



**287/289 Kenilworth Road, Balsall Common CV7 7EL**

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## **Balsall Parish Council Meeting**

**Approved Minutes of Parish Council Meeting held on Wednesday 17 July 2019 at 7.30 pm in the Westlake Room, The Village Hall, Station Road, Balsall Common CV7 7FF**

### **Minutes**

**Present:** Councillor Andrew Burrow (Chairman), Councillor Elizabeth Macdonald (Vice Chair), Councillor Richard Drake, Councillor Kay Howles, Councillor Marion Keeley, Councillor Richard Lloyd, Councillor Sheila Cooper, and 12 members of the public.

**1. Public Forum**

Members of the public made comments on a non-agenda items as follows:

- Balsall Common Village Residents Association agreed in 2 July 2019 to set up a working group to identify activities for Balsall Common in Bloom 2020 and circulated a paper to Councillors. Plans will be drawn up and submitted for the 'It's your neighbourhood' category seeking community involvement, environmental impact and gardens. It is intended to apply for a Britain in Bloom award and seek financial support from the parish council.
- The Masala Club are installing bollards on their frontage on Green Lane to restrict day time parking.
- Suggestion that both parish council's (Balsall and Berkswell) give serious consideration to the appointment of a masterplanner who would work for both parishes. Suggested names will be supplied to the Clerk and the matter will be a discussion item on the next agenda.

**2. Report from Ward Councillors**

There were no reports. Apologies have been received from Councillor Diane Howell.

**3. Apologies**

**Apologies were received and accepted from Councillor Keith Tindall.**

**4. Declarations of Interest**

Councillor Richard Drake declared a personal interest in one of the payee's listed at item 7.7.

**5. Proposal to approve as a correct record the Minutes of the Extraordinary Parish Council Meeting held on 05.06.2019.**

**Resolved to approve as a correct record the Minutes of the Extraordinary Parish Council Meeting held on 05.06.2019.**

Proposal to approve as a correct record the Minutes of the Parish Council Meeting held on 12.06.2019.

**Resolved to approve as a correct record the Minutes of the Extraordinary Parish Council Meeting held on 12.06.2019.**

6. Proposal to receive an update on the progress of resolutions of the Parish Council Meeting held on 12.06.2019 and the Extraordinary Parish Council Meeting held on 05.06.2019.  
There were no updates not already on the agenda.

7. **Accounts:**

(7.1) Proposal to sign off the Bank Reconciliation for the period 01.06.19 – 30.06.19

**Resolved** to note the Bank Reconciliation for the period 01.06.19 – 30.06.19.

(7.2) Proposal to note the Cashbook June 2019.

**Resolved** to note the Cashbook for June 2019.

(7.3) Proposal to receive the budget variation report for April – June 2019 and note the budget variations.

**Resolved** to receive the budget variation report for April – June 2019 and note the budget variations.

(7.4) Proposal to note the following correction to the list of Payments for Approval and Payments Made using General Power of Competence for the month of April 2019 as follows:

16.04.19	Budget - Street scene – village planting	£107.10 gross	£0 VAT
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To read:

16.04.19	Budget – Personnel – Councillors expenses	£107.10 gross	£0 VAT
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**Resolved** to note the above correction to the list of Payments for Approval and Payments Made using General Power of Competence for the month of April 2019.

(7.5) Proposal to note cheque signatures obtained away from and since council meeting 12 June 2019 (authorised for payment minute 10.4).

				Gross £	VAT £
04.06.19	100233	Balsall Common Festival	Grants & Donations	1,000.00	0
04.06.19	100234	Heart of England School	Grants & Donations	2,000.00	0
04.06.19	100235	J Parry-Evans reimbursement	Administration	135.86	15.98
04.06.19	100236	Pied Piper Pest & Wildlife Management	Cemetery	102.00	17.00
04.06.19	100237	Spence & Partners Ltd	Professional Services	556.50	92.75
04.06.19	100238	WALC	Personnel	120.00	0
06.06.19	100239	B Ball	Cemetery	640.00	0
<b>Total</b>				<b>4,554.36</b>	<b>125.73</b>

**Resolved** to note cheque signatures obtained away from and since council meeting 12 June 2019 (authorised for payment minute 10.4).

(7.6) Proposal to approve the list of Payments Made using General Power of Competence for June 2019 as listed below.

Date	SO/DD	Payee	Budget	Gross £	VAT £
01.06.19	SO	R. Westwood	Admin - rent	600.00	0
05.06.19	DD	Vodafone Limited	Admin – phone/broadband	48.74	8.12
<b>Total</b>				<b>648.74</b>	<b>8.12</b>

In addition a salary payment was made in June for the Clerk's salary.

**Resolved** to approve the list of Payments Made using General Power of Competence for June 2019.

(7.7) Proposal to authorise the following invoice payments using General Power of Competence:

Date	Cheque	Payee	Budget	Gross £	VAT £
17.07.19	100241	Balsall Common Village Hall	Admin	120.00	0
17.07.19	100242	Pied Piper Pest & Wildlife Management	Cemetery	102.00	17.00
17.07.19	100243	The Society of Local Council Clerks	Admin	196.00	0
17.07.19	100244	Warwickshire Conservation	Recreation	100.00	0

		Volunteers			
17.07.19	100245	WALC	Staff/Salaries/Pension	60.00	0
17.07.19	100246	Secure-A-Field	Recreation	4,756.65	729.77
17.07.19	100247	Caroline O'Brien Limited	Professional fees	60.40	10.07
17.07.19	100248	AMS Ltd	Recreation	610.00	0
17.07.19	100250	Ian Richards	Recreation, Cemetery & Street Scene	1,954.00	0
17.07.19	100251	HMRC	Staff/Salaries/Pension	2,570.04	0
17.07.19	100252	Broxap Limited	Recreation	9,308.40	1,551.41
17.07.19	100253	B Ball	Cemetery	640.00	0
<b>Total</b>				<b>20,477.49</b>	<b>2,308.25</b>

In addition a salary payment is authorised for payment in July for the Clerk's salary, cheque number 100249.

**Resolved** to authorise the above invoice payments using General Power of Competence

**(7.8)** Proposal to note expenditure authorised by the Clerk in line with Financial Regulation 4.5:

Date	Purpose	Provider	Budget	Gross £	VAT £
04.07.19	Removal of railguard planter on damaged railing	Ian Richards	Street scene	30.00	0
04.07.19	Repair of playground gate Oakley	Ian Richards	Recreation	20.00	0
<b>Total</b>				<b>50.00</b>	<b>0</b>

**Resolved** to note expenditure authorised by the Clerk in line with Financial Regulation 4.5.

## 8. Planning Applications

### **(8.1) PL/2019/01527/MINFHO**

Cintra, Balsall Street, Balsall Common, Solihull  
Part first floor rear and single storey rear extensions.

**Resolved** to make no comment.

### **(8.2) PL/2019/01478/TPO**

19 Speedwell Drive, Balsall Common, Solihull CV7 7AU  
Cut back of 1No. ash tree (Tree 1) by 20% to fence line.

Application already approved.

### **(8.3) PL/2019/01539/PNCUDW**

Chesterton Farm, Table Oak Lane, Meer End, Solihull  
Prior notification for conversion of existing two storey barn into a single dwelling.

**Resolved** to make no comment.

### **(8.4) PL/2019/01641/MINFHO**

106 Needlers End Lane, Balsall Common, Solihull CV7 7AB  
Bedroom and en suite extension over existing garage and kitchen at side of dwelling

**Resolved** to make no comment.

### **(8.5) PL/2019/01610/MINFHO**

Brockhill House, Table Oak Lane, Meer End, Solihull  
Single storey extension.

**Resolved** to express concern over the highways impact of a widened entrance close to the road junction.

### **(8.6) PL/2019/01720/TPO**

6 Winsford Close, Balsall Common, Solihull CV7 7UB  
Fell to ground 1 No. acer tree (T1), 5m from front of house 1m from drive.

**Resolved** to support the Tree Officers recommendation.

**(8.7) PL/2019/01425/PNCUDW**

Land of Previous Trevina, Honiley Road, Balsall Common, Solihull  
Prior notification for a change of use from agricultural building to single dwelling.

**Resolved** to make no objection.

**(8.8) PL/2019/01807/TPO**

6 Speedwell Drive Balsall Common Solihull CV7 7AU  
Remove epicormic growth and small branches up to the crown break (approximately 3m from ground) on 1 No. oak tree in middle of garden.

**Resolved** to request that the Tree Officers comments are followed.

**9. Facilities**

**(9.1)** Proposal to consider seeking Green Flag Status for Willow Park. Information available at - <https://www.solihull.gov.uk/Resident/Leisure-parks/parks-and-open-spaces/parks/green-flag-parks> and <http://www.greenflagaward.org.uk/how-it-works/judging-criteria/>

**Resolved** to nominate Councillors Macdonald and Keeley and a Friends of Willow Park representative to explore the proposal and talk to SMBC.

**(9.2)** Proposal to order annual playground and gym equipment inspections from RoSPA at an estimated total cost of £379.20 including VAT.

**Resolved** to approve the order of annual playground and gym equipment inspections from RoSPA at an estimated total cost of £379.20 including VAT.

**(9.3)** Proposal to order 4 vinyl signs for Willow Park (2) Oakley Playground and Oakley Green to update the address contact information for Balsall Parish Council at a quoted cost of £72.00 including VAT.

**Resolved** to approve the of order 4 vinyl signs for Willow Park (2) Oakley Playground and Oakley Green to update the address contact information for Balsall Parish Council at a quoted cost of £72.00 including VAT.

**(9.4)** Proposal to implement alterations to the MUGA in Willow Park in order to reduce noise levels whilst the facility is in use for football by either:

- a) The commission of Sutcliffe Play SW to supply and install the replacement of two panels and to add rubber edging at a cost of £4,972.16 plus VAT with resources from the General Fund or received CIL (subject to confirmation of fund eligibility); or
- b) Order the parts and delivery from Sutcliffe Play SW at a cost of £1,287.16 plus VAT and engage the grounds contractor at £20ph to install.

A decision on this item was postponed pending a visit to Willow Park scheduled for 17 June 2019.

**Resolved** to not take a decision at this time but reconsider from next year's budget.

**(9.5)** Proposal to order 21 post caps, sealant and adhesive to fix to MUGA railing posts as identified in the annual safety inspection 2018 at a cost of £171.31 plus delivery and VAT and engage the grounds contractor at £20ph to install.

**Resolved** to approve the order of 21 post caps, sealant and adhesive to fix to MUGA railing posts as identified in the annual safety inspection 2018 at a cost of £171.31 plus delivery and VAT and engage the grounds contractor at £20ph to install.

**(9.6)** Proposal to allow Friends of Willow Park to organise volunteers to sow 1kg of field poppy seed supplied by SMBC in Willow Park this autumn to commemorate the 75<sup>th</sup> anniversary of the end of WWII in 2020. The proposed area to be planted is between the new path and the wood margin, FoWP to advise on mowing schedule in order for the council to advise the grounds contractor.

**Resolved** to allow Friends of Willow Park to organise volunteers to sow 1kg of field poppy seed supplied by SMBC in Willow Park this autumn to commemorate the 75<sup>th</sup> anniversary of the end of WWII in 2020. The proposed area to be planted is between the new path and the wood margin, FoWP to advise on mowing schedule in order for the council to advise the grounds contractor.

**(9.7)** Proposal to discuss a permissive right of way at the NW corner of Willow Park.

**Resolved** to nominate Councillor Richard Lloyd to undertake a Land Registry search to find the owner of the land owner concerned and submit a re-imbusement claim to the Clerk for the costs.

**(9.8)** Proposal to support an application to West Midlands Combined Authority Better Street Community Fund by Friends of Willow Park for the installation of cycle racks, a pair of sunken trampolines and funding for a dog agility area in Willow Park.

**Resolved** to support an application to West Midlands Combined Authority Better Street Community Fund by Friends of Willow Park for the installation of cycle racks and funding for a dog agility area in Willow Park.

**(9.9)** Proposal to delegate to Councillors the following:

- a) Work with SMBC to achieve a hard link between the west end entrance to Willow Park and the pavement on Needlers End Lane as there is currently restricted access for pedestrians (particularly those with mobility restrictions and push chairs).
- b) To investigate the poor state of grass on SMBC land at the entrance exacerbated by vehicle access to the park.

**Resolved** to delegate to Councillor Andrew Burrow to follow up. Councillor Burrow indicated that Bruce Brant, SMBC had accepted the issue and had identified up to £1500 to cover the costs of a).

## 10. Street Scene

**(10.1)** Proposal to order the install, switch on and take down for storage of the Balsall Common Christmas lights from SMBC Street Lighting, Managed Growth Directorate at an estimated cost of £6,705.67 plus VAT (2018 cost).

**Resolved** to approve the order for the install, switch on and take down for storage of the Balsall Common Christmas lights from SMBC Street Lighting, Managed Growth Directorate at an estimated cost of £6,705.67 plus VAT (2018 cost) plus the rise in cost for 2019/20.

**(10.2)** Proposal to order the supply, fitting and removal two 15 ft Christmas trees from Fairways Contracting Services Ltd at an estimated cost of £320.00 plus VAT (2018 cost).

**Resolved** to approve the order the supply, fitting and removal two 15 ft Christmas trees from Fairways Contracting Services Ltd at an estimated cost of £320.00 plus VAT (2018 cost) plus the rise in cost for 2019/20.

**11.** Proposal to receive the revised actuarial calculation from the West Midlands Pension Fund (WMPF) based on Meriden Parish Council agreeing to be the guarantor for Balsall Parish Council for liabilities of a former member's pensionable service.

**Resolved** to receive the revised actuarial calculation from the West Midlands Pension Fund (WMPF) based on Meriden Parish Council agreeing to be the guarantor for Balsall Parish Council for liabilities of a former member's pensionable service.

Proposal to agree to pay the termination deficit of £71,000 in one payment and to seek a letter of guarantee from Meriden Parish Council.

**Resolved** to agree to pay the termination deficit of £71,000 in one payment and to seek a letter of guarantee from Meriden Parish Council.

**12.** Proposal to approve the amended Financial Regulations as recommended by the Financial Regulations Working Group.

**Resolved** to approve the amended Financial Regulations as recommended by the Financial Regulations Working Group with an amendment to 11.1h iii to read:  
*'where the expected value is below £3,000 and above £500 the Clerk shall strive to obtain 3 quotes/estimates/prices.'*

**13.** Proposal to agree to the Policies and Procedures Working Group recommendations regarding the council's Communications Policy, Model Publication Scheme, Guidance Note to Public Participation at Meetings and Complaints Policy.

**Resolved** to agree to the Policies and Procedures Working Group recommendations regarding the council's Communications Policy, Model Publication Scheme, Guidance Note to Public Participation at Meetings and Complaints Policy as follows:

Remove the Guidance Notes to Public Participation, Vexatious Communications and Complaints Policy and Social Media Policy.

Finance and Standing Orders Working Group to review Scheme of Delegation, Gifts and Hospitality, Internal Control Checklist, Statement of Internal Financial Control.  
Model Publication Scheme, Communication Policy and Complaints Policy to still be reviewed by the Policy and Procedures Working Group for the next meeting of the council.

14. Proposal to develop a proposal and seek estimates for the provision of a projector, stand and portable wifi for the display of council agendas, Clerk reports and background papers at council meetings.  
**Resolved** to request that the Clerk obtains a specification for council to consider.
15. Proposal to approve the negotiation of a further tenancy agreement for the parish council office at 287/289 Kenilworth Road for 3 years from 1 November 2019.  
**Resolved** to approve the negotiation of a further tenancy agreement for the parish council office at 287/289 Kenilworth Road for 2 years from 1 November 2019.
16. Proposal to approve the recommendations of Staffing Working Group namely:
- a) That the Staff Committee Working Group deal with issues within the remit of the Staff Committee Terms of Reference and bring all recommendations to full Council;
  - b) That the Council adopt the WALC Model Local Council Employees Handbook amended to suit;
  - c) Line Management of the Clerk/RFO is delegated to the Chair of Staff Committee (Councillor Elizabeth Macdonald);
  - d) Council nominate a Councillors to act in the absence of the Clerk for the booking of burials and collection of burial certification; and
  - e) The additional 67 (average 3.7 hpw) hours worked by the Clerk between 11.03.2019 and 14.07.2019 are paid at the Clerk's standard pay rate.
- Resolved to** approve the recommendations of Staffing Working Group as listed above with the following amendment:
- c) Line Management of the Clerk/RFO is delegated to the Chair of Staff Committee (Councillor Elizabeth Macdonald) *with the proviso that the line management tasks are defined and council will make a further consideration regarding nominating a second Councillor to the role.*
  - d) Councillor Marion Keeley was nominated.
17. Proposal to submit the letter attached at Appendix A to the External Auditor and the actions listed therein enacted upon namely:
- a) The Council will meet monthly and will authorise all payments prior to cheques being signed.
  - b) Five Councillors have been approved as cheque/payment signatories. The number of signatories may increase and suitable and sufficient controls along with councillors internal auditing functions are being developed.
  - c) Monthly audit checks by Councillors will verify all cheques signed by the ex-councillors.
  - d) A root and branch review of the financial procedures is being undertaken to make them effective, compliant, and easy to implement/understand.
  - e) Two authorised Councillors will undertake a 100% check of all payments made during 2018/19 financial year in order to satisfy the Council that the Annual Governance and Accountability return they have signed meets all requirements they have attested to.
  - f) If appropriate, an independent audit will be commissioned if the check by Councillors identifies any real as opposed to procedural issues.
  - g) The Council would welcome any comments or recommendations from the External Auditor.
- Resolved** to submit the letter attached at Appendix A to the External Auditor and the actions listed therein enacted subject to the following amendments;
- 4.2 to read: 'The Council adopted an approach of meeting 6 times a year ...';
- 5.3 to read: '... This may have been expedient for the Council meeting just 6 times a year.';
- 5.8 to read: 'In addition, most of the previous Council, including all cheque signatories did not stand for re-election to the Council...'

An introductory statement is to be included at the start to explain the purpose – wording taken from 5.7. Councillor Elizabeth Macdonald will agree the final submission.

**Resolved** to nominate Councillor Andrew Burrow and Councillor Keith Tindall to undertake a 100% check of payments and invoices made during 2018/19 financial year in order to satisfy the Council that the Annual Governance and Accountability return they have signed meets all requirements they have attested to.

18. Verbal report from Councillor Elizabeth Macdonald regarding Solihull Area Committee meeting. Councillor Macdonald provided the following:

‘Main item was a presentation from Chris Barr, Head of Public Realm at SMBC and discussion on unauthorised encampments - the preventative security measures introduced by SMBC for their parks resulting in a significant reduction of incursions – the options and powers to use if one occurs.

Main business was the SAC AGM - so election of officers and reps

- Other items were updates on the Parish and Town Councils Charter, Airport, SMBC - clean air borough, bus services (meeting 26 July), SMBC now has Community Development Officers (support community groups) as well as Neighbourhood Co-ordinator (Place)
- Reps also raised the Velo (Ashleigh Prior 3 yr commitment)’

19. Proposal to write to the Balsall Common Festival organisation to thank them for the great “Party in the park” event that they ran on 6<sup>th</sup> July 2019.

**Resolved** that the Chairman writes to the Balsall Common Festival organisation to thank them for the great “Party in the park” event that they ran on 6<sup>th</sup> July 2019.

20. Proposal to request that SMBC opens the barrier in the library car park to permit vehicles to circulate around the car park to maximise parking utilisation, on a trial basis. The barrier to be closed again if the previous anti-social “racing” in the evening recurs. Thereafter with opening and closing to maximise ease of use to car park users whilst minimising disruption to the Berkswell residents on Green Lane and the Balsall residents in the flats/houses adjacent to the car park. The Council to work with SMBC to minimise the impact on SMBC resources.

**Resolved** to consult more and postpone a decision on any change to the barrier.

(20.1) Email from a resident of Balsall Common regarding the library car park.

This item was postponed at the June 12<sup>th</sup> 2019 meeting of the Parish Council.

21. Proposal to participate in VE Day 75 on Friday 8 May 2020 by holding a street party in central Balsall Common. The focus of the event(s) will be community cohesion for all generations and enjoyment together with recognition of the sacrifices made by those from our area in ensuring the freedom of residents both locally and across Europe.

- a) To seek the support of Berkswell Parish Council to jointly sponsor the event,
- b) To set up a Working Group to propose to council and organise agreed lead up activities in conjunction with a community organisation or organisations,
- c) Working Group to itemise the financial requirements and other liabilities and advise council.

**Resolved** to approve the holding of a street party to commemorate VE Day and to establish a Working Group following an agreed response from Berkswell Parish Council. Councillor Andrew Burrow to write to the Festival Committee requesting their participation.

22. Correspondence

(22.1) Consultation on the expansion of St Augustine’s Catholic Primary School for information – [www.solihull.gov.uk/consultation](http://www.solihull.gov.uk/consultation).

23. **Date and Venue of Next Meeting:**

**Parish Council Meeting**

**Wednesday 14 August 2019, 7.30pm in The Old Hall, Temple Balsall, Knowle, Solihull B93 0AN**

The meeting closed at 9.45pm

SIGNED ..... Andrew Burrow (Chairman) DATE .....



Proposed declaration to External Auditor regarding Balsall Parish Council and its financial controls 2018/19

1. The parish council is asked to make an Annual Governance and Accountability return each year to a prescribed format.
2. At the Balsall Parish Council Annual Meeting, held on 15<sup>th</sup> May 2019, the “new” council met for the first time. It was asked to approve the Annual Governance and Accountability return, and approve both the accounts and the internal financial control and annual governance statement based on the recommendation of the clerk and particularly taking account of the internal audit which reported that adequate controls were in place.
3. The current parish council largely comprises of councillors new to the Council with 5 out of 8 having been elected for the first time in May 2019 and one in November 2018. As such it is a very inexperienced council with very little direct knowledge of Balsall Parish Council and its finances.
4. Since that time the Council has commenced a review of the financial procedures within the Financial Regulations and have become somewhat concerned about the level of control that had been exercised during 2018/19. The issues uncovered are as follows;-
  - 4.1. During 2018/19 the Council used, without change or adaption, the NALC recommended Financial Regulations.
  - 4.2. The Council adopted an approach of meeting 4-6 times a year, a not uncommon practice amongst parish councils
  - 4.3. The regulations allow the Chairman to authorise the purchase of goods and services up to the value of £3000 in joint agreement with the Clerk as long as the item is covered in the budget. This may have been expedient for the Council meeting just 4-6 times a year.
  - 4.4. The Chairman was one of 3 cheque signatories. It would appear that the Chairman was a regular cheque signatory and one of the 2 people that controlled on line banking (Cheques and on line banking requiring 2 authorisations).
  - 4.5. The practice had developed that payments were firstly made by cheque (or online banking) and subsequently authorised by the parish council after payment had been made. This formal authorisation sometimes took place months later because of the infrequency of meetings. In effect all payments became governed by an “emergency procedure” from paragraph 5.4a of the NALC Financial Regulations rather than being pre-authorised by the Council as normal payments under paragraph 5.1
  - 4.6. Paragraph 5.1 requires payments to be authorised by the parish council, except for special circumstances involving such things as interest charges etc. which is covered by paragraph 5.4a
  - 4.7. This system did not, in the view of the current Council after conducting a fuller review, meet the necessary requirements for proper control, in that it vested too much authority in a small group of people without adequate contemporaneous oversight by the Council.
  - 4.8. In addition, most of the previous Council, including all cheque signatories, were not re-elected to the Council, and as a consequence there have been cheques signed by signatories who are not councillors and subsequently authorised by the new Council. The process of appointing new cheque signatories is underway, but changing cheque signatories is slow and tortuous, and has resulted in the Council being totally reliant on two ex councillors signing cheques to pay its suppliers and Clerk’s salary in the interim.

4.9. There is currently no evidence that any funds have been inappropriately spent, but there is currently evidence of procedural issues.

**5. Action taken/to be taken by the Council to address concerns**

- 5.1. The Council will meet monthly and will authorise all payments prior to cheques being signed
- 5.2. Five Councillors have been approved as cheque/payment signatories. The number of signatories may increase and suitable and sufficient controls along with councillors internal auditing functions are being developed
- 5.3. Monthly audit checks by councillors will verify all cheques signed by the ex-councillors.
- 5.4. A root and branch review of the financial procedures is being undertaken to make them effective, compliant, and easy to implement/understand.
- 5.5. Two authorised Councillors will undertake a 100% check of all payments made during 2018/19 financial year in order to satisfy the Council that the Annual Governance and Accountability return they have signed meets all requirements they have attested to.
- 5.6. If appropriate an independent audit will be commissioned if the check by councillors identifies any real as opposed to procedural issues.
- 5.7. The Council would welcome any comments or recommendations from the External Auditor.

12.07.19