

BARNINGHAM PARISH MEETING May 27 2021

Application for an Order under S109(1) of the Local Government Act 1972

1. It is proposed that Barningham Parish Meeting (the Meeting) requests Durham County Council to make an Order under S109(1) of the Local Government Act 1972 to confer upon it the powers of expenditure available to Parish Councils.

2. For many years the Meeting has sought to actively engage residents of the Parish in the maintenance and improvement of local facilities and amenities and in the safeguarding of local character. It has spent modest sums of money on mowing the Village Green (which is Registered Common Land) and on periodic maintenance of features such as the village's former telephone call box (which is listed as a Building of Special Architectural or Historic Interest). Examples of engagement of residents, not involving expenditure, include holding public meetings to discuss significant planning applications and other matters such as recent proposals for a community-based Net Zero Carbon energy project in the Parish.

3. The substantive purposes for which a Parish Meeting can legally incur expenditure, as listed in the National Association of Local Councils' Legal Topic Note 3, are limited in number. Arguably the only ones that are relevant to Barningham are maintenance of bus shelters and war memorials; the Meeting has carried out work on the former but not, to date, on the latter. The officers propose that the Meeting seeks enhanced powers to incur expenditure in order to promote the well-being of residents in a more proactive way, appropriate to contemporary life.

4. In the interests of flexibility the full powers available to a Parish Council are sought but in practice it is envisaged that expenditure will be principally confined to the following:

(i) The Village Hall

Barningham has a long-established village hall, a Listed Building, administered by an active committee with charitable status. Over the years the building has been progressively improved and the committee pursue an active programme of fundraising to cover maintenance and improvement. Nevertheless, as with all such organizations, the future financial is unpredictable and it would be prudent and beneficial to local residents if the Meeting had the power, available to Parish Councils under S19 of the Local Government (Miscellaneous Provisions) Act 1976, to provide financial assistance to the village hall committee.

(ii) The Village Green

As already noted, the Meeting has paid for the annual mowing of the Green, by a local contractor and with periodic "market testing" by advertisement to tender so as to ensure best value. This work has been done on the basis that the expenditure is essentially de minimus but it would be preferable for it to be put on a proper statutory footing.

(iii) The Bull Acre

Apart from the Council Tax Precept the Meeting's only significant source of income is the annual rent from a grazing field that it owns on the outskirts of the village (and which is advertised for tender). The tenant is responsible for maintaining boundary fences and hedges but it is conceivable that more substantive maintenance

or improvement work could become necessary, involving expenditure.

(iv) Village Features

The Meeting has on occasion incurred modest expenditure on items such as painting the bus shelter and maintaining seats and village name signs. Again, as with the Village Green, it has done so on the basis that such spending is within the spirit of the purposes of Parish Meetings. However, in the interests of certainty, such expenditure should be put on a more formal, statutory basis. Further areas of expenditure include maintenance of the defibrillator at the Village Hall and servicing the village website.

5. The officers of the Meeting have always endeavoured to conduct its business in a fully open and accountable manner. At least two meetings are held per year, an Annual Meeting in the Spring and a Special Meeting, to determine the level of the Council Tax Precept, in the Autumn. All meetings are widely advertised in advance by advertisements in the village and in the local newsletter and by announcement on the village website. Full minutes, and attendance records, are kept and are publicly available, as are the accounts which are subject to annual audit. (Phil to amplify) No complaints about the conduct of the Meeting, financial or otherwise, have been received during the considerable time over which the officers have been in post. It is submitted that there are strong safeguards to ensure that the financial affairs of the Meeting are properly and accountably handled.

6. Recommendation

That the Meeting requests Durham County Council to make an Order under S109(1) of the Local Government Act 1972 to confer upon it the powers of expenditure available to Parish Councils.

Robin Brooks

Clerk

May 2021