village News Editor. A full time line explanation was given. A question was also asked regarding the "apparent non advertising of*

During last year's AGAR I was not allowed to see any associated documentation for any contract award (see my submission to you last year). One example of concern over contract awarding was for the position of clerk/RFO. The locum clerk was instructed by full council to place adverts with both ALCA and SLCC, but BPC have confirmed that this did not happen. The post was subsequently given to the locum at a much higher pay scale, with less hours and presumably reduced duties. This financial decision was made via a closed unminuted working group. I have prior to AGAR I asked for a copy of the job description and contract but was refused. Is this correct transparent financial procedure?

Marian (unqualified clerk)

- **Feb 2018** (Min 305.5) "*To Confirm the Appointment of Marian Barber as Parish Clerk and Responsible Finance Officer. The appointment was confirmed and the Chairman thanked Kevin Barrett for his interim services. Mr Barrett will continue to assist the new Clerk during February 2018.*" **No salary or hours minuted?**

Naomi (fully qualified clerk)

- Advert 2019 - CLERK AND RESPONSIBLE FINANCE OFFICER **18 HOURS PER WEEK**, HOME BASED SALARY: **SCP 18-23 (£24,313 - £26,999 pro rata)** depending on experience.
- **Aug 2020** (Min 325.6) "*To Confirm the appointment of the new Clerk / RFO and Approve terms. To include: Starting date 1st September; starting salary scp21. Briefing sessions undertaken prior to 1st September to be paid at hourly rate once employment commences. Mileage to briefing sessions (but not time) paid at 45p per mile. Usual working days Tuesday, Wednesday, Thursday. Attendance at SLCC conference October 2019. Proposed Cllr Hartree. Seconded Cllr Baines. CONFIRMED.*"

Bruce (fully qualified locum clerk)

- Dec 2020 (Min 329.8.3) "*To appoint Mr B Poole as Locum Parish Clerk as from the 15th November 2019 Resolved to appoint Mr Poole as Locum Parish Clerk as from the 15th November 2019*" - **No salary or hours stated?** No Finance & Personnel Meeting held or minuted? NB Mr B Poole was BPC clerk for 26+ years before retiring in 2015.
- Jan 2020 (Min 330.8.2) "*To give consider a process for the appointment of a Parish Clerk. Resolved that a process for appointing a new Parish Clerk should be put into immediate effect. Agreed to place adverts with both ALCA and SLCC*" - BPC has since confirmed that there was **no advert placed**.
- Is this correct transparent financial procedure?

Bruce (fully qualified appointed clerk)

- Mar 2020 (Min 332.7.5) Discussed in public in full council, "*To confirm the appointment of Mr B Poole as the Parish Council's Proper Officer as from the 1st March 2020. The appointment to be set at LC3 – SCP 39 at an annual salary of £41,675.00 per annum - pro-rata £17,781.00 for 18 hrs pw. Resolved to confirm the appointment of Mr B Poole as the Parish Council's Proper Officer and Responsible Finance Officer as from 1st March 2020. The agreed hours to 14 hrs per week set at LC3 – SCP 39*"
- I have been told that I cannot see the contract or the job description (as none was advertised). NB B Poole was BPC clerk for 26+ years before retiring in 2015.
- This post/agenda item changed in a public full council meeting to less hours and unstated less duties. It was not initially advertised nor readvertised by the locum clerk who was awarded the position.
- Is this correct transparent financial procedure?
- **Bruce** June 2020 (Min 343.7) "*Resolutions 1. To receive the Draft Minutes of the Personnel Committee held on Tuesday 25th May 2021 and to note the completion of the Clerk's 2021 Appraisal and the following recommendation (a) To resolve to increase the Clerk's weekly working hours from 14 pw to 18 pw backdated to the 1st March 2021 Resolved to accept the Draft Minutes of the Personnel Committee and to also approve their recommendation*"

relating to the Parish Clerk's working hours increase from 14 hours per week to 18 hours per week backdated to the 1st March 2021"

- No Personnel Committee meeting minutes have been published on the BPC website to explain any reasoning for increase in hours or any associated duties.

3. GRANT AWARD

There is little clarity over grant receipt or award processes despite a Grant Policy.

- The former 'Bleadon in Bloom' BPC project is now stated by BPC to be an independent BPC grant funded group that has been awarded a £10K+ grant.
- No official grant application was submitted through full council, with lead project members being councillors who did not make any declaration of interest.
- BPC appear to be submitting VAT claims on behalf of the BIB group purchases.
- BPC's publicly stated annual grant budget is only £500. Previously BPC refused a grant for £100 because an official application had not been submitted.
- Is this correct transparent financial procedure? (see attached queries to AGAR BPC/RFO).

4. LACK OF PUBLISHED FINANCIAL INFORMATION

Despite what the carefully worded emails and minutes may imply there is a lack of published financial information, with information being added and removed from the BPC website e.g. information relating to this year's AGAR such as Q1, Q2, Q3 (unpublished) and Q4 information (published?) before the end of the AGAR process.

- It is hard to understand what is happening with the Reserves, how much is held in total, the purposes they are held, and how they are spent. When individual councillors are asked they too are unclear.
- Where did the COVID19/business grant(s) come from, what is it for, what are the conditions if any, why is this not clear in the minutes/public documentation? (see attached AGAR queries to BPC email)

There is an increase in undocumented working groups obscuring any potential need for declarations of interest.

- Current and previous BPC Risk Assessment Policy Section 4 Liability states, "*Ensure Working Parties understand that only the Parish Council can make decisions - Existing procedures adequate*"
- Previous associated BPC Delegated Powers Policy Section 6.1 stated, "*6. Working Groups 6.1 Where Working Groups are established they will be convened by their lead member and maintain their own notes which shall be reported in full to the main Committee. They are advisory bodies only with no delegated decision making powers. Officer(s) will attend by invitation only as ad hoc advisor(s)*"
- The above policy was replaced in July 2020 with the Scheme of Delegation Policy, that makes no reference to Working Parties.
- Working Parties now involve unknown members, with unknown interests, that influence council financial decision making. As members of these working groups are unknown any potential conflicts of interests, and potential councillor declaration of interests, are also unknown.
- See Bleadon in Bloom, where two councillors are/were also active BIB members, attended the closed unminuted Budget Meeting that led to council approving a £10K+ budget for the independent grant funded BIB group. NB BIB is still stated as being a project offered by BPC on its website [Bleadon in Bloom \(bleadonparishcouncil.co.uk\)](http://bleadonparishcouncil.co.uk)
- Councillors also have problems with accessing information. In Dec 20 the lack of clear information coming out of the Budget Working Group publicly led to three abstentions regarding the budget vote,
 - "(Min 338.7.4a) *To resolve to set a Budget for the financial period 2021/2022 Resolved subject to three abstentions that the Budget for the financial period 2021/22*

be fixed at the net figure of £68,637.00 as set out in the copy attached to these minutes" (see [Dear Sir/Madam \(bleadonparishcouncil.co.uk\)](mailto:bleadonparishcouncil.co.uk))

- Is this correct transparent financial procedure?

5. ASSET REGISTER (see attached BPC AGAR query email)

The Asset Register has held anomalies and omissions for a number of years. The current clerk was previously clerk for 26+ years, before retiring in 2015, with his reappointment as locum clerk in Nov 2020 and employee status in Mar 2020; he has made the last two AGAR returns with differing information.

- There is a lack of clarity over council ownership vs 'custodial trusteeship' in the Asset Register.
- In 2010 the current clerk signed the Halls Protocol (this was not available at any AGAR meeting). In July 2008 he minuted "*Resolved to receive Custodian & Management Trustees Report and to accept the Clerk's following recommendations: That the Parish Council is the Custodian Trustee and as such should record the asset on the Parish Council Asset register That the value should be listed as Nil value*" (July 2008 Min 205.10.5) Also see [What Bleadon Parish Council Does - Purpose](#)). The play park has also been referred to by councillors as being in trust.
- Please can you confirm the situation, especially in relation to AGAR returns and Asset Registers, which seems to imply no trustee responsibilities? (I wanted to discuss this at last year's AGAR but BPC did not arrange a meeting and the RFO did not attend this year's AGAR)
- The Asset Register also has a number of other anomalies and omissions

6. RESERVES

There is a lack of transparency and clarity over what reserves are held, why they are held, their expenditure and balances, including any virement.

- When I, and Mrs/now Cllr Clarke, asked about the Reserves at the 2018-19 AGAR, we were told BPC did not hold that information (see last year's AGAR emails to your office)
- Is this correct transparent financial procedure?

Summary

As summarised last year, please can you help me/interested residents gain answers, achieve access and receive BPC related financial information for 2021, and for 2015-19. Please can you also encourage BPC to be more financially open and transparent, based on government guidelines and best practice, so that we hopefully will not have the same unnecessary and unpleasant situation for a fourth year running

I appreciate that time is short but if you require any further information, or would like to discuss this further over the telephone please let me know.

Kind regards

[Objector]