

# POTTO PARISH COUNCIL

District  
Hambleton

County  
North Yorkshire

## 2015 / 16 Annual Return Action Plan

The external auditors report for 2015/16 stated “Except for the matters reported below, on the basis of our review of the Annual Return, in our opinion the annual return is in accordance with proper practice and no matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met”

Four matters were noted and one other matter were drawn to the attention of the Parish Council. Potto Parish Council is fully committed to complying with relevant legislation and regulatory requirements and in-order to fully address these matters, has agreed the following action plan for the items noted in the external auditor’s report;

External Auditors Report				
Item	Description Report	Response	Action	Success Criteria
1	It is our view that the Council has been in breach of Schedule 12, paragraphs 10(2)(a) and (b) of the Local Government Act 1972 regarding the late issue and publication of Council agendas on several occasions during 2015/16. Potentially this means that electors may have been denied a proper opportunity to input on Council business. We also note that the meeting time is generally not shown on agendas. As a result, Assertion 3 of the Annual Governance Statement (Section 2) should have been answered ‘No’ and this non-compliance with Schedule 12, paragraph 10(2)(a) of the Local Government Act 1972 also means that Council decisions at any such meetings may have been ‘unlawful’	<p>The statutory requirements are for the agenda to be issued to Councillors giving 3 clear days’ notice.</p> <p>(Local Government Act 1972, s.243: The meaning of ‘clear days’ excludes the day on which notice was issued and the day of the meeting. A Sunday, a day of the Christmas break, a day of the Easter break, a bank holiday or a day appointed for public thanksgiving or mourning do not count when calculating three clear days.</p> <p>The agenda is to be issued to Councillors three clear days before a meeting.</p> <p>The agenda will be posted on the village notice board no later than three clear days before a meeting.</p>	Clerk	The agenda to be emailed to councillors and posted on the village notice board at least three clear days before a Parish Council meeting this is to be monitored on a regular basis.
2	We notice that there were a number of instances of failure to publish draft minutes on the Council’s website within a month of the relevant	Potto Parish Council have noted this point and will ensure that the appropriate response is made on future Annual	Councillors	Matter not raised in future Annual Returns

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	meeting's, as is required in law by the Smaller Authorities (Transparency Requirements) (England) Regulations 2015. We note that the Councils stated policy on their website is to publish the minutes after they have been approved at the following meeting. As a result, Assertion 3 of the Annual Governance Statement should have been answered "No".	Governance Statements.		
3	Section 1 of the Annual Return was not accurately completed before submitting for review:  The prior year comparatives contained errors in Boxes 1 and 3, the correct figures are £6,479 and £521 respectively.	Potto Parish Council noted this point and made the necessary changes.	No further Action Required	Matter not raised in future Annual Returns
4	The Council failed to publish the audited Annual Return by 30 September 2016, the date required by the Accounts and Audit (England) Regulations 2011, as transitionally saved, due to challenge correspondence received in relation to the Annual Return, which had to be considered by the appointed auditor before the Annual Return could be signed.	The external auditors confirmed;  The wording of the audit report clearly states that the failure to meet the deadline was due to circumstances outside the Parish Council's control.  The audit report was placed on the notice board when it was received from the auditor in line with the Accounts and Audit Regulations 2015. The Annual Return will also be posted on the Potto Village website.	No further Action Required	The audit report to be placed on the notice board and posted on the Potto Village website.
<b>Other Matters</b>				
Item	Items in Report	Action	Responsibility	
OM1	Although we note that the Council minutes have been improved from November 2015 onwards to exclude individual's names, we note that earlier minutes during the year did include such details, Published Agendas and Minutes should not include personal details.	Potto Parish Council noted this point and will ensure that personal details are not included in Agenda's and Minutes.	Clerk, Councillors	Matter not raised in future Annual Returns

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This action plan addresses all the points raised by the external auditor for the 2015/16 annual return.

Potto Parish Council