

DIDDLEBURY PARISH COUNCIL

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SECTION 1 - ANNUAL GOVERNANCE STATEMENT 2022 - 2023

EXPLANATION FROM DIDDLEBURY PARISH COUNCIL TO THE EXTERNAL AUDITOR IN RESPECT OF A “NO” RESPONSE TO ITEM 3

Diddlebury Parish Council believes it has robust systems in place to safeguard public money and the resources in its charge. However, due to an unfortunate chain of circumstances which arose in July and August 2022, certain breaches of procedural matters occurred, which the council has analysed and set out in the document attached.

It is the Council’s belief that whilst the breaches of procedure were regrettable, the situation they were in required urgent action and at the end of the day, the result justified the means. No public money was jeopardised and serious health and safety risks were averted.

Background

There is a community car parking area in the centre of Diddlebury village. It is in multiple ownership - see Plan attached. SL110651 belongs to Diddlebury Parish Council, whilst SL181685 and SL92695 belongs to Diddlebury Village Hall. Part of SL181685 is used both for parking and for recreational purposes by the school when the school is open, and then provides parking for the wider community after school hours. In addition, the whole area provides parking for the village hall users, church users, and for tourists.

The whole car park area has been steadily falling into disrepair due to its heavy usage by vehicles and the school bus. The combined forces of the parish council, the school and the village hall committee have been negotiating with Shropshire Council since 2019 for SC to either resurface the area or to make CIL funds available to the parish council so the parties involved could undertake the work themselves. Neither the school, the village hall nor the parish council (who we will refer to jointly as the Group) had sufficient funds to undertake the task. The Chairman of the parish council, with assistance from Unitary Councillor Motley, has been involved throughout in the negotiations with Shropshire Council and reported back to the council on their progress.

The Parish Council had indicated in the Craven Arms & Surrounding Area Place Plan 2019/2020 and at council meetings that resurfacing of the car park was a crucial strategic aim that it was committed to delivering. This commitment was reinforced by a CIL bid the Parish Council submitted in March 2019 to cover its Community Infrastructure aim. Eventually the Parish Council was advised it would receive CIL funds of £11,713 towards the resurfacing. Ffion Horton, representing Shropshire Council, indicated in 2021 that she would get a quotation from Kier, with a view to getting them to do the resurfacing works, overseen by the Highways. Department. She had a site meeting with

Keir in 2021 but did not contact any member of the Group, so they were not at the meeting. The quote she got from Kier did not include a significant and important part of the area requiring resurfacing. She agreed she would get a second quote, for the whole area. Nothing further was ever heard from her and no one else at Shropshire Council has ever progressed the matter, frequent requests for action from the Chairman, all of which went unheeded.

By spring 2022 the car park posed a health and safety risk for users and DPC had been forced to spend £1200 since 2019 on temporary repairs, funded by a small car park resurfacing reserves fund it had established. The Group had also obtained its own quotations for the resurfacing works, and as time went by, the prices quoted increased by over £3,000 due to inflation.

In April 2022 DPC received a tranche of Neighbourhood Funds taking its total Fund to £24,461: adding to it the reserve fund of £4,723 meant DPC had £29,184. The village hall committee offered £7,000 and at the last minute the school was able to offer £8,900. During the on-going silence from SC, the Group met three firms of contractors on site and obtained quotations for the resurfacing work, which were discussed at parish council meetings. The firms all advised the optimal time for doing the work was August/September 2022. There were now more than adequate funds available, even if SC continued to withhold the long-promised £11,713.

The Chairman reported on all this at the parish council meeting on 27th July 2022. He detailed that funds of £45,084 were available even without the CIL £11,713, so there were sufficient funds to carry out the work based on the quotations which had been received. During his Chairman's Report he made three proposals:

- 1, That DPC tell SC that the school, village hall and parish council propose to press ahead with the work now and trust that SC will credit the £11,713 to DPC's account, or
2. That DPC asks again for a firm plan or commitment from SC that Highways will do the work during the school holidays (i.e. August 2022), or
3. Accept that DPC may not get the VAT back or the CIL payment from SC but that the work needs doing and part of the Neighbourhood Funds will have to be used to fund it.

Councillors voted unanimously to proceed with Option 1 - Minutes reference 097/22 refers.

Thereafter the Chairman shared all the various quotations and negotiations for the work with the councillors by email and his further correspondence with Mr E West at Shropshire Council for action on point 2.

The next difficulty that then arose was the unavailability of the Clerk/RFO during August 2022 to help and guide with the council's procedures. She had voiced concerns about VAT recovery and the procedural steps involved in what was being proposed as the July 27th 2022 meeting progressed and by email subsequently. She was concerned that the proposals put forward had not been an agenda item although completion of the car park work had featured in numerous council meetings during 2021/22. Unfortunately, she was on the cusp of moving house when the July meeting took place and was totally immersed in packing etc. Having produced the Minutes of the meeting of July 27th and

given her views on the proposals, all she could do was suggest the Chairman sought advice and information on the procurement process from SALC, which he did. BT shut down her Broadband and telephone connection two weeks earlier than they should have, and there were delays in getting reconnected to Broadband at the new house, by which time the car park had been resurfaced, as proposed in point 1 at the July DPC meeting. Shropshire Council had agreed to pay the CIL money and for DPC to go ahead with the work themselves just prior to the resurfacing commencing

Conclusion

The car park re-surfacing was not an Agenda item, but the public were informed about it, including the cost and the funding arrangements, in the Minutes which were published in DPC's website and in the parish council's report in the parish magazine. No objections were raised by anyone. It is fair to say that the parishioners were all delighted that the car park was in a safe state when the children returned to school in September. The parish council is aware that its procedures in this matter were less than perfect, as its summary in the attached document demonstrates. Lessons have been learned.

We stress again the procedural failures arose due to the unhappy combination of the urgency of getting the car park resurfaced during the school holiday, Shropshire Council's failure to liaise with DPC and the unavoidable absence of the Clerk/RFO during the relevant period.