

Section 1 – Annual Governance Statement 2022/23

We acknowledge as the members of:

KIMBERLEY TOWN COUNCIL

our responsibility for ensuring that there is a sound system of internal control, including arrangements for the preparation of the Accounting Statements. We confirm, to the best of our knowledge and belief, with respect to the Accounting Statements for the year ended 31 March 2023, that:

	Agreed		'Yes' means that this authority:
	Yes	No*	
1. We have put in place arrangements for effective financial management during the year, and for the preparation of the accounting statements.	✓		prepared its accounting statements in accordance with the Accounts and Audit Regulations.
2. We maintained an adequate system of internal control including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.	✓		made proper arrangements and accepted responsibility for safeguarding the public money and resources in its charge.
3. We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and Proper Practices that could have a significant financial effect on the ability of this authority to conduct its business or manage its finances.	✓		has only done what it has the legal power to do and has complied with Proper Practices in doing so.
4. We provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulations.		✓	during the year gave all persons interested the opportunity to inspect and ask questions about this authority's accounts.
5. We carried out an assessment of the risks facing this authority and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.	✓		considered and documented the financial and other risks it faces and dealt with them properly.
6. We maintained throughout the year an adequate and effective system of internal audit of the accounting records and control systems.	✓		arranged for a competent person, independent of the financial controls and procedures, to give an objective view on whether internal controls meet the needs of this smaller authority.
7. We took appropriate action on all matters raised in reports from internal and external audit.	✓		responded to matters brought to its attention by internal and external audit.
8. We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on this authority and, where appropriate, have included them in the accounting statements.	✓		disclosed everything it should have about its business activity during the year including events taking place after the year end if relevant.
9. (For local councils only) Trust funds including charitable. In our capacity as the sole managing trustee we discharged our accountability responsibilities for the fund(s)/assets, including financial reporting and, if required, independent examination or audit.	Yes	No	N/A
		✓	has met all of its responsibilities where, as a body corporate, it is a sole managing trustee of a local trust or trusts.

*Please provide explanations to the external auditor on a separate sheet for each 'No' response and describe how the authority will address the weaknesses identified. These sheets must be published with the Annual Governance Statement.

This Annual Governance Statement was approved at a meeting of the authority on:

* 29/06/2023


and recorded as minute reference:

* TC/23/526 a. b.

Signed by the Chairman and Clerk of the meeting where approval was given:

Chairman

Clerk



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Section 1 – Explanation of 'No' stated.

Assertion 4 NO

As per the External Auditor report YE 2022.

'We note that the smaller authority did not comply with the Regulation 15 of the Accounts and Audit Regulations 2015 as it failed to make proper provision during the year 2022/23 for the exercise of public rights, since the period for the exercise of public rights was less than 30 consecutive working days in length and did not include the first 10 working days of July'. The dates were from 4th July until the 8th of August. The previous RFO did extend it to the 12th of August once it was pointed out.

The information has been noted by the RFO and Council for future compliance. For 2022/2023 exercise of public rights, the dates are 30th June to the 10th of August. This is 30 days inclusive and will include the first 10 working days in July.

Section 1 – Explanation of ‘No’ stated.

Assertion 9 NO

There is a longstanding issue relating to the management of the Miners Welfare Recreation Ground, Kimberley, which was transferred via conveyancing to Kimberley Town Council to be held in trust as “a Recreation Ground or Pleasure Ground for the benefit of workers in or about the coal mines in the parishes of Kimberley and Gresley”, in 1929. There were specific clauses in the conveyance that put restrictions on the use and management of the land and the Council has been working closely with CISWO, the Charities Commission and a firm of Solicitors with expertise in this field to establish the correct course of actions needed to register and manage the land correctly. We have recently been advised that a separate charitable trust should be established, and once ongoing dialogues with both the Charity Commission and CISWO are concluded the Council will seek to establish a separate trust and run the Recreation Ground as advised. The Council is taking great care to ensure the matter is resolved correctly and anticipates this will be concluded during the financial year 2023/24. The External Auditor has previously stated that the Council should tick NO in Assertion 9 until the matter is resolved.