

# Southwater Parish Council



## **Annual Meeting of the Parish Council Draft Minutes**

Wednesday 30 May 2018, 7.30pm  
Beeson House  
Lintot Square  
Southwater  
Horsham  
RH13 9LA

### **Council Members**

Cllr G.Watkins (Chairman)  
Cllr M.Neale (Vice Chairman)

Cllr L.Apted  
Cllr R.Dye  
Cllr J.Hutchings  
Cllr D.Moore  
Cllr H.Timson  
Cllr C.Vickers  
Vacancy

Cllr G.Cole  
Cllr P.Flores-Moore  
Cllr G.McGill  
Cllr G.Scoon  
Cllr B.Varley  
Cllr N.Whitear



## SOUTHWATER PARISH COUNCIL

Beeson House,  
26 Lintot Square,  
Fairbank Road,  
Southwater,  
West Sussex  
RH13 9LA



Clerk: **Mrs.C.M.Tobin**  
Cert.Ed.L.Pol. FILCM.,

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### DRAFT MINUTES

**The Draft Minutes of the ANNUAL PARISH COUNCIL meeting held on Wednesday 30th May, 2018 in the Council Chamber, Beeson House, Southwater, West Sussex, RH13 9LA commencing at 7.30pm.**

**Present: Chairman: Cllr G.Watkins**

**Cllr G.Cole  
Cllr G.McGill  
Cllr G.Scoon  
Cllr N.Whitear**

**Cllr R.Dye  
Cllr M.Neale  
Cllr B.Varley**

**Clerk to the Meeting: Mrs.C.M.Tobin**

**County Councillor: Cllr N.Jupp**

**District Councillors: Cllr B.Greening**

**Press: Not present**

**Members of the Public: 18**

#### **AMC01/05/18 ELECTION OF PARISH COUNCIL CHAIRMAN & ACCEPTANCE OF OFFICE**

Council are recommended to nominate and approve the appointment of the Chairman of Council for Year 2018/19 having received nominations. The Clerk having received four nomination papers in support of Cllr Graham Watkins being elected as Chairman of Council.

**It was proposed by Cllr Geoff Cole, seconded by Cllr Michael Neale and APPROVED by all present that Cllr Graham Watkins, be nominated as Chairman of the Council for Year 2018/19.**

The Chairman of Council be asked to complete his acceptance of Office documentation.

**The Chairman of Council completed his Acceptance of Office documentation.**

**AMC02/05/18 ELECTION OF VICE CHAIRMAN OF THE PARISH COUNCIL & ACCEPTANCE OF OFFICE**

Council are recommended to nominate and approve the appointment of the Vice Chairman of Council for Year 2018/19. The Clerk had received three nominations papers in relation to this position, these being in support of Cllr Michael Neale as Vice Chairman.

**It was proposed by Cllr Geoff Scoon, seconded by Cllr Barbara Varley and APPROVED by all present that Cllr Michael Neale, be appointed Vice Chairman of Council for the Year 2018/19.**

The Vice Chairman of Council be asked to sign his Declaration of Office.

**The Vice Chairman of Council signed his Declaration of Office.**

**AMC03/05/18 TO APPOINT A CANDIDATE TO THE POST OF CO-OPTED PARISH COUNCILLOR FOLLOWING THE RESIGNATION OF CLLR RACHAEL O'TOOLE QUINN AND RECEIPT OF ACCEPTANCE OF THE SIGNED DECLARATION OF OFFICE AND REGISTER OF MEMBERS INTERESTS**

The Clerk informed members that whilst she had received two enquiries regarding possible parish councillors, only one had to date made an appointment to meet with her and complete the required application form. No consideration therefore can be made at this meeting. Cllr Apted has resigned and this vacancy along with the one to be advertised to replace Cllr Apted will go forward to the Council's July meeting for appointment subject to necessary meetings with the Clerk and documentation being received as prescribed by the Council.

**Parish Councillors NOTED the information provided.**

**AMC04/05/18 MEMBER'S CODE OF CONDUCT & DISPENSATION SCHEMES**

To adopt and approve the Parish Council's Code of Member's Conduct and Dispensation Scheme adopted in 2014.

Members were reminded that they do not need a special dispensation scheme to make a decision or otherwise in relation to the setting of the Precept (Local Council Tax) this is provided for within the code.

**It was proposed by Cllr G.Watkins, seconded by Cllr N.Whitear and APPROVED by all that the Council adopts the Parish Council's Member's Code of Conduct and Dispensation Scheme.**

**AMC05/05/18 TO RECEIVE MEMBER'S DECLARATION OF OFFICE AND UPDATED REGISTERS OF INTEREST**

Members were asked to ensure that their documentation be submitted to the Clerk either prior to the meeting or by the commencement of the meeting.

**Members NOTED this information.**

**AMC06/05/18 TO DECIDE WHEN ANY UPDATED ACCEPTANCE OF OFFICE, REGISTER OF MEMBER'S DECLARATION OF INTEREST WHICH HAVE NOT BEEN RECEIVED AS PROVIDED BY LAW SHALL BE RECEIVED**

Members are recommended to approve a date by which any Declaration of Office, Registers of Interest etc., should be received should a Member be absent from the meeting of the 30<sup>th</sup> May.

**It was proposed by Cllr.G.Watkins, seconded by Cllr N.Whitear, and APPROVED by all present, that the date set be Monday 11<sup>th</sup> June, 2018.**

**AMC07/05/18 TO RECEIVE DOCUMENTATION IN RELATION TO PERMISSION BY MEMBER'S FOR CORRESPONDENCE TO BE SENT BY ELECTRONIC MAIL AND IF NOT TO SET A DATE FOR WHEN SUCH DOCUMENTATION SHOULD BE RECEIVED IN ACCORDANCE WITH THE LOCAL GOVERNMENT (ELECTRONIC COMMUNICATIONS) ENGLAND ORDER 2015**

To receive written confirmation from Members who may be absent in relation to the receipt by Councillors of correspondence by Electronic Email.

**It was proposed by Cllr G.Watkins, seconded by Cllr N.Whitear and APPROVED by all present, that the date be Monday 11<sup>th</sup> June 2018.**

**AMC08/05/18 MEMBER'S ALLOWANCES**

To receive and note information in relation to Member's Allowances and travel and subsistence as agreed in the Year 2018/19 Budget. The Chairman's Allowance being £300, Members Allowances £1800 equating to £120 per Councillor should this be claimed and £500 Members Travelling and Subsistence during the course of their duties. This allowance falls below the recommended level by the District Council Remuneration Panel. Should a Member wish to claim an allowance then they will have to provide the Clerk's office with their PAYE details.

**Members NOTED the information provided by the Clerk.**

**AMC09/05/18 MINUTES**

**It was proposed by Cllr R.Dye, seconded by Cllr G.Scoon and APPROVED by all present that the Minutes of the Annual Parish Council Meeting held on the 31<sup>st</sup> May 2017 be accepted as a true and correct record of the meeting.**

**AMC10/05/18 PUBLIC PARTICIPATION**

**The Chairman stated that there were three speakers registered to speak two in relation to Easteds Barn and another regarding the Leisure Centre.**

The Chairman then invited the first speaker on the list provided by the Clerk to speak.

The resident introduced herself, being a resident of 21 years and thanked them for allowing her to speak at the meeting.

The residents message about Easteds Barn she stated was short and simple.

When it came to voting at the meeting on the proposal for the long term future of the barn, she would ask each and every one of you to think long and hard before casting your vote.

I ask you to ask yourselves, if you are satisfied with, and have seen for yourselves, all relevant supporting evidence of discussions and decisions made about the Barn up to now, i.e., the requirements of the Parish Council's own standing orders as well as other relevant guidelines and practices.

Many residents of the village, including current users of Easteds Barn, are deeply unhappy and, in all honesty, saddened with how it has come to this. The difficulty in finding any sort of cohesive and meaningful evidence for "adequate and proper consultation" with the Southwater community and subsequent decisions has led to a rather deep-seated feeling of mistrust of the Parish Council.

Each of you here tonight, has a unique chance to redress this and start building bridges with the residents and the Southwater community at large.

The resident stated that she asked that Councillors vote with independence of thought, integrity and conscience such that you can be honest with yourselves, your family and friends and of course, the residents of Southwater. The resident then urged that Councillors vote to keep this Asset of Community Value where it belongs .... in the community.

The second resident reiterated many of the comments made by the first speaker. The resident urged members to whether a long term lease was in the best interest of the community. Were councillors satisfied that they had adequate information as required under Standing Orders. The community was growing rapidly and there was a need to strengthen community facilities; could the community really afford to lose the Barn? He asked the Chairman whether he would be mentioning the fact that the District Council had approved that Easteds Barn had been made a Community Asset.

Cllr Graham Watkins responded that he would indeed be mentioning the fact that the District Council had granted the group a Community Asset status.

The Chairman prior to handing over to the resident who wished to speak informed him that having poised a question at the previous weeks Finance & General Purposes Committee which had been read to those assembled by the Clerk The Chairman of the Finance & General Purposes Committee would respond accordingly. The Chairman would then take the resident question which he wished to put to Council this evening.

A local resident who had presented questions the previous week, now asked the Council to respond to the following questions:

1. He would like to know the prospect of the Council engaging the services of a professional leisure management company to staff and run the facility.

The Chairman of the Finance & General Purposes Committee responded that there was currently a review being undertaken by National Experts in the field of Leisure Management and a report which would be confidential

would be prepared by the Clerk and then discussed by the Parish Council later in the evening.

2. Questions were raised about the condition of the gym equipment etc.

The Chairman of the Finance & General Purposes Committee stated that the gym equipment which was purchased by the Parish Council during the last financial year, is serviced and in good working order at this time.

3. The resident states that the Leisure Centre is haemorrhaging clients.

The Chairman of the Finance & General Purposes Committee stated that in terms of haemorrhaging clients this does not appear to be the case, with fourteen new customers having completed inductions and 18 having been lost, the bulk of these being nine junior members; these figures being accurate as of 23<sup>rd</sup> May 2018.

4. The resident expressed concern about the loss of personnel at the Leisure Centre.

The Chairman of the Finance & General Purposes Committee stated that whilst the Leisure Centre has lost some of its personnel, others have been contracted to work within the gym and leisure centre on a temporary basis and it is hoped that the Centre will operate normally during the staff shortages and sickness period. Offers have been made to a number of new members of staff including those on temporary contracts. Should the Leisure Centre be undermanned then decisions in terms of Health & Safety may be taken but clients will be notified accordingly. All classes enjoyed by customers are covered as of the meeting.

The resident question the whether or not those moved had been provided with the best slots, he understood one of the customers had had to change their times. The Chairman stated that to the best of his knowledge all customers had been offered slots although he believe a couple had gone elsewhere.

The resident then asked a further supplementary question in that he would query the figures provided by the Chairman of Finance & General Purposes and thought it might be possible that he would ask in writing for further information through the Freedom of Information Act as he did not feel that the one month's figure gave an accurate reflection of the losses.

Cllr Watkins stated that he was a member of the gym and having visited the leisure centre that very morning could confirm that all the equipment he had used was functioning correctly and appeared in good order.

The Chairman thanked those who had spoken.

**AMC11/05/18 APOLOGIES FOR ABSENCE**

The Clerk reported the following apologies for absence: Cllrs.Apted, Flores-Moore, Hutchings, Moore, Timson and Vickers.

**Councillors NOTED and APPROVED the apologise for absence.**

**AMC12/05/18 CLLR LAURIE APTED, PARISH COUNCILLOR**

It was with great regret that the Clerk asked the Council to receive Cllr Laurie Apted's resignation as a Parish Councillor; this having been addressed to the Chairman of Council are required. The Clerk informed those present that Cllr Apted was the longest serving member of Council having taken office in 1987.

The Clerk informed Members that this vacancy would now be duly advertised upon receipt of the notification from District Council.

The Chairman of Council led the Council's thanks to Cllr Apted for all his work both as past Chair and Vice Chairman of Council and Committees asking that the Clerk write to Cllr Apted. The Chairman stated that both he, the Vice Chairman and Clerk would be visiting him shortly and would ensure that pictures of his receiving the Freedom of the Parish Award were taken.

**The Clerk to write to Cllr Apted expressing thanks for his works as a Parish Councillor and on behalf of the community.**

**The Clerk to post the notice with the District Council as soon as practicable.**

**AMC13/05/18 REVIEW OF THE SCHEME OF DELEGATION**

The Clerk advised that this matter had been discussed by Council recently, she believed that there had been only one change; this will be updated and put on the Council's website as soon as practicable.

**Councillors NOTED the information provided by the Clerk.**

**AMC14/05/18 REVIEW OF THE TERMS OF REFERENCE FOR COMMITTEES/SUB COMMITTEES AND WORKING PARTIES**

The Clerk indicated that it was hoped to form a new working party in relation to the provision of Community Wardens in order to establish a remit. The Clerk would be providing a draft Working Party remit to the Finance & General Purposes Committee in June 18 for consideration.

**Members NOTED and APPROVED without change the remits currently in place and the intention to provide a Draft Working Party Remit in relation to the future remit of Community Wardens, this being for consideration by the Finance & General Purposes Committee in June 2018.**

**AMC15/05/18 APPOINTMENTS TO COMMITTEES, SUB-COMMITTEES, EMPLOYERS BODIES AND OTHER LOCAL AUTHORITIES**

The Clerk asked Members to nominate and approve members to Committees, Sub-Committees, Working Parties etc., Nominations then came forward and a schedule would be produced advising members of the membership of the various committees, working parties etc.

**It was proposed by Cllr.G.Watkins, seconded by Cllr M.Neale and APPROVED by all present that all nominations for the various Committees, Sub-Committees, Employers Bodes etc., be taken en-bloc.**

**AMC16/05/18 TO APPOINT REPRESENTATIVES TO OUTSIDE BODIES AND THE REMIT OF THOSE REPRESENTATIVES ON SUCH COMMITTEES AS REPRESENTATIVES OF THE COUNCIL**

Members discussed and appointed members to the various outside bodies and organisations.

**Members present APPROVED those appointed to outside bodies and the remit of the representatives on such committees as representatives of the Council.**

**AMC17/05/18 ELECTION OF CHAIRMAN AND VICE CHAIRMAN OF COMMITTEES**

Members discussed and appointed members to the various outside bodies and organisations.

**Members present APPROVED those elected to the position of Chairman and Vice Chairman of Committees and Working Parties.**

**AMC18/05/18 MINUTES**

**It was proposed by Cllr M.Neale, seconded by Cllr N.Whitear and APPROVED by all present that the Minutes of the Finance & General Purposes Committee Meeting held on Wednesday 23<sup>rd</sup> May 2018 be accepted as a true and correct record of that meeting following an amendment to the typographic error in relation to the last page in referencing. The date of the next meeting to be 20<sup>th</sup> June 2018.**

**It was proposed by Cllr G.Watkins, seconded by Cllr G.Scoon and APPROVED by all present that the Minutes of the Planning Meeting held on Wednesday 2<sup>nd</sup> May 2018 be accepted as a true and correct record of that meeting following an amendment to omit the final paragraph. The date of the next meeting to be 6<sup>th</sup> June, 2018.**

**AMC19/05/18 REVIEW OF STANDING ORDERS**

The Clerk advised Members that the National Association of Local Councils had recently issue a revised model for Standing Orders; as the Clerk had just returned it had not been possible to evaluate these or any changes against the existing Standing Orders in situ. The proposal therefore was to approve those approved in 2017 as the Standing Orders in place at the time of the meeting.

**It was proposed by Cllr.G.Watkins, seconded by Cllr G.Cole, and APPROVED by all present that the Councils Standing Orders dated 2017 be approved, but that the Clerk look at the new Model and provide information and advice on these as soon as practicable.**



**AMC20/05/18 REVIEW OF FINANCIAL REGULATIONS**

The Clerk advised Members that these were updated in December 2017 but would have to be revised now that the Council had approved the Scheme of Delegation to account for those amendments. Meanwhile Council should approve the December 2017 Policy Document but note that the changes to the Scheme of Delegation updated in April 2018, do not lessen the content of the original Financial Regulations.

**It was proposed by Cllr G.Watkins, and seconded by Cllr G.Cole, and APPROVED by all present that the Council's Financial Regulations be approved pending any changes required to encompass the changes made to the Scheme of Delegation.**

**AMC21/05/18 REVIEW OF COUNCIL'S PROCEDURE FOR HANDLING OF FREEDOM OF INFORMATION AND DATA PROTECTION ENQUIRIES**

The Clerk reported that she had met with Consultants undertaking a review of data held by the Council in relation to the implementation of the General Data Protection Regulations. These regulations came into force in May 2018 and a report will follow from the consultants. Once this report is received it is anticipated that the Council's policies in relation to Freedom of Information and Data Protection will change.

**Councillors NOTED and APPROVED having been proposed by Cllr.G.Watkins, seconded by Cllr.G.Scoon, the forthcoming proposed report/actions in relation to ensuring that the Council complies with the General Data Protection Regulations.**

**AMC22/05/18 REVIEW OF COUNCIL POLICIES**

The Clerk indicated that it was her intention to update many of the Council policies during the forthcoming year to ensure that these can then be uploaded onto the new website; this would include Freedom of Information, Data Protection and the Council's Complaints Policy.

**It was AGREED by all present that the Clerk update relevant policies during the financial year 2018/19.**

**AMC23/05/18 RESPONSIBLE FINANCIAL OFFICER**

Members are required to appoint a Responsible Financial Officer; this position is held by the Clerk. The Scheme of Delegation allows in the absence of the Clerk for the Operations Manager to take over the financial and administration of the Council.

**It was proposed by Cllr.G.Cole, seconded by Cllr.R.Dye, and AGREED by all present that the Clerk be reappointed as Responsible Financial Officer.**

**AMC24/05/18 INTERNAL FINANCIAL CONTROLLER**

Members are required to appoint and approve the Parish Council's Internal Financial Controller, Cllr Geoff Cole.

**It was proposed by Cllr G.Watkins, seconded by Cllr R.Dye, and AGREED by all present that Cllr G.Cole be approved as the Parish Council's Internal Financial Controllers.**

**AMC25/05/18 INTERNAL AUDITOR**

Members should approve and ratify the appointment as the Parish Council's internal auditor Mark Mulberry Associates, in order to comply with the Local Government Financial Regulations and Account & Audit Regulations this being the second of a three year contract previously approved.

**It was AGREED by all present, that the ongoing Internal Auditors position be continued with Mark Mulberry Associates.**

**AMC26/05/18 REPORT ON THE YEAR 2017/18 BY CHAIRMAN OF THE PARISH COUNCIL**

The Chairman presented a summary of the Council's previous year's activities as presented at the Annual Parish Meeting for 2017/18..

**AMC27/05/18 CORRESPONDENCE**

The Clerk stated that she would report that she had responded within the last week to a Freedom of Information Request, with three others having arrived this week. In addition, a formal complaint has been lodged by two individuals again these were to be investigated and responded to. These will be responded to in due course in accordance with the Freedom of Information Act.

Councillor Watkins that with such requests coming through it may be necessary for the Council to have to advertise for temporary staff, whilst these matters were addressed by officers; this would of course incur additional costs to the Parish Council.

**Councillors NOTED that the Council had received the Freedom of Information Requests and complaints, noting that the Clerk will take the appropriate action to deal with these.**

**AMC28/05/18 ACCOUNTS & FINANCIAL MATTERS**

Members to discuss and approve the current financial position of the Council, discuss financial matters relating to same including the Schedule of Direct Debits/Standing Orders and contracts in place at the time of the meeting. The Clerk stated that due to Data Protection she could provide only the number of Direct Debits these being 15 in total and mainly related to leasing agreements with De Lage Landen (quarterly), BT (quarterly), HMRC (quarterly) and Horsham District Council (monthly), Financial Director and Global Payments (monthly)

**All members present NOTED and APPROVED the Direct Debit Mandate List for the Council as at the date of the meeting.**

**AMC29/05/18 DRAFT COUNCIL MEETING DATES FOR 2018/19**

Members are required to discuss and approve meeting dates for 2018/19 and thereafter. Members are reminded that May 2019 will see Parish Council Elections normally on the first Thursday of May.

All Members present APPROVED the list of meeting dates provided.

**AMC30/05/18 DRAFT YEAR END ACCOUNTS TO 31<sup>ST</sup> MARCH 2018**

**ANNUAL INTERNAL AUDITORS REPORT 2017/18 (PART 3, PAGE 3 OF THE ANNUAL GOVERNANCE & ACCOUNTABILITY RETURN)**

The Annual Internal Audit Report for 2017/18 (Part 3, Page 3) of the Annual Governance & Accountability Return) having been recommended by Finance & General Purposes Committee was proposed by Cllr G.Watkins, seconded by Cllr M.Neale, and APPROVED by all members present.

**ANNUAL GOVERNANCE STATEMENT (PART 3, PAGE 4: SECTION 1)**  
The Annual Governance Statement (Part 3, Page 4: Section 1) of the Annual Governance & Accountability Return) having been recommended by Finance & General Purposes Committee was proposed by Cllr G.Watkins, seconded by Cllr M.Neale and APPROVED by all member's present

**THE ACCOUNT STATEMENTS (PART 3, PAGE 5: SECTION 2)**  
The Accounting Statements (Part 3, Page 5: Section 2) of the Annual Governance & Accountability Return having been recommended by Finance & General Purposes Committee was proposed by Cllr G.Watkins, seconded by Cllr.M.Neale, and APPROVED by all member's present.

**DATE TO BE SET FOR THE COMMENCEMENT OF THE ELECTORS' RIGHTS**

Members were reminded of the date of the Electors' Rights the dates being: 4<sup>th</sup> June to 13<sup>th</sup> July 2018.

These dates were NOTED and APPROVED by all members present.

**AMC31/05/18 PARISH COUNCILLOR TRAINING**

The Clerk referred to information sent out previously from the Surrey & Sussex Association of Local Councils regarding training and asked that Members contact her in order to ensure that they undergo the necessary training in relation to their roles as Parish Councillors should they not already have attended a course.

Cllr Watkins referring to a cancelled training session for the whole Council, asked that the Clerk once again pursue this with the County Association.

Members were asked to contact the Clerk and advise her of what courses they which to undertake during the financial year. The Clerk to arrange a further full training session for the Council.

**AMC32/05/18 EASTEDS BARN\*\***

The Chairman indicated that the Clerk had received papers regarding the Localism Act 2011 (Section 91 (2) and the District Council's decision to register

Easteds Barn as a Community Asset under the legislation. The Council would have a right to appeal this decision.

The Chairman indicated that the Council had received a Confidential Report in relation to Easteds Barn and would therefore be taking this next section of the meeting in private session. The Chairman indicated that he would then following conversation on the overall proposal to lease the Barn to a third party, he would then invite the press and public back in to hear the decision of the Council.

**It was proposed by Cllr.G.Watkins, seconded by Cllr N.Whitear, and APPROVED by all present that in accordance with Section 1 (e) of Standing Orders (Meetings) and due to the confidential nature of the business to be discussed in relation to contractual matters, Members RESOLVED to exclude members of the public and press at this point.**

**At this point press and public left the chamber.**

**“Confidential Session Discussions”**

At this point in the meeting the Clerk asked the press and public to return to the chamber in order that the meeting may proceed. The Chairman apologised for the fact that the discussions had taken a little time, but it was thought useful rather than keep excluding that the Council discuss not only the Barn but also the Leisure Centre and Personnel, although following the Leisure Centre decision made a further session of Personnel would ensue.

The Chairman indicated that with the Council have deliberated in relation to the Barn, and having taken on board all the points raised in the meeting he would propose a motion that the Parish Council approve the recommendations as outlined he would ask Councillors to give a show of hands in terms of voting; this was agreed.

Vote in Favour of Motion: Cllrs, Scoon, Dye, Watkins, Cole, Whitear, McGill and Neale were in favour of approval

Vote Against the Motion: Cllr B.Varley

**It was proposed by Cllr G.Watkins, seconded by Cllr G.Scoon and RESOLVED BY ALL PRESENT with the exception of Cllr Varley, that the Parish Council APPROVE the recommendations provided by the Confidential Report to proceed with the proposed lease to a third party, terms and discussions to be fully discussed and agreed between the Council’s Clerk, legal representatives and the proposed client.**

**AMC33/05/18 SOUTHWATER LEISURE CENTRE\*\***

The Chairman then referred to the Confidential Report and discussions in relation to the Confidential Report on the Leisure Centre.

**“Confidential Session Discussions”**

The Chairman offered a vote on this by way of a show of hands.

**It was proposed by Cllr N.Whitear, seconded by Cllr G.Cole, and RESOLVED BY ALL PRESENT that the Parish Council APPROVE the**