

WOLSTON, BRANDON & BRETTFORD
JOINT BURIAL COMMITTEE

MINUTES OF THE MEETING HELD AT DYERS LANE CEMETERY THEN THE OFFICE OF
WOLSTON PC AT 6.30PM ON THURSDAY 31ST MAY 2018

JBC 1.2018 Present

Councillor Mr Graham Wale (Chairman)
Councillor Mr Timothy Harvey-Smith (Vice Chairman)
Councillor Mr David Cross
Councillor Mr Robert Grainger
Councillor Reverend Iain Rennie
Councillor Mrs Mary White
Councillor Mr Peter Wilson
Mrs Juliet Carter (Clerk)

Members of the public in attendance: None

JBC 2.2018

Councillor Reverend Iain Rennie was welcomed as the newly appointed representative of Brandon & Bretford Parish Council.

JBC 3.2018 Apologies

There were no apologies for absence.

JBC 4.2018 Inspection of the Cemetery

i)

The Committee was appalled by the poor standard of grass cutting in the cemetery. The contractor, knew about the inspection and had promised to cut the grass on Tuesday 29th May. The clerk was asked to contact him and explain the Committee's concern and ask if he really wanted the contract.

ii)

Conifers on the graves of Mr & Mrs Wischusen and Mrs Montford were noted and the clerk was asked to write to the relatives and tell them that trees were not permitted.

iii)

A whisky bottle containing solar lights was noted on the grave of Eric Healey and the clerk was asked to write to the relatives and tell them that this was not permitted.

JBC 5.2018 Election of Chairman and Vice Chairman

Councillor Mr Timothy Harvey-Smith proposed, and Councillor Mrs Mary White seconded a motion to elect Councillor Mr Graham Wale as Chairman, this was unanimously agreed, and Councillor Mr Graham Wale was duly elected.

Councillor Mrs Mary White proposed, and Councillor Mr David Cross seconded a motion to elect Councillor Mr Timothy Harvey-Smith as Vice Chairman, this was unanimously agreed, and Councillor Mr Timothy Harvey-Smith was duly elected.

The meeting then adjourned to the Wolston Parish Council office.

JBC 6.2018 Future Structure of WBBJBC

Councillor Mr David Cross proposed, and Councillor Mrs Mary White seconded a motion that as both Wolston PC (Minute 223) and Brandon and Bretford PC (Minute 787-3 a) have endorsed the proposal contained in the document 'WBBJBC – Future Structure', then WBBJBC should become a Committee of Wolston PC with effect from 0000h on 1st April 2018, and other related matters. This was unanimously agreed, and the motion was passed. The document is set out below in Appendix A.

JBC 7.2018 Bank Account

Councillor Mr Robert Grainger proposed, and Councillor Mr Peter Wilson seconded a motion that a proposal is made to change the name of the bank account to 'Wolston Parish Council – Joint Burial Committee' and that all seven councillors should be the cheque signatories. This was unanimously agreed, and the motion was passed. The clerk will write to HSBC accordingly.

JBC 8.2018 Contracts

The clerk reported that the only current contract held by the former WBBJBC was an informal one with Leicestershire Gardens Ltd.

Councillor Mr Timothy Harvey-Smith proposed Councillor Mr Robert Grainger seconded a motion that the contracts currently held in the name of the former WBBJBC be novated to Wolston PC. This was unanimously agreed, and the motion was passed.

JBC 9.2018 Minutes

Minutes of the Meeting held on 22nd March 2018, having been circulated to the Committee members, were proposed by Councillor Mr Timothy Harvey-Smith and seconded by Councillor Mr Peter Wilson to be a true record. This was unanimously agreed, and the minutes were then signed by the Chairman, Councillor Mr Graham Wale accordingly.

JBC 10.2018 Matters Arising

1:4.2018 Railings

Councillor Mr Robert Grainger had obtained a more accurate quotation of £7,000 for the replacement value of the railings and gates for insurance purposes. The clerk will pass this figure on to Maria, the Wolston Parish Council clerk.

2: 4.2108 Paving Stones

The Wolston Parish Council Lengthsman had put in a new bollard to replace the broken one in the front of the block paving. It was agreed that he should also be asked to re-concrete three of the setts at the front which had become loose.

3:7.2018 Bins

The clerk had ascertained that the bins approved by the RBC cost £400 +VAT each and it was agreed that this was prohibitive.

4: 9.2018 Cemetery maintenance

The clerk reported that very sadly the groundslady had resigned from her post as grounds lady because she was not prepared to become an employee or contractor. The Wolston Parish Council Lengthsman had taken over the task of emptying the bins on a weekly basis.

5:10.2018 Audit

A formal vote of thanks was passed to the internal auditor for all his hard work over many years as internal auditor. The clerk was asked to write to him accordingly.

JBC 11.2018 TREASURER'S REPORT May 2018

Expenditure

100972 cemetery maintenance	£32.00
100973 cemetery maintenance	£40.00
100974 internal audit fee	£35.00
100975 Leicestershire Gardens	£225.00

Income

R Homer new memorial	£155.00
P Ingham new memorial	£155.00
D E Butlin re-open grave to inter ashes parishioner Rugby Co-op	£150.00
M Early new memorial & kerbs	£265.00
D Butlin additional inscription Rugby Co-op	£75.00
P Sullivan new grave parishioner Revel Funeral Services	£500.00
reserve ashes plot parishioners	£300.00

It was agreed that all names of living people were removed from the Treasurer's report for the purposes of Data Protection.

The accounts had been reconciled with the bank statements and a copy of accounts had been circulated to members of the Committee: Councillor Mr Robert Grainger, Councillor Mr Graham Wale and Councillor Mr Tim Harvey-Smith, who signed the list of cheques and bank reconciliation accordingly. It was proposed by Councillor Mr Timothy Harvey-Smith and seconded by Councillor Mr Robert Grainger that the Treasurer's report and reconciliation having been circulated to the Committee members with the agenda, should be approved by the Committee. This was agreed unanimously.

JBC 12.2018 Land Value

The Committee confirmed that the land at the cemetery only had a nominal value, legally, of £3.00, of which £2.00 was apportioned to Wolston Parish Council and £1.00 to Brandon & Bretford Parish Council. The clerk will write to David Dumbleton accordingly.

JBC 13.2018 Accounts for year ended 31st March 2018

It was proposed by Councillor Mr Peter Wilson and seconded by Councillor Mr Robert Grainger that the Accounts for year ended 31st March 2018, having been circulated to the Committee members with the agenda, should be approved by the Committee. This was agreed unanimously.

JBC 14.2018 Deposit Bond

It was proposed by Councillor Mr Timothy Harvey-Smith and seconded by Councillor Mr Peter Wilson that the deposit bond of £10,000 which matures on 6th June should be renewed for a further twelve months. This was agreed unanimously.

The Chairman proposed deferring item 11 on the agenda until after item 15. This was agreed unanimously.

JBC 15.2018 Memorial

Applications for an additional inscription for Mrs Butlin was unanimously approved.

JBC 16.2018 Extension to the Cemetery

The adjacent landowners had not responded to letters requesting an answer by today, so the clerk was asked to write to them again, stating that the Committee were considering compulsory purchase of the land in question.

JBC 17.2018 Leaning Headstones

There were no outstanding leaning headstones, the stones which had been laid flat had not resulted in any contact from relatives. There will be a working party again in September.

JBC 18.2018 Exclusion of Public and Press

In accordance with Paragraph 1 (2) of The Public Bodies (Admission to Meetings) Act 1960, the Wolston, Brandon and Bretford Joint Burial Committee resolved that the press and public be excluded from the meeting during consideration of the following agenda item/s owing to the confidential nature of the business to be transacted and the public interest would not be served in disclosing that information. The exclusion is on the grounds that items of business to be discussed are likely to include staffing and Human Resource issues - which should be treated as confidential and are exempt from disclosure.

JBC 19.2018 Date of Next Meeting

Thursday 9th August 2018 at 7.30 pm at the Wolston Parish Council Office in the Baptist Chapel.

The meeting closed at 8.30 pm.

APPENDIX A

**Wolston Brandon and Bretford Joint Burial Committee
Proposed Future Structure**

Whereas: the Wolston Brandon and Bretford Joint Burial Committee (the 'JBC') was established about 1894 at the time of creation of the Civil Parishes of Wolston and Brandon and Bretford; and

Whereas: the JBC acted as an independent legal entity discharging the Burial Authority obligations and responsibilities of both Wolston and Brandon and Bretford Parish Councils; and

Whereas: the JBC was dissolved in accordance with the requirements of the Local Government Act 1972, (section 214- 1(b)); and

Whereas: the Local Government Act 1972 (Sch. 26, paragraph b) required that the JBC be immediately re-constituted as a Committee of both the Civil Parishes of Wolston and Brandon and Bretford, acting jointly; and

Whereas: at the time of its re-constitution the JBC was not incorporated as a Committee of both the Civil Parishes of Wolston and Brandon and Bretford, acting jointly, and continued to operate as a separate independent legal entity to discharge the Burial Authority obligations and responsibilities of both Wolston and Brandon and Bretford Parish Councils; and

Whereas: 'Proper Practice'¹ now requires that the JBC be incorporated as a Committee of either or both Civil Parishes of Wolston and Brandon and Bretford;

It is proposed:

- 1) that the JBC be incorporated as a Committee of Wolston Parish Council, with an effective date of April 1st 2018; and

¹ Governance and Accountability for Smaller Authorities in England, 2018 (paragraphs 5.131 – 5.136);

- 2) that the JBC operates as a Committee of Wolston Parish Council, under the title 'Wolston Brandon and Bretford Joint Burial Committee' (WBBJBC) with seven members, of which four shall be nominated by Wolston Parish Council and three shall be nominated by Brandon and Bretford Parish Council; and
- 3) that Wolston Parish Council shall become the 'accountable authority' for the joint arrangement;² and
- 4) that the asset value of the land³ and chapel⁴ owned by the JBC shall have a nominal value of £3 each⁵; and
- 5) that the ownership of the land (including all structures, hedges, railings, benches and other fittings thereon) and chapel referred to at 4 above, currently owned by the JBC, be transferred to joint ownership of Wolston Parish Council and Brandon and Bretford Parish Council, on the basis of 2/3 to Wolston Parish Council and 1/3 to Brandon and Bretford Parish Council, and
- 6) that all other assets currently owned by the JBC shall be transferred to joint ownership of Wolston Parish Council and Brandon and Bretford Parish Council, on the basis of 2/3 to Wolston Parish Council and 1/3 to Brandon and Bretford Parish Council, on the basis of their value in the JBC Asset Register as at end March 2018; and
- 7) that all Burial Authority related administrative and supervisory responsibilities currently undertaken by the JBC on behalf of the Civil Parishes of Wolston and Brandon and Bretford, with the exception of those noted at 8) below, shall continue without change and be undertaken by the 'Wolston, Brandon and Bretford Joint Burial Committee' (WBBJBC), as a Committee of Wolston Parish Council; and
- 8) that administration and payment of salaries, pensions and liaison with and payments to and from HMRC shall be the responsibility of the Clerk to Wolston Parish Council, who shall ensure that the JBC is advised of all relevant credits and debits and that these are accurately recorded in the relevant accounts; and
- 9) that records of all income and expenditure of the WBBJBC shall be maintained by the Clerk to the Joint Burial Committee, in liaison with the Clerk to Wolston PC; and
- 10) that any contract or agreement which it is necessary for the WBBJBC to enter into to undertake its business shall be held in the name of Wolston Parish Council; and
- 11) that any insurance or similar policy currently held by the JBC shall EITHER (A) at time of renewal be renewed in the name of Wolston Parish Council OR (B) at time of renewal not renewed and all insurances brought within scope of the insurance cover held by Wolston Parish Council⁶; and
- 12) that the bank accounts and bank deposits currently held by the JBC be renamed 'Wolston Parish Council – Joint Burial Committee', that a new bank signature mandate be undertaken in the new name of the bank account on behalf of the reconstituted JBC, and that all income and expenditure of the WBBJBC shall be processed through this bank account and not the account of Wolston Parish Council⁷, other than as necessary in relation to 8) above; and
- 13) that all financial assets of the WBBJBC shall be maintained in accounts managed by Wolston Parish Council and 100% 'ring fenced' in the name of 'Wolston Parish Council – Joint Burial Committee'. The financial assets shall jointly owned, ownership being 2/3 Wolston Parish Council and 1/3 Brandon and Bretford Parish Council; and
- 14) that a full financial reconciliation of the accounts of the WBBJBC between both Parish Councils shall be established and agreed by both Wolston Parish Council and Brandon and Bretford Parish Council as of 0000h on 1st April 2018 and again at each financial year end, and reflected in the respective

² Governance and Accountability for Smaller Authorities in England, 2018 (paragraphs 5.136);

³ Shown edged in red on the attached diagram;

⁴ Shown edged in blue on the attached diagram;

⁵ Governance and Accountability for Smaller Authorities in England, 2018 (paragraphs 5.59 – 5.60);

⁶ Option B is preferred as it will be simpler and overall cheaper. Any incremental extra cost of the insurance to Wolston PC will be borne by Wolston PC;

⁷ The purpose of this arrangement is to ensure that the financial assets of the WBBJBC are fully 'ring fenced' and to enable a proper year end accounting split between Wolston and Brandon and Bretford Parish Councils;

Annual Accounts and Governance Statements of both Parish Councils in accordance with 'proper practice'⁸; and

- 15) that at regular intervals, not exceeding three months, there shall be a full financial reconciliation and balancing funds transfers between the accounts of Wolston Parish Council and Wolston Parish Council – Joint Burial Committee; and
- 16) that all financial assets held in the name of 'Wolston Parish Council – Joint Burial Committee' shall be used solely and exclusively for the purposes of the JBC, and shall not be used for any other purpose by either Wolston Parish Council or Brandon and Bretford Parish Council⁹, and
- 17) that the employment of the Clerk to the JBC shall transfer to Wolston Parish Council, under the same terms and conditions as at present, but with the salary related to a 'scale point' on the Local Government pay scales and fully covered by the existing Wolston Parish Council insurance; and
- 18) that the cemetery grounds keeper becomes an employee of Wolston Parish Council, with the salary related to a 'scale point' on the Local Government pay scales and fully covered by the existing Wolston Parish Council insurance.

This 'Future Structure' document was endorsed by Wolston PC Minute 2017/223 and by Brandon and Bretford PC Minute 2017/787-3. At Item 11 it was agreed that option B be adopted.

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