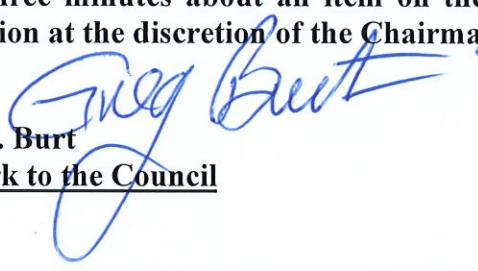




To All Councillors on the Finance & General Purposes Committee,

You are hereby summoned to attend a Meeting of the Finance and General Purposes Committee to be held in the Billingshurst Centre, Roman Way, Billingshurst, on Wednesday 25 May 2022, at 7.30pm.

Members of the public are welcome to attend this meeting and speak for a maximum of three minutes about an item on the agenda for this meeting during the Public Session at the discretion of the Chairman.


G.C. Burt
Clerk to the Council

18 May 2022

AGENDA

1. Chairman's Announcements
2. Apologies for absence.
3. To Receive Declarations of Interest and notification of Changes to Members' Interests.
4. Public Session.
5. Minutes of the meeting held on 28 April 2022, previously circulated; to confirm and sign as a correct record.
6. Matters Arising – not separate agenda items.
7. To approve payments and note any receipts for April 2022, Appendix A.
8. To note Current and Reserve bank reconciliation to 30 April 2022, Appendix B
9. To note Bonus Saver Reserve bank reconciliation to 30 April 2022, Appendix C.
10. To consider any expenditure recommendations from other Committees over and above current budgetary provision.

To consider a recommendation from the Working Practices Committee of 18 May 2022 to allocate CIL funds (£5k suggested) for the installation of a window in the Parish Office to facilitate the relocation of the Neighbourhood Wardens into a former storage room.

11. To consider Grant applications from.
 - a. Women's Institute - Appendix **D**
 - b. West Sussex Mediation Service - Appendix **E**
(Grant summary - Appendix **F**.)
12. To review St Mary's Church Transformation grant - Appendix **G**
13. Any other matters for information only.
14. Date of Next Meeting – **Wednesday 29 June 2022**

Committee Members: BB, PB, RM, **KP**, EB, DH, **CG**, PD

Members of the public should be aware that being present at a meeting of the Council or one of its Committees or Sub-Committees will be deemed as the person having given consent to being recorded (photograph, film or audio recording) at the meeting, by any person present.

Date: 18/05/2022

Billingshurst Parish Council Current Year

Page 1

Time: 16:36

Current Bank A/c

List of Payments made between 01/04/2022 and 30/04/2022

<u>Date Paid</u>	<u>Payee Name</u>	<u>Reference</u>	<u>Amount Paid</u>	<u>Authorized Ref</u>	<u>Transaction Detail</u>
01/04/2022	Mole Valley Count Stores	CARD	48.48		New boots for L/Warden
14/04/2022	Restream Inc.	CARD	15.02		Streaming service
14/04/2022	Network One	DD	690.20		Phone charges
19/04/2022	Christian Faversham Ltd	CARD	712.72		Hire generator/Jubilee Party
19/04/2022	PWLB	DD	10,831.25		Loan - 83a High St x2 yearly
19/04/2022	A272 Design	SO	490.20		Village TWEET advert
19/04/2022	Siemens Fin Serv	DD	194.54		Copier hire
22/04/2022	Netcom IT Solutions	DD	242.46		IT support
25/04/2022	EE & T Mobile	DD	27.34		Mobile phones
26/04/2022	Netcom IT Solutions	DD	55.20		IT support
28/04/2022	Plumridge & Peters Ltd	013082	264.45		Planter s'ship signs
28/04/2022	Breakthrough Communications Lt	013083	180.00		Creat Jubilee online form
28/04/2022	Rialtas Business Solutions Ltd	013084	412.20		Accounting software use 22-23
28/04/2022	Horsham District Council	013085	124.00		Bin emptying April
28/04/2022	Netcom IT Solutions Ltd	013086	3,074.83		New Phone system
28/04/2022	AMdesign Architects Ltd	013087	340.00		Beacon planning application
28/04/2022	Vision ICT Ltd	013088	78.00		.gov.uk domain renewal 22-24
28/04/2022	WSALC Ltd	013089	2,334.07		NALC+WSALC subs 22-23
28/04/2022	Billingshurst Women's Hall	013090	2,000.00		CIL Grant
28/04/2022	Billingshurst Surgery	013091	36.00		Staff medical
28/04/2022	Glasdon UK Ltd	013092	3,579.56		Bollards / Adversane Green
28/04/2022	South & South East in Bloom	013093	62.00		In Bloom entry fee
28/04/2022	Churches Fire Security	013094	65.21		Garage - Fire extinguishers
28/04/2022	Loo of the Year Awards Ltd	013095	177.60		2022 Loo of the year entry
28/04/2022	SSE	DD	112.00		Electric 83a High St
29/04/2022	NatWest	BACS	24.85		Bank charges
29/04/2022	PWLB	DD	10,128.52		BCCC Imp loan x2 yearly
Total Payments			36,300.70		

16:37

Current Bank A/c

Cash Received between 01/04/2022 and 30/04/2022

<u>Date</u>	<u>Cash Received from</u>	<u>Receipt No</u>	<u>Receipt Description</u>	<u>Receipt Total</u>
19/04/2022	A272 Design	BACS	Planter sponsorship	156.00
19/04/2022	Bay Electrical	BACS	Planter Sponsorship	312.00
01/04/2022	Deacon Crickmay	BACS	JM Cleaning March 2022	828.48
11/04/2022	Fowlers Letting Ltd	BACS	Flat rental 83a High St	858.80
22/04/2022	Highwood Group	BACS	Beacon donation	3,000.00
28/04/2022	Horsham District Council	BACS	Precept Part 1 + Jubilee grant (200)	222,567.50
19/04/2022	Kings Head	BACS	Planter Sponsorship	156.00
29/04/2022	NatWest	BACS	Bank interest	7.14
19/04/2022	Pet Pooch Boutique	BACS	Planter sponsorship	262.36
04/04/2022	SCYP	BACS	Part 1 - 83a High St conv cont	40,000.00
05/04/2022	SSE	102549	Compen. for Hall power cut	140.00
Total Receipts				<u>268,288.28</u>

Date: 18/05/2022

Billingshurst Parish Council Current Year

Page 1

Time: 16:31

**Bank Reconciliation Statement as at 30/04/2022
for Cashbook 1 - Current Bank A/c**

User: GREG

<u>Bank Statement Account Name (s)</u>	<u>Statement Date</u>	<u>Page No</u>	<u>Balances</u>
Current Account	30/04/2022	456	100.00
Business Reserve Account	30/04/2022	330	260,763.91
			<u>260,863.91</u>
<u>Unpresented Cheques (Minus)</u>		<u>Amount</u>	
07/02/2022 013039 Wakoos Centre 4Children Ltd		1,000.00	
07/02/2022 013048 Aurac Sound & Vision Ltd		40.00	
07/02/2022 013051 Meadows Wellbeing		20.00	
31/03/2022 013076 Horsham District Council		358.80	
31/03/2022 013081 CNG Energy Ltd		6.28	
28/04/2022 013082 Plumridge & Peters Ltd		264.45	
28/04/2022 013083 Breakthrough Communications Lt		180.00	
28/04/2022 013084 Rialtas Business Solutions Ltd		412.20	
28/04/2022 013085 Horsham District Council		124.00	
28/04/2022 013086 Netcom IT Solutions Ltd		3,074.83	
28/04/2022 013087 AMdesign Architects Ltd		340.00	
28/04/2022 013088 Vision ICT Ltd		78.00	
28/04/2022 013089 WSALC Ltd		2,334.07	
28/04/2022 013090 Billingshurst Women's Hall		2,000.00	
28/04/2022 013091 Billingshurst Surgery		36.00	
28/04/2022 013092 Glasdon UK Ltd		3,579.56	
28/04/2022 013093 South & South East in Bloom		62.00	
28/04/2022 013094 Churches Fire Security		65.21	
28/04/2022 013095 Loo of the Year Awards Ltd		177.60	
			<u>14,153.00</u>
			246,710.91
<u>Receipts not Banked/Cleared (Plus)</u>			
		0.00	
			<u>0.00</u>
			246,710.91
		Balance per Cash Book is :-	246,710.91
		Difference is :-	0.00

Date: 18/05/2022

Billingshurst Parish Council Current Year

Page 1

Time: 14:05

Bank Reconciliation Statement as at 30/04/2022
for Cashbook 3 - Bonus Saver Account

User: GREG

<u>Bank Statement Account Name (s)</u>	<u>Statement Date</u>	<u>Page No</u>	<u>Balances</u>
Bonus Saver Account	30/04/2022	105	186,382.59
			<u>186,382.59</u>
<u>Unpresented Cheques (Minus)</u>		<u>Amount</u>	
		0.00	
			<u>0.00</u>
			186,382.59
<u>Receipts not Banked/Cleared (Plus)</u>			
		0.00	
			<u>0.00</u>
			186,382.59
		Balance per Cash Book is :-	186,382.59
		Difference is :-	0.00



APPLICATION FOR GRANT FOR VOLUNTARY ORGANISATIONS

1.	Name of Organisation	BILLINGSHURST WI
2.	Name, Address and Position of Contact in Organisation	MRS MARY DEVENPORT SECRETARY BILLINGSHURST RH 14
3.	Telephone Number of Contact	01403
4.	Is the Organisation a Registered Charity? If yes, Charity Number	Yes/ No part of NFWI 803793
5.	Amount of grant requested	£ 350
6.	For what purpose or project is the grant requested?	TO HELP COVER THE COST OF PRINTING A WI RECIPE BOOK TO PROMOTE THE WI IN THE LOCAL COMMUNITY.
7.	What will be the total cost?	£ 363.54
8.	When will the money be spent?	IMMEDIATELY
9.	Who will benefit from the project?	CURRENT AND FUTURE MEMBERS WILL BENEFIT AS IT WILL HELP THE WI GROW AND THRIVE AND CONTINUE TO BENEFIT LOCAL PEOPLE
10.	Approximately how many of those who will benefit are Billingshurst parishioners?	ALL MEMBERS WHO LIVE IN THE PARISH, CURRENTLY 40.

Please submit this form together with a covering letter giving any other information which you feel will support the application, together with recent certified accounts. In signing this form you agree to abide by any Terms & Conditions included within the policy.

Signed

Date

16.03.2022

Name (In capitals)

MARY DEVENPORT



**BILLINGSHURST
RH14 !**

Billingshurst Parish Council
Billingshurst Centre
Roman Way
RH14 9QW

17 MAR 2022

16th March 2022

Dear Billingshurst Parish Council

Re: Application for Grant for Voluntary Organisations

The Billingshurst Women's Institute has pleasure in submitting its application for a grant for Voluntary Organisations. Enclosed is the application form and most recent audited accounts approved by the members on 14th October 2021, a signed copy can be obtained if necessary.

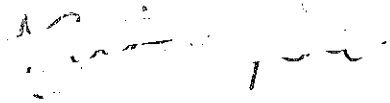
The WI exists to educate women to enable them to provide an effective role in the community, to expand their horizons and to develop and pass on important skills. The WI is all about inspiring women. It's a rich source of experiences, knowledge and skills passed down through generations. After the disruption to our meetings in the last two years, we are just starting to get back to functioning more normally although we are faced with a reduced membership with some member's still not comfortable returning to face to face meetings. This is impacting our ability to provide the level of service to the local community which we would like and have demonstrated for over 100 years.

Billingshurst WI has contributed greatly to village life by providing a place where women can meet, make new friends and so enhance their quality of life. Many of our members are active in other groups and organisations both locally and further afield providing many opportunities to promote the parish of Billingshurst in a positive way. The members are also keen to involve themselves in activities which improve the local and global environment, and again this year promoted the Show the Love campaign, by displaying green hearts to show our support for climate action following the COP26 climate conference.

This application is to request a grant of £350 to cover the cost of printing a WI Recipe book, which can be used to promote Billingshurst WI in the local area and provide a fund raising opportunity to benefit our members. The book contains recipes from past and present

members and we hope will make the WI more visible and attract further members to join us. The village is growing rapidly and so there is a great opportunity to provide new inhabitants with all the benefits that the WI can offer as life starts to return to normal once again.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Mary Devenport', written over a faint horizontal line.

Mary Devenport (Mrs)
Secretary Billingshurst WI (billingshurstwi@wsfwi.co.uk)

WI name
Charity number (if registered)
Federation

BILLINGSHURST
West Sussex



FINANCIAL STATEMENT

For the period

from 01/09/20

to 31/08/21

Section A Receipts and Payments

A1 Receipts	Total £	Last year £	A2 Payments	Total £	Last year £
Receipts at meetings	-		Meeting expenses	-	
Subscriptions (WI share)	417.60		Committee Members' expenses	2.30	
Gift Aid	-		Pooling of fares / expenses	-	
Publications	19.00		Publications	19.00	
Activities & events	-		Activities & events	414.79	
WI fundraising	100.00		WI fundraising	-	
Interest received			Insurance	21.35	
Paid into current account	-				
Paid into deposit account					
Grants and donations	130.00		Donations made	-	
Other income	-		Other payments	79.51	
WI-owned hall - total receipts			WI-owned hall - total payments		
Total Receipts	666.60	-	Total Payments	536.95	-

A3 Restricted funds included in total receipts			A4 Restricted funds included in total payments		
--	--	--	--	--	--

Total Receipts less Total Payments (Surplus/Deficit for the year)

129.65

A5 Total cash funds brought forward from last year (equals last year's total at B1)

A6 Total cash funds carried forward at this year end

129.65

A7 Total restricted funds at year end included in total cash funds above

The main purposes of the Women's Institute organisation are:

- (a) to advance the education of women and girls for the public benefit in all areas including (without limitation): (i) local, national and international issues of political and social importance; (ii) music, drama and other cultural subjects; and (iii) all branches of agriculture, crafts, home economics, science, health and social welfare;
- (b) to promote sustainable development for the public benefit by: (i) educating people in the preservation, conservation and protection of the environment and the prudent use of natural resources; and (ii) promoting sustainable means of achieving economic growth and regeneration;
- (c) to advance health for the public benefit; and
- (d) to advance citizenship for the public benefit by the promotion of civic responsibility and volunteering.

WI name

BILLINGSHURST

Section B

Statement of assets and liabilities at the year end

B1 Cash funds

		Total £	Last year £
B1.1	Final bank balance as per Account Book, including uncleared items	2,863.11	2,733.81
B1.2	Reconciliation of final bank balance from Account Book to bank statement		
	Bank statement total at year end		
	Plus amounts paid in to bank but not cleared		
	Less cheques written but not cleared		
	Less any cheques still uncleared from last year		
	Total (should equal balance at B1.1)	-	
B1.3	Savings / deposit account balance		
B1.4	Petty cash in hand		
B1.5	Less any funds held as agent for federation/NFWI, i.e. subscriptions received but not yet paid over enter as a negative amount		
	Total cash funds	2,863.11	2,733.81

B2 Investments (if any)

--	--

B3 Other monetary assets (e.g. any money owed to the WI)

--	--

B4 Other assets held by the WI e.g. WI owned hall, other equipment

	Value (optional)*	Original cost (optional)*

* cost / value should only be completed if meaningful information is available

B5 Liabilities

Payments due immediately but not paid, or due at a future date, e.g. loans

	Date due (optional)*	Amount due (optional)*

* amount / date due should only be completed if meaningful information available

Signed on behalf of all the trustees (WI Committee members)

Signature

Name

Date of approval

President

Treasurer

Independent financial examiner's initials:

--

WI name

BILLINGSHURST

Federation event bookings by individual members	-	-	
NFWI and / or federation raffle	-	5.00	
Total	784.00	789.00	-

C2 Details of restricted funds

Complete this section if the WI had any restricted funds during the year

	Receipts this year £	Payments this year £	Any balance held at year end £
Name or description of restricted fund:			
Total	-	-	-

C3 Further details of WI activities /fundraising /other

Include additional details that would be helpful to WI members or other readers of the financial statement

	Receipts this year £	Payments this year £
Activities & events (description)		
Total WI activities	-	-
WI fundraising description)		
Total WI fundraising	-	-
Grants & donations		
Total grants & donations	-	-
Other income / expenditure		
Total other income / expenditure	-	-

Independent financial examiner's initials:

PT

Guidance on completing the WI Financial Statement is available on the My WI website

INDEPENDENT FINANCIAL EXAMINER'S REPORT

To the Trustees of

Charity number (if registered)

BILLINGSHURST

WI

I report on the Receipts and Payments Accounts set out on the attached Financial Statement pages 1-3 for the above named WI for the year ended

Respective responsibilities of trustees and examiner

The trustees are responsible for the preparation of the accounts. The trustees consider that an audit is not required for this year under section 144(2) of the Charities Act 2011 (the 2011 Act) and that an independent examination is needed.

Having satisfied myself that the charity is eligible for independent examination, it is my responsibility to:

- examine the accounts under section 145 of the 2011 Act;
- follow the procedures laid down in the general Directions given by the Charity Commission under section 145(5)(b) of the 2011 Act; and
- state whether particular matters have come to my attention.

Basis of Independent Examiner's report

My examination was carried out in accordance with the general Directions given by the Charity Commission. An examination includes a review of the accounting records kept by the charity and a comparison of the accounts presented with those records. It also includes consideration of any unusual items or disclosures in the accounts, and seeking explanations from you as trustees concerning any such matters. The procedures undertaken do not provide all the evidence that would be required in an audit and consequently no opinion is given as to whether the accounts present a 'true and fair view' and the report is limited to those matters set out in the next statement.

Independent Examiner's Statement

In connection with my examination no matter has come to my attention, (other than disclosed below*):

1. which gives me reasonable cause to believe that, in any material respect, the requirements:
 - to keep accounting records in accordance with Section 130 of the Charities Act 2011; and
 - to prepare accounts which accord with the accounting records and comply with the accounting requirements of the Charities Acthave not been met; or
2. to which, in my opinion, attention should be drawn in order to enable a proper understanding of the accounts to be reached.

**Please delete the words in brackets if they do not apply.*

Comments:

Signed:

PI

Date: *31 AUG 2021*

Name:

PAM HOBBS

Address:

LINDFIELD

A



APPLICATION FOR GRANT FOR VOLUNTARY ORGANISATIONS

1.	Name of Organisation	West Sussex Mediation Service
2.	Name, Address and Position of Contact in Organisation	Nick Handley (Service Co-ordinator) Park House, North Street, Horsham, RH12 1RN
3.	Telephone Number of Contact	01403
4.	Is the Organisation a Registered Charity?	Yes
	If yes, Charity Number	1084592
5.	Amount of grant requested	£200
6.	For what purpose or project is the grant requested?	To support the provision of free mediation services to Billingshurst residents who are experiencing conflicts in their lives. We specialise in resolving neighbour disputes and conflicts within families, across the generations. We offer free conflict coaching where formal mediation cannot take place. We have been involved in dispute resolution since 2000 and use fully trained and vetted volunteer mediators, working in pairs. They go to where the need is. We have maintained full services throughout the pandemic by mediating online, via Zoom.
7.	What will be the total cost? (See 4i & ii of T&Cs)	£2,800
8.	When will the money be spent?	During 2022.
9.	Who will benefit from the project?	Anyone in need of our help, regardless of age, ethnicity, sex, creed or financial means. Clients can self refer or via agencies such as the Police, Council, Housing Associations and Citizens Advice. It is not just those directly involved in disputes who benefit from our outcomes of our work. We have a success rate of 84% from our joint mediation sessions.



10.	Approximately how many of those who will benefit are Billingshurst parishioners?	We helped 14 families in the parish last year and an equal number in 2020/21. The wider community also benefit from our work. We allow clients to express their views/concerns over issues/prejudices such as racism, sexism, ageism and homophobia in a safe and constructive environment. We have experience with minority groups such as travellers, migrant workers and ex-offenders.
-----	--	---

Please submit this form together with a covering letter giving any other information which you feel will support the application, together with recent certified accounts. In signing this form you agree to abide by any Terms & Conditions included within the policy.

Signed  Date 10th May 2022

Name (In capitals) N. HANDLEY.....

10th May 2022

Mr Greg Burt
Clerk to Billingshurst Parish Council
The Billingshurst Centre
Roman Way
Billingshurst
RH14 9QW

Re: Grant Application – 2022/23

Dear Greg,

We last received a Grant from your Council in 2017. (Since that last grant we achieved the Queen's Award for Voluntary Service – 2019, which we like to shout out about!)

We would like to apply to your Council for a grant of £200, to help support our work in your Parish in our 2022/23 financial year. We are a registered charity, based in an office in Horsham. We use trained local volunteer mediators. (We have mediators living in your Parish). We specialise in conflict resolution, particularly between neighbours in dispute and between family members, across the generations.

We have helped **14** families, directly, in Billingshurst over the last 12 months, which matches the previous year, exactly. Our work has a knock-on effect on the wider community and lowers the demand on other support agencies. Topics have included noise nuisance, antisocial behaviour and family conflicts. We have specialist mediators for the various situations presented.

We continue to use the Billingshurst Community & Conference Centre as our venue of choice for our volunteer training sessions (Covid-19 aside).

Despite severe financial pressures, our services remain free to the end user. Our newer Conflict Coaching scheme is proving to be very popular. This helps those who have approached us for mediation, but the other party has declined to engage in the formal process. It will equip people with the skills to avoid confrontation and cope with conflict situations themselves.

Cont.:

Fundraise for us, at no cost to you, whilst shopping online – <https://www.giveasyoulive.com/join/wsms>

Service Co-ordinator: Nick Handley

Registered Charity No: 1084592 - *Donations welcome*
Payable to - West Sussex Mediation Service

We have just completed our 2021/22 financial year and provisional figures suggest that we suffered a budget deficit, for the second year running.

We are most grateful for the past funding support provided by your Council. Such support from Town/Parish Councils is even more vital at the present time. Our accounts will show a smaller number of such grants than in previous years. The reason for this is that, as the sole fundraiser for the charity, time to submit applications had been limited. It is not the case that Councils have declined to help us. In my final year with the charity (retiring in November, after 15 years of service), so would dearly love to leave it in good shape financially for my replacement. During my time with WSMS, and following a full previous career with Sussex Police, I am confident that we are a very worthy, but under recognised good cause, doing some great work in the community.

We have diversified our income greatly and pre the pandemic we generated £25,850 through paid services in a year. Sadly, this shrunk to only £9,100 in 2021/22 which has meant that we have been drawing down on our modest reserves.

If you know of any ways that we can publicise our charity within the Parish, such as your Newsletters, do let us know. We are happy to give talks to Councillors or other groups/organisations.

We are also experienced in offering Workplace Mediation to Parish Councils, but trust that yours does not require our help in that area!

Yours sincerely,



Nick Handley
(Service Co-ordinator)



Who are we? – We came into being in 2000, following some work carried out by a Crime Prevention Officer who had been tasked with determining how much frontline Police time was being devoted to low scale neighbourhood disputes/disorder. It equated to 5% of operational time. He deemed it necessary to break the cycle of conflict and dependency on Police/other statutory agencies and suggested the formation of an **Independent Mediation Service** using local, trained volunteers. The charity was born, with nine initial mediators covering the Horsham area. We are now a Countywide service with 60+ mediators. Referrals **increased in 2016/17 by 32%** over the previous year. **January 2019 was our busiest month ever with a massive 52 referrals.**

In 2019 we received the Queen's Award for Voluntary Service. This is regarded as the OBE for charities and not readily handed out. In 2020 we were shortlisted in the National Mediation Awards in the category of Best Community Mediator.

What We Do – We provide a range of **FREE** Mediation services to anyone living or working in West Sussex, using trained and accredited local volunteer mediators, working in pairs, who go to where the need is. We serve all sections of the community and regardless of age, sex, creed, or financial means. Our volunteers are passionate about our work. The average length of service is 6-8 years and increasing. We have a very low turnover of mediators. Many of our clients are disadvantaged. Many have mental health issues, suffer some form of disability or are socially disadvantaged. We accommodate all needs from interpreters, signers, advocates, support workers, to disabled access issues and more. We help challenge issues of racism, homophobia, ageism and sexism. Our clients extend to travellers, migrant workers and ex-offenders. With our Intergenerational work we help prevent homelessness in young adults and have reunited fragmented families. We work in areas of social deprivation. Various wards we serve feature in the top 10% most deprived in the UK (Indices of Deprivation 2015).

Why are we needed? A report produced by Neighbourhood Watch & Co-op Insurance showed that 46% of UK homeowners don't know most of their neighbours by name. Only 29% of homeowners would trust their neighbours with a key to their home.

The report also reveals that all is not quiet on the home front. Although 98% of people consider themselves good neighbours, 45% have had a disagreement with their neighbours. The study shows homeowners and renters approaching neighbourly disputes differently, with 16% of homeowners admitting to complaining to their neighbour, twice as much as renters.

More than a quarter of UK homeowners and renters have had a party and played loud music after 11pm, with common causes of neighbourly disputes including noise (10%), parking (9%), music (eight per cent) and barking dogs (8%). While communities are looking out for each other by doing the day-to-day things, the report suggests that more can be done to strengthen meaningful relationships that form the foundations of a close-knit community. Only 15% of people have invited their neighbours over to their home and 24% think they are good neighbours because they keep themselves to themselves.

Practical results – We have evidence that through our work we help improve health & wellbeing by removing the stresses and strains of those suffering conflicts and particularly those enduring noise nuisances that affect sleep and quality of life. We help reduce antisocial behaviour and low scale crime. We can reduce the fear of crime and the feeling of isolation – particularly in the elderly and vulnerable. We aid communication and help improve community relations/cohesion.

How many people will benefit? We can service around 300 referrals a year, equating to 600+ households or 1500-1800 individuals. Our influence extends to other neighbours, the wider community and extended families – all whom can be affected or drawn into disputes to 'take sides'.

Where we are at financially - We are seeing the effects of the pandemic and previous austerity measures and our traditional grants have been shrinking. In 2014 we lost a major grant from our County Council. We still manage to almost balance the book each year but don't attract extra funding that would allow us to do a whole lot more. We have reserves for no more than 6 months operation. We are drawing down heavily on our reserves this year.

Are we cost-effective? I don't believe that there are many small charities that operate in a more frugal fashion than us. We operate from one central office*, keep our overheads as low as possible and work with the minimum of paid staff. Our 60+ volunteers register countless hours of their time for the good of the community. They are passionate about our work and many don't even claim their entitled expenses. We negotiate very hard for best value with suppliers and seek specific grants for any major purchases, which are few and far between. We are not in competition with any like services within our County. We have formed an Alliance with three other like services that span East Sussex and Brighton & Hove. *Due to the pandemic, our paid staff are all currently we are currently working from home and all our mediators

How is our work monitored, evaluated and disseminated? We are very accustomed with monitoring and evaluation due to existing service level agreements we have in place with various funders. We maintain strong statistical records on casework and outcomes and have launched a new dedicated case management system which we have helped create alongside an expert in the IT field who was working on a pro bono basis. We send out feedback questionnaires to clients covering all aspects of our work we also seek feedback from referral agencies. We receive numerous testimonials. Our Annual Report is widely published and is downloadable from our website.

Where will ongoing funding come from? We are continuing to develop our fee-paying mediation services to help cross subsidise our free work in the community (see below). Family Mediation was a growth area due to changes in Legislation. We were finding that work in this area was coming to us naturally but since the start of the pandemic, income from this area of work has reduced significantly. Previously, our income from paid services had equated to a quarter of our total income. We also earn some income from Workplace Mediation but find it difficult to reach that market. We intend to increase our community fundraising activity once the pandemic abates.

What free services do we provide?

Community Mediation – specialising in helping to resolve neighbour disputes and therefore change lives for the better. Regular topics for referrals include noise nuisance, antisocial behaviour, parking, trees/hedges, boundaries/fences, children, pets, bonfires, CCTV, rubbish, odours and more. Some cases involve multiple parties, such as all residents in a road over parking issues or ball games and various residents in a block of flats over noise issues.

Intergenerational Mediation – for conflicts within a family group, across the generations. This can often involve young adults who are at risk of being excluded from the family home due to disruptive behaviour affecting the family dynamics and influencing younger siblings. It also extends to grandparents and estranged family members wishing to reconnect at times of crisis or loss.

Conflict Coaching – where both side in a dispute won't engage in mediation but self-help coaching can be beneficial.

Elder Mediation – for issues created through later living that create family troubles. This may include caring duties, independent living v care home, safeguarding, powers of attorney, wills & inheritances and ending driving careers.

Additional services that provide us with some income include –

Family Mediation - divorcing/separating couples wishing to formalise child arrangements or settle finances. Fully qualified Family Mediators provide this service.

Workplace Mediation – for all manner of conflict/disputes within the workplace at 'shopfloor' level, right up to senior management/Director level. Investing in mediation can be a huge cost saving for a business, large or small.

Commercial/Civil disputes – examples being trader/customer disputes and contract disputes. Again, specially trained mediators service such cases.

We can provide training in conflict resolution and other similar topics.

Our trainer is hugely experienced in mediation and is an accredited training centre in his own right, through the Open College Network (Laser Learning South-East).

The Pandemic

We continue to provide all our mediation service through phone/video conferencing. We will resume face to face sessions once it is deemed safe and both clients and mediators are happy to do so. Our platform of preference has been Zoom. Our mediators have received additional training to mediate online. We are still achieving good outcomes this way.

With your help we can continue to provide FREE services in your local community, whilst seeking to introduce new services and innovations.

Example Testimonial

"I just want to thank you both personally for the way you helped myself and my siblings to resolve our differences. You managed, by some miracle, to create an atmosphere in which we all realised that there really wasn't a whole list of things we had to resolve and that deep down once we had got over the one major hurdle, we were still able to communicate extremely well. Somehow a huge cloud has lifted, which we are all really happy about!

You both have an uncanny ability of being able to express calmly what was sometimes very difficult to put into words without just sounding angry."

WEST SUSSEX MEDIATION SERVICE

**TRUSTEES' REPORT
AND UNAUDITED ACCOUNTS**

YEAR ENDED 31 MARCH 2021

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WEST SUSSEX MEDIATION SERVICE
Charity Number: 1084592

GENERAL INFORMATION

YEAR ENDED 31 MARCH 2021

TRUSTEES AND MANAGEMENT COMMITTEE

N Wiltshire (Chair)
W Adler (resigned 7 January 2021)
P Minter (Secretary – resigned 14 September 2020)
S Cunningham (Treasurer – elected 7 January 2021)
A Gee (Treasurer- resigned 7 January 2021)
S Bertie
S Davies (resigned 7 January 2021)
M Hill
D Sheldon
B. Desai (Elected 7 January 2021)

PRINCIPAL ADDRESS

Park House
North Street
Horsham
West Sussex
RH12 1RN

BANKERS

Barclays Bank plc
Leicester
LE87 2BB

INDEPENDENT EXAMINER

Sushma Clark
Your Accounts Team Ltd
Intergen House
65-67 Western Road
Hove BN3 2JQ

WEST SUSSEX MEDIATION SERVICE
INDEPENDENT EXAMINER'S REPORT
YEAR ENDED 31st MARCH 2021

I report to the trustees on my examination of the accounts of the West Sussex Mediation Service (the Service) for the year ended 31 March 2021.

Responsibilities and basis of report

As the charity trustees of the Service you are responsible for the preparation of the accounts in accordance with the requirements of the Charities Act 2011 ("the Act").

I report in respect of my examination of the Service's accounts carried out under section 145 of the Act and in carrying out my examination I have followed all the applicable Directions given by the Charity Commission under section 145(5)(b) of the Act.

Independent examiner's statement

I have completed my examination, I confirm that no material matters have come to my attention in connection with the examination giving me cause to believe that in any material respect:

- accounting records were not kept in respect of the Service as required by section 130 of the Act; or
- the accounts do not accord with those records; or
- the accounts do not comply with the applicable requirements concerning the form and content of the accounts set out in the Charities (Accounts and Reports) Regulations 2008 that the accounts give a 'true and fair view which is not a matter considered as part of an independent examination'.

I have no concerns and have come across no other matters in connection with the examination to which attention should be drawn in this report in order to enable a proper understanding of the accounts be reached.

Dated:

Sushma Clark FCMA
Your Accounts Team Ltd
Intergen House
65-67 Western Road
Hove BN3 2JQ

WEST SUSSEX MEDIATION SERVICE
STATEMENT OF FINANCIAL ACTIVITIES
YEAR ENDED 31st MARCH 2021

	Unrestricted Funds £	Restricted Funds £	2021 £	2020 £
INCOMING RESOURCES				
Adur Homes	-	-	-	2,500
Arun District Council	1,000		1,000	1,000
Bersted Parish Council	100		100	-
Broadbridge Heath Parish Council	200		200	-
Chichester City Council	-		-	500
Clarion Housing	3,400		3,400	3,400
Crawley Borough Council (Community Grant)	3,000		3,000	3,000
East Preston Parish Council	200		200	-
Haywards Heath Town Council	-		-	200
Horsham District Council	4,000		4,000	3,100
Hurstpierpoint Parish Council	150		150	-
Lindfield Rural Parish Council	100		100	-
Mid-Sussex District Council (Community Grant)	3,000		3,000	3,000
North Horsham CLC	-		-	600
North Horsham Parish Council	600		600	-
Optiva Housing	-		-	2,000
Pagham Parish Council	100		100	-
Pulborough Parish Council	200		200	-
Rudgwick Parish Council	-		-	100
Saxon Weald Housing Association	3000		3000	2,500
Shipley Parish Council	-		-	100
Southern Housing Group	-		-	4,800
Sussex Police & Crime Commissioner	11,550		11,550	25,523
West Chiltington Parish Council	-		-	150
Worthing Homes	3,000		3,000	2,000
Yapton Parish Council	100		100	-
Carried forward to page 5:	33,700		33,700	54,473

	Unrestricted Funds £	Restricted Funds £	2021 £	2020 £
Brought forward from page 4:	33,700	-	33,700	54,473
Charitable Trusts/Foundations/Corporates				
Allen Lane Foundation	-	4,000	4,000	-
Awards for All (Covid-19 Emergency Funding)	-	8,553	8,553	-
Carpenter Box Charitable Trust		-	-	500
Ecclesiastical (Movement for Good)	1,000	-	1,000	-
Gatwick Airport Community Trust		-	-	1,600
Henry Smith Charity	10,000	-	10,000	-
Longley Trust	600	-	600	-
Peoples Postcode Trust		3,000	3,000	-
Rotary Clubs		-	-	100
Sussex Community Foundation		625	625	-
Tesco Bags of Help (Covid-19 Funding)		500	500	-
Other Income				
Fundraising	3,909	-	3,909	3,769
Donations	2,469	-	2,469	1,610
Paid mediation	16,230	-	16,230	25,850
Other paid work	450	-	450	-
Training	-	-	-	340
Room hire	-	-	-	1,638
Bank interest	21	-	21	84
Total income	68,379	16,678	85,057	89,964
RESOURCES EXPENDED				
Fundraising costs	40	-	40	761
Staff costs (note 2)	56,343	8,078	64,421	60,820
Rent/Rates	10,098	-	10,098	8,972
Telephone	1,423	134	1,557	2,243
Computer/IT	562	72	634	2,361
Advertising	100	-	100	130
Printing, postage and stationery	142	909	1,051	2,095
Insurance	928	-	928	952
Training/CPD	516	4,204	4,720	4,335
Mediator/staff expenses	185	409	648	3,118
Room hire	-	-	-	1,055
Membership and subscriptions	1,872	2,733	4,605	2,602
Sundry	305	-	250	500
Depreciation	700	-	700	205
Total expenditure	73,213	16,539	89,752	90,149
Net movement in funds before transfers	(4,834)	139	(4,695)	(185)
Funds brought forward	46,049	4,311	50,360	50,491
Fund balances carried forward	41,215	4,450	45,665	50,306

WEST SUSSEX MEDIATION SERVICE

BALANCE SHEET

YEAR ENDED 31st MARCH 2021

	Notes	£	2021 £	£	2020 £
FIXED ASSETS					
Tangible fixed assets	3		854		415
CURRENT ASSETS					
Bank accounts		3,754		5,853	
Reserve account		41,001		41,000	
PayPal account		-		-	
Cash		55		28	
Prepaid expenses		-		3,064	
			<u>44,810</u>	<u>49,945</u>	
CURRENT LIABILITIES					
Grants received in advance		-		-	
			<u>-</u>	<u>-</u>	
NET CURRENT ASSETS			44,810		49,945
TOTAL ASSETS LESS CURRENT LIABILITIES			<u>45,664</u>		<u>50,360</u>
FUNDS					
Unrestricted	5		41,214		46,049
Restricted	6		4,450		4,311
			<u>45,664</u>		<u>50,360</u>

No expenses were paid to members of the management committee in respect of committee work.

The accounts were approved by the trustees on th July 2021 and signed on their behalf by

N. Wiltshire
Chair

S. Cunningham
Treasurer

WEST SUSSEX MEDIATION SERVICE

NOTES TO THE ACCOUNTS

YEAR ENDED 31st MARCH 2021

1. Principal accounting policies

Basis of accounting

These accounts are prepared under the historical cost convention. The accounts have been prepared in accordance with the Statement of Recommended Practice (SORP) applicable to Charities preparing their accounts in accordance with the amendments issued by the Financial Reporting Council in July 2015: Amendments to FRS 102 The Financial Reporting Standard applicable in the UK and Republic of Ireland - Small Entities and other minor amendments.

Fund accounting

The unrestricted funds are available for use at the discretion of the trustees in furtherance of the general objectives of the charity and have not been designated for other purposes except as disclosed in note 5.

Restricted funds are funds which are to be used in accordance with specific restrictions imposed by donors or which have been raised by the charity for particular purposes. The cost of raising and administering such funds is charged against the specific fund.

Incoming resources

Voluntary income and donations are accounted for as received by the charity. Grants and donations are only included in the statement of accounts when the charity has unconditional entitlement of the funds.

Resources expended

All expenditure is accounted for on an accruals basis and has been classified under headings that aggregate all costs related to the category.

Tangible fixed assets and depreciation

Depreciation is provided on all tangible fixed assets at rates calculated to write off the cost, less estimated residual value, of each asset evenly over its expected useful life, as follows:

Computer equipment	straight line over 4 years
Fixtures and fittings	straight line over 10 years

2. Staff costs

Staff costs were as follows:

	2021 £	2020 £
Salaries (Net)	47,630	46,225
HMRC	15,796	13,536
Pensions	995	1,059
	<u>64,421</u>	<u>60,820</u>

No employee was paid more than £60,000 per annum in either financial year.
The value of any voluntary staff time is not included in the accounts.

During the year the average number of staff employed by the charity was 4 (2019: 3).

WEST SUSSEX MEDIATION SERVICE

NOTES TO THE ACCOUNTS

YEAR ENDED 31st MARCH 2021

3. Tangible fixed assets

	Computer equipment £	Fixtures and fittings £	Total £
Cost			
At 1 April 2020	8,139	354	8,493
Additions	1,139	-	1,139
At 31 March 2021	<u>9,278</u>	<u>354</u>	<u>9,632</u>
Depreciation			
At 1 April 2020	7,724	354	7,724
Charge for the year	700	-	700
At 31 March 2021	<u>8,424</u>	<u>354</u>	<u>8,424</u>
Net book value			
31 March 2020	415	-	620
31 March 2021	854	-	854

4. Analysis of net assets between funds

	Unrestricted funds £	Restricted Funds £	At 31 March 2021 £
Fund balances at 31 March 2021 are represented by:			
Fixed assets	854	-	854
Net current assets	40,360	4,450	44,810
	<u>41,214</u>	<u>4,450</u>	<u>45,664</u>

5. Unrestricted fund

	At 1 April 2020 £	Incoming £	Outgoing £	Transfers £	At 31 March 2021 £
General unrestricted	31,049	84,984	88,374	-	26,214
Designated – contingency fund	15,000	-	-	-	15,000
	<u>46,049</u>	<u>84,664</u>	<u>88,374</u>	<u>-</u>	<u>41,214</u>

The general fund comprises the accumulated resources which may be expended without restriction in furtherance of the charity's objects.

The designated contingency fund has been established by the trustees to meet the liquidation costs in case of the need to wind up the charity.

WEST SUSSEX MEDIATION SERVICE

NOTES TO THE ACCOUNTS

YEAR ENDED 31st MARCH 2021

6. Restricted fund

	1 April 2020 £	Incoming £	Outgoing £	31 March 2021 £
Gatwick Area Community Trust	1,600	-	1,600	-
Allen Lane Foundation		4,000	-	4,000
People's Postcode Trust	2,400	-	2,400	-
Tesco Bags for Help (Covid-19)	-	500	500	-
People's Postcode Trust (Covid-19)	-	3,000	3,000	-
Awards for All (Covid-19)	-	8,553	8,414	139
Sussex Community Foundation (Covid-19)	-	625	625	-
North Horsham CLC (Printing)	311	-	-	311
	<u>4,311</u>	<u>16,678</u>	<u>16,539</u>	<u>4,450</u>

The purposes of the restricted income and expenditure funds are set out above.

7. Trustees expenses and remuneration

No trustee or any person connected with the trustees received any remuneration, other than bona fide expenses, during the year. There have been no transactions with any trustees or other related parties.

8. Independent Examiner fees

The Independent Examiner has waived her fees for the current year (2020: £nil).

Grants awarded by Billingshurst Parish Council

Summary

Applicant	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
Victim Support Sussex		50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	75.00	75.00	100.00	75.00	75.00
Age UK / Village Agent						50.00	50.00	50.00	1,000.00	1,000.00	1,000.00					
the Blind / 4Sight Vision Support	100.00	100.00		50.00	50.00	50.00	50.00	50.00	50.00		100.00	240	250	300	300.00	
Central & South Sussex CAB							100.00	100.00	100.00	100.00		150		200.00		
St Catherine's Hospice			50.00		100.00		100.00	250.00	275.00	100.00	200.00	200	200		200.00	
Billingshurst Community Partnership Limited	1,800.00	1,800.00	1,800.00	1,800.00		1,000.00		100.00	100.00							
Billingshurst Centre						200.00			50.00							
Billingshurst Centre CCTV												2,260.00				
Billingshurst Bowling Club									500.00							
Billingshurst Centre				34.97			2,500.00		2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,020.00	11,966.00	22,000.00
Billingshurst Community Partnership Luncheon Club									561.29	382.36	600.00	600.00	600.00	606.00		
Friends of Station Road Gardens								300.00	400.00							
Billingshurst Community Transport	1,000.00	1,000.00	1,000.00	1,000.00		2,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,500.00	£2,000.00	2,000.00	2,000.00		
West Sussex Mediation Service	50.00		100.00	100.00	100.00	100.00		100.00	125.00	125.00	150.00					
Kent, Surrey & Sussex Air Ambulance	100.00							50.00		200.00		250.00		250.00	300.00	
Unitarian Chapel	50.00		75.00	75.00	75.00	75.00	75.00									
Royal British Legion	20.00	16.50	16.50	16.50	18.50	18.50	18.50									
West Sussex Mobile Youth Trust				50.00		50.00	50.00									
Outset Youth Action							50.00									
Life Centre						50.00										
Billifest		1,998.68	2,000.00		2,000.00	1,766.49										
St Mary's Church Lighting	175.00	175.00	140.00	140.00												
Disability Awareness				50.00												
Just Different			100.00	50.00												
Girl Guides				100.00												
Billingshurst Football Club			685.00	350.00												

BILLINGSHURST PARISH COUNCIL
FINANCE & GENERAL PURPOSES COMMITTEE

WEDNESDAY 25 MAY 2022

GRANTS TO CHURCHES

REPORT BY CLERK

FOR DECISION

At the last meeting, Members **RESOLVED** *that £28,240 be awarded to St Mary's Church Transformation Project under s.19 of the LG (Misc. Prov.) Act 1976 from the Council's CIL fund.* Min 52/22b refers. This was specifically for new glass doors to make the church more versatile and welcoming for community events and activities.

Although councils have no power to contribute towards running costs of churches including maintenance, councils have been known to grant funds for specific works that enable wider community use, e.g. kitchens, toilets etc.

Conscious that this subject was under discussion in professional journals, I sought advice from the Council's Internal Auditor. He referred me to the attached articles and advised that should this grant be made, he would be obliged to ask under what power we had relied on, and if we couldn't provide such information, he may have to question the legality of such payment in his report. This would give rise to a similar response from the External Auditor and potential objections from Electors to the External Auditor.

Whilst Members will no doubt be disappointed to not be able to support this project in the way they hoped, I am obliged to ensure that what the Council does has a legal basis, to protect it from potential challenge.

Based on this information, the Council is invited to reconsider its previous decision based on clear lack of appropriate power.

BLAME THE BISHOP?



SLCC MEMBER, PETER YOUNG, GIVES SOME VIEWS ON COUNCIL FUNDING OF CHURCH PROPERTY.

The advice of NALC and SLCC is that parish councils cannot contribute towards maintenance of church property. But is this correct? If so, blame the Bishop of London...

It is argued that a specific restriction in s8(1) of the 1894 Local Government Act overrides all the general powers in subsequent legislation that would permit councils to contribute towards church property - including s137 expenditure.

NALC has previously accepted that the law is unclear, but seems to have now hardened its stance to say that a contribution to any church property is unlawful, including church buildings, clocks, church halls, and churchyards. As a result, many councils are no longer providing such funding, and this is causing confusion and ill will.

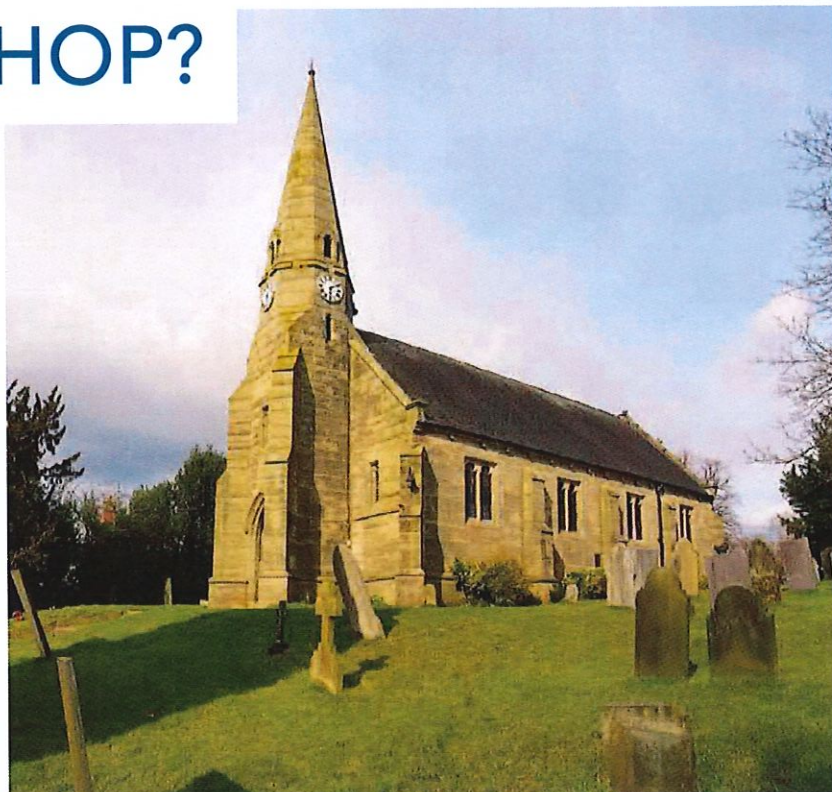
HOW DID THE RESTRICTION ARISE?

On 1 February 1894, the Lords debated the Local Government Bill which would create parish councils¹. Many amendments were considered - including whether married women could be councillors! Towards the end of the session, the Bishop of London suggested an amendment to the clause relating to the power of the new councils to execute works in relation to any 'parish property.' He, 'presumed it was not intended to relate to church property or affairs' and proposed to insert the words, 'not being property relating to affairs of the church or held for an ecclesiastical charity.' His amendment was accepted without discussion and became part of the 1894 Act.

DOES THE RESTRICTION STILL APPLY?

The restriction in the added words applied to the powers listed in sections 8(1)a to 8(1)h of the Act. But almost all of those powers have since been repealed and superseded by later powers. Can there be a restriction on powers that no longer exist?

The term 'parish property' had appeared in various laws predating the creation of parish councils. Such parish property was often administered by the Vestry, and the 1894 Act transferred this responsibility to the new parish councils. It seems the Bishop only meant to clarify this transfer did not include church property. I doubt he intended to penalise his own church, and other faiths, so that even in the 21st century they would be unable to receive financial support from a parish council.



NALC says that a principle of statutory interpretation, which gives precedence to specific wording over more general wording, means the 1894 restriction trump the more recent general powers of councils. This includes s137 expenditure and the General Power of Competence because these powers cannot be used to bypass a bar on expenditure. However, another principle of statutory interpretation is that where statutes apparently conflict, the younger law overrides the older law (*lex posterior derogat legi priori*). In addition, although when interpreting legislation, the courts usually look to the literal wording. Where this is unclear, they may look to the 'mischief' the statute was intended to prevent. Was it really the intention to prevent council money being spent on church property? If so, it is inconsistent with s6(1)b of the same Act, which gave the new councils maintenance responsibility for closed churchyards, as these remain church property even when closed.

If the 1894 restriction does not apply, then there are many powers granted to councils, which could be used to help fund church property, for example the Parish Councils Act 1957 s2 for clocks; LGA 1972 s214 for cemeteries (including churchyards); and s133 for meeting rooms. Councils could also use s137 expenditure for anything else where they did not have a specific power.

Ideally, the 1894 wording would be repealed, but this is unlikely, as NALC's Advice Note L01-18 states that the Government, 'believe the 1894 Act restrictions do not override the provisions in later Acts of Parliament.'

¹ The original debate in Parliament can be found here - <https://bit.ly/3dcvRtl>.

LETTERS

Paying for church upkeep: clarification of the rules

I WAS most interested in the letter in your January issue from Cllr Mike Harrison about Section 137 payments to his local church ("Using funds for church upkeep"), because the advice he appears to have been given, in that it is acceptable, is in stark contrast to that from the National Association of Local Councils (NALC).

In May 2020 NALC issued a paper, *LTN 31: Local Council General Powers*, which made specific reference to Section 137 of the Local Government Act (LGA) 1972 insofar as it impinges on the Local Government Act 1894, the latter, of course, debarring local councils from giving financial assistance to churches. NALC was quite clear that the restriction still stood.

My council had been making a small annual donation towards the upkeep of our local church but NALC's paper meant that, regretfully, we could not longer continue helping in this way.

Cllr Harrison may wish to look at this again with a view to seeking clarification, an outcome which would be of great benefit to many of us faced with the same problem.

Jack Smith,

Clerk, Lindal and Marton Parish Council, Cumbria

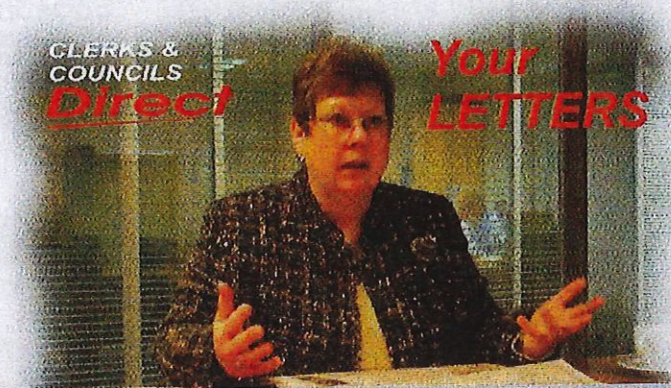
RE the letter on church upkeep in the January edition of *Clerks & Councils Direct*. I appreciate it was written in good faith, following advice received from a borough solicitor; however, the advice has been provided erroneously.

Section 137 of the LGA provides powers to councils to provide financial assistance for certain purposes not otherwise authorised. It continues:

"(1) A local authority may, subject to the provisions of this section, incur expenditure which in their opinion is in the interests of, and will bring direct benefit to, their area or any part of it or all or some of its inhabitants, but a local authority shall not, by virtue of this subsection, incur any expenditure—

(a) for a purpose for which they are, either unconditionally or subject to any limitation or to the satisfaction of any condition, authorised or required to make any payment by or by virtue of any other enactment" (see <https://www.legislation.gov.uk/ukpga/1972/70/section/137>).

The limitation is, as referred to in



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the letter, the Local Government Act 1894. NALC made clear to all town, community and parish councils in England and Wales, in a statement issued in 2018, that a council would be not acting legally.

The law was also clarified by a legal note from the Society of Local Council Clerks, which stated the following: "The powers in section 137 of the 1972 Act and the General Power of Competence (English and Welsh versions). Both these are expressed to apply subject to any pre-existing restrictions. Section 8 of the 1894 Act is a pre-existing restriction."

R. Phillip Parry

Clerk and financial officer, Caerwys Town Council and Dyserth, Halkyn and Whitford Community Councils, Flintshire

I READ with concern the letter "Using funds for church upkeep" by Cllr Mike Harrison. NALC looked into all this and it is clearly stated in its *LO1-18: Financial Assistance to the Church* publication (31 January 2018): "There is an accepted legal principle, applied by the courts, which is that in interpreting what an Act of Parliament means, a specific provision overrides one of a general nature. In other words, if two statutory provisions are in conflict or overlap, the detailed provision will prevail over the more general one."

"[S137 of the 1972 Act does] not override the specific prohibitions in S.8 of the 1894 Act. S.137 expressly provides that expenditure cannot be incurred on purposes which are subject to a statutory prohibition, restriction or limitation."

Therefore the solicitor's advice that a council can use S137 to pay for the upkeep of church buildings is wrong.

The same reason restricts the general power of competence from paying money to church buildings. The only power that a parish council has is when it has agreed to adopt the maintenance of an officially closed burial ground, instead of passing it on to the district or borough council. In this situation, S215 of the 1972 Act applies, but this is for the maintenance of a fully closed burial ground only and not for church buildings.

Wearing my member of the public hat rather than my clerk hat, my personal view is that the law should be changed either to allow dioceses to be precepting authorities that can charge a precept themselves for church building and burial ground maintenance, or to specifically allow parish, district or county councils to be able to donate to or support churches and burial grounds.

However, as things stand the law is the law and, wearing the clerk's hat, we can only advise our councils to act within the law where there is a clear and prudent course of action to take that is certain to be legally valid; and donating money or services to a church building using S137 is not certain to be legally valid.

Ed Knox

Clerk, Rampton & Woodbeck Parish Council, Nottinghamshire

THE advice given to Cllr Mike Harrison by his borough solicitor is not strictly correct and could be

misleading, in that to date no firm or definitive decision in law has been made by Parliament in regard to this tangled web of legislation.

There is much literature on the subject and although the consensus is that clarity is still required on the matter, nothing has been forthcoming from the government, despite representations from NALC and the SLCC.

The NALC legal note states that "there is no current case law to resolve the question of whether or not the 1894 Act restrictions override the provisions of later Acts of Parliament and ultimately it would be for the courts to determine the extent of any prohibition from the 1894 Act".

It concludes that "whilst there is no consensus on this issue, a council that considers making a payment in these circumstances needs to consider whether it is prudent to take a course of action that it cannot be certain is legally valid".

Having appointed a new internal auditor, with vast experience of parish council affairs, my parish council fell foul of the legislation and received a negative comment regarding a previous payment to our church.

Ted Roberts

Clerk, Pirton Parish Council, Hertfordshire

WITH huge apologies I would like to retract the statement made in my previous letter to you on the use of parish council funds to pay for church upkeep. Despite the advice provided by my borough solicitor, I have been made aware that a parish council is not in fact allowed to make contributions to the upkeep of a local church building, and there is guidance from NALC dated 2018 to that effect.

I apologise to all concerned who have contacted me about this matter – especially to those who had hopes raised as a result of reading the letter, only to have those hopes dashed.

Cllr Mike Harrison

Chair, Boddington Parish Council, Gloucestershire

Pay should reflect clerks' knowledge

I HAVE perhaps come a little late to this discussion, but here are my thoughts on the thorny topic of clerks' pay. **to page 28 ►**