

SEALAND COMMUNITY COUNCIL

**MINUTES OF THE ANNUAL GENERAL MEETING OF THE COUNCIL HELD ON 21st MAY 2018
AT SEALAND PRIMARY SCHOOL.**

PRESENT: Councillors: Chris Jones (Chair and County Councillor), Jean Fairbrother, Barbara Hinds (Vice-Chair), Joan Keith, Mikael Khan, Alex Lewis, Mary Southall, Mike Walker, Sarah Wilson and David Wisinger.

Peter Richmond: Clerk and Financial Officer.

Two members of the public.

18/24 SUMMARY OF ACCOUNTS – 2018/19 FINANCIAL YEAR

The Clerk outlined the finalised expenditure and income for 2018/19 financial year up to cheque number 003150

2018 / 19 Financial Year	Actual	Anticipated	Difference
Income			
General Admin Inc. Precept	£19,000.00	£57,000.00	-£38,000.00
Bank Interest	£1.59	£20.00	-£18.41
Insurance Claims / Refunds	£0.00	£0.00	£0.00
VAT Refund	£307.60	£200.00	+£107.60
Milk Claims	£0.00	£500.00	£0.00
Total	£19,309.19	£57,920.00	-£38,410.81
Expenditure	Actual	Anticipated	Difference
Bank Charges	£10.00	£60.00	£50.00
Chairman's Fund	£0.00	£800.00	£880.00
Staffing Costs	£1,646.96	£9,882.00	£8,235.04
General Admin Costs	£493.18	£3,320.00	£2,826.82
Council Web Site	£320.00	£2,000.00	£1,680.00
Insurances	£0.00	£1,000.00	£1,000.00
Defibrillator – LGA Act 2000(S2)	£0.00	£1,000.00	£1,000.00
Play Schemes and New Equipment	£0.00	£9,400.00	£9,400.00
Highways	£0.00	£0.00	£0.00
Street Lighting	£1,132.96	£25,400.00	£24,267.04
CCTV Maintenance	£0.00	£200.00	£0.00
Grants – Section 137	£18.75	£2,500.00	£2,481.25
School Milk – Section 137	£386.46	£3,500.00	£3,113.54
Total	£4,860.92	£59,062.00	£54,201.08

Current Summary	Balance as at 31 March 2018 including £25,000 contingency fund.	£39,991.15
	Total expenditure	£4,860.92
	Total income	£19,309.19
	Balance in year spend	£14,448.27
	Overall balance as at 21st May 2018	£54,439.42
	VAT Costs for 2018/19 financial year	£45.20
End of Year Prediction	Balance as at 31 st March 2018	£39,991.15
	Total anticipated expenditure	£59,062.00
	Total anticipated income	£57,920.00
	Anticipated balance for the year	-£1,342.00
	Anticipated Overall Balance as at 31st March 2019	£38,649.15

Key Dates for 2017/18 audit

HMRC VAT claim submitted for 2017/18 for £307.60	1 st April 2018- completed.
HMRC Basic Tools on Line System set up for 2018/19	31 st March 2018 – completed.
Bank Reconciliation for 31 st March 2018	1 st April 2018 – completed.
Internal Audit	12 th April 2018 – collected records on 19 th April 2018 – completed.
Date of council meeting to approve accounting statements and to present annual return to smaller body prior to audit.	21 st May 2018 – To be Approved.
Display notice	From 30 th April 2018 to 13 th May 2018 Notices displayed on the council's web site and 5 notice boards from 15 th April 2018.
Make records available	From 14 th May 2018 to 11 th June 2018. Now available.
Date of council meeting to receive internal audit report	21 st May 2018 – To be received and noted.
Send annual return to external auditor – BDO.	6 th June 2018
Annual return required by external auditor - BDO	12 th June 2018
Publication of audited accounts as soon as possible after completion of the audit – or in any event no later than	30 th September 2018

RESOLVED: - that the report be noted.

The Clerk advised that the Internal Audit was completed by JDH Business Services Ltd following testing of the internal controls specified on the Annual Return for local councils in Wales. On the basis of the internal audit work carried out, in their view the council's system of internal controls is in place, adequate for the purpose intended and effective, subject to the issues reported in the action plan.

The Clerk reported on the internal auditor's internal controls and internal audit testing.

Issue – Data Protection Law will change significantly on 25th May 2018 due to the EU Directive General Data Protection Regulations GDPR taking effect.

GDPR replaced the 1998 Data Protection Act and it will impose new obligations on Data Controllers and Data Processors and provide enhance rights for individuals. Compliance with GDPR could have resource implications for local councils.

The Council has appointed the Clerk as the Data Protection Officer (DPO). The National Association for Local Councils (NALC) has issued guidance to councils that Clerks should not be designated as the DPO due to a conflict of interest.

Recommendation – The Council should review national guidance from the ICO and NALC to ensure that they are meeting GDPR requirements. The impact of GDPR on the council should be identified and the Data Protection Policy, risk assessment and internal controls should be updated accordingly.

The Clerk advised that the House of Commons has accepted a Government amendment to the Data Protection Bill which, once the Bill has been enacted, will exempt all town, parish and community councils from the requirement to appoint a Data Protection Officer. All other requirements of the GDPR will apply and will come into force on 25th May 2018.

The Clerk advised that all requirements for the Council regarding GDPR are in place.

The Clerk has reviewed both council’s Risk Assessment and Internal Controls Policy and these are outlined in Minute 18/28 and 18/29.

RESOLVED – that –

- i) the report be noted.
- ii) council notes that it is not required to have a Data Protection Officer and further notes that all other GDPR requirements still apply and are in place.

18/27 REPORT – ANNUAL FINANCIAL RETURN – 2017/18

The Clerk detailed the accounts for Council in the Local Council for Wales Annual Return for the year ended 31 March 2017

Statement of Accounts

31-Mar-17	31-Mar-18	
£	£	

£42,278	£36,987	Total balances and reserves at the beginning of the year as recorded in the council's financial records.
£57,000	£57,000	Total amount of income received in the year from local taxation (precept).
£1,602	£1,900	Total income or receipts recorded in the cashbook minus the amounts included in line 2. Includes support, discretionary and revenue grants.
£9,275	£9,882	Total expenditure or payments made to and on behalf of all employees. Include salaries and wages, PAYE and NI (employees and employers), pension contributions and related expenses e.g. termination costs
£0.00	£0.00	Total expenditure or payments of capital and interest made during the year on the council's borrowings (if any).
£54,618	£46,014	Total expenditure or payments as recorded in the cashbook minus staff costs and loan/interest expenditure/payments.
£36,987	£39,991	Total balances and reserves at the end of the year.

£0.00	£0.00	Income and Expenditure Accounts only. The value of debts owed to the council at the year end.
£36,987	£39,991	All accounts. The sum of all current and deposit bank accounts, cash holdings and investments held as at 31 March – this must agree with the reconciled cash book as per the bank reconciliation.
£0.00	£0.00	Income and Expenditure Accounts only. The value of monies owed by the council (except borrowing) at the year end
£36,987	£39,991	Total balances

£165,777	£150,777	The original asset and investment register value of all fixed assets and any other long-term assets held at 31 March.
£0.00	£0.00	The outstanding capital balance as at 31 March of all loans from third parties.
N/A	N/A	Trust Fund Disclosure

Section 2 – Annual governance statement

The Clerk outlined the Section 2 – Annual governance statement

We acknowledge as the members of SEALAND COMMUNITY COUNCIL our responsibility for ensuring that there is a sound system of internal control including the preparation of the accounting statements. We confirm, to the best of our knowledge and belief, with respect to the Council's accounting statements for the year ended 31st March 2018 that -

	Agreed - Yes or No
We have put in place arrangements for – <ul style="list-style-type: none"> • effective financial management during the year and • the preparation and approval of the accounting statements. 	YES
We have maintained an adequate system of internal control, including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.	YES
We have taken all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and codes of practice, that could have a significant financial effect on the ability of the Council to conduct its business or on its finances.	YES
We have provided proper opportunity for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit (Wales) Regulations 2014.	In progress
We have carries out an assessment of the risks facing the Council and taken appropriate steps to manage those risks, including the introduction of internal controls and / or external insurance cover where required.	YWES
We have carried out an assessment of the risks facing the Council and taken appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.	YES
We have maintained an adequate and effective system of internal audit of the Council's accounting records and control systems throughout the year and have received a report from the Internal Auditor.	YES
We have considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year end, have a financial impact on the Council and, where appropriate have included them on accounting statement.	YES
We have taken appropriate action on all matters raised in previous reports from internal and external audit.	YES
Trust funds – in our capacity as trustee we have discharged our responsibility in relation to the accountability for the fund(s) including financial reporting and if required, independent examination or audit.	N/A

We have considered the adequacy of the reserves held by the body in setting the budget for 2017/18 and 2018/19 and have appropriate plans in place for the use of these reserves.	YES
When awarding grants under section 137 of the Local Government Act 1972 we have kept a separate account of such grants and considered whether or not the benefits arising from such payments are commensurate with the sums paid.	YES
The council has no obligation or intention to pay a gratuity to employees	YES

Following certification by the Responsible Financial Officer the Council is required to approve the Annual Governance Statement Part 1

The Clerk outlined the letter and all required documents that Council will send with the Annual Return to the external auditor including those documents to be counter signed by the Chair and Clerk as being a true and record document

RESOLVED: - that –

- i) the report be noted.
- ii) Council should note and approve the Annual Return for the year ended 31st March 2018 as presented by the Council's Responsible Financial Officer including the required Accounting Statement being approved.
- iii) the Chairman and Clerk and should sign and date the required certification.
- iv) on completion of the Annual Return process a copy should be added to the Council's web site.
- v) the Clerk be thanked for his excellent services in maintaining the Council's governance and finances.

Notice of Appointment of Date for the Exercise of Electors' Rights, Annual Return for the Year Ended 31 March 2018

The Clerk advised that each year the Council's annual return is audited and any person interested has the opportunity to inspect and make copies of the annual return and all books, deeds, contracts, bills, vouchers and receipts relating to them.

The Clerk outlined the public notice and details of the public inspection arrangements. Inspection runs from 14th May to 11th June 2018.

The notice is required to be displayed on the Sealand notice boards and the Council's web site from 30th April 2018 – however these were all in place by 16th April 2018 and as on 18th May 2018 were still in place

RESOLVED: - that the report be noted.

The meeting opened at 6.30pm and closed at 8.20 pm

..... Signed 18th June 2018.
Chairman of the Council.