

**MINUTES OF A MEETING
OF FULL COUNCIL COMMITTEE MEETING HELD ON
30 JULY 2020
VIA ZOOM**

PRESENT: Councillors Harvey, Howells, Manns, Morris, Knight, Vesma (Chair)

**IN
ATTENDANCE:** The Town Clerk – Angela Price

C202 APOLOGIES

Apologies were received from Councillors Whattler, Eakin and Bannister

C203 DECLARATION OF INTERESTS

Both Councillor Mann's and Vesma declared a pecuniary interest in agenda item 23, a copy of the Declaration of Interest form had been emailed to all councillors previously for them to complete and return to the council office accordingly.

C204 PUBLIC PARTICIPATION

None received

**C205 TO APPROVE AND SIGN AS A CORRECT RECORD THE MINUTES OF
THE ANNUAL COUNCIL MEETING HELD ON 25 JUNE 2020**

Members were requested to approve and sign, as a correct record the minutes of the Annual Council Meeting held on 25 June 2020

RESOLVED:

That the minutes of the meeting of the Annual Council Meeting be approved and signed as correct record.

C206 TO RECEIVE THE CHAIRMANS REPORT

A written report was received from The Mayor, Councillor Vesma

Councillor Vesma advised that on the 4 of July he visited local Café's pubs/restaurants and hairdressers as they re-opened since Covid-19 lockdown.

He also wanted to thank all councillors, staff, and volunteers for their hard work on getting the 16th Century Painted room re-open as well as the play equipment at the recreation ground and the revamp of the shelter.

RESOLVED:

That the Mayors report be received and noted

C207

HEREFORDSHIRE COUNCILLORS REPORT

Written reports were received from Councillors Howells and l'Anson and Councillor Harvey provided a verbal report at the meeting.

Councillor Harvey

Councillor Harvey advised that a lot of her time over recent months had been taken up preparing the Rule 6 case in respect of the Viaduct Inquiry. She advised had received briefings regarding the support that had been given at the farm in Mathon in relation to the Covid-19 outbreak. She noted that the number of cases were dropping and there is regular testing to ensure safety for all.

She also updated members on the landscaping around the Masters House and that she will be having a meeting with interested stake holders to discuss this further.

Councillor Howells

Councillor Howells advised that most of his work in the past few months had been Covid-19 related or case work activity. He also participated in a number of online sessions such as 'rethinking governance' workshop, the latest Balfour Beatty quarterly update.

Councillor l'Anson

Councillor l'Anson stated that she did not have anything to add to the two previous reports other than to mention that the Malvern Hills staff have been incredibly busy on the hills during the lockdown.

RESOLVED:

That the reports be received and noted.

C208

TO CONSIDER QUESTIONS AND COMMENTS FROM MEMBERS OF THE PUBLIC

Councillor l'Anson queried what charities the Mayor had chosen to support, as she had not been able to find this information on the Council's website. She also asked whether there had been any news regarding a new location for the youth club due to them being given notice to leave the Barrett Browning building.

Councillor Vesma advised that his chosen charity was The Madison Shelbie Trust, a charity that works with bereaved parents.

He advised that whilst the Ledbury Youth Club was not on the agenda, there was work in the background to ensure that there is a provision for this. He

advised that members would be updated when he received more information on the matter.

Councillor Howells advised that due to Covid-19 many of his youth charity events were regrettably cancelled. However, there has been a discussion with regards to organising a meeting with the Youth Group to discuss possible premises.

C209

TO RECEIVE MOTIONS FROM COUNCILLORS

The following motion was received from Councillor Howells seconded by Councillor Morris

“That this Council approves an investigation (with associated legal advice costs) into the possibility of claiming costs as a result back from Bloor Holdings Ltd, on the grounds of unreasonable behaviour as a result of Herefordshire Council not defending the appeal and Ledbury Town Council subsequently taking up Rule 6 Status in defence of the appeal.”

Councillor Howells explained his reason for submitting the above motion was that due to the budget increasing substantially for the appeal the Council had taken advice on whether it would be possible to claim costs should the Council win the inquiry. The advice received from the Barrister had been that if it could be shown that Bloor Holdings Ltd had acted unreasonably during the appeal process t Ledbury Council could have a case to claim costs against Bloor Homes.

Whilst Councillor Harvey agreed with the above motion, she felt that it was not beneficial for the Council to limit the investigation on the grounds of unreasonable behaviour as this could limit the council. She proposed that the wording is changed so there is no predetermination of grounds and that the Council investigate further.

It was noted that the estimated costs of legal advice in respect of whether the council should seek to claim costs would be circa £2,000 - £3,000.

There was a discussion between members on whether the council should wait until the determination of the case was made, to investigate what grounds the council could claim back the costs of Bloor Homes. It was decided that members would agree to consider claiming costs in principal.

Councillor Vesma suggested that the Council seek Legal advice with regards to when it would be more appropriate to make application for costs

An amendment to the original motion was proposed and a vote taken on the amendment as follows:

“That this Council agrees to investigate options for the recovery of costs of the Viaduct Inquiry from third parties”

The amended motion was agreed unanimously, therefore there was no requirement to vote on the substantive motion.

RESOLVED:

1. **That the motion be amended to read:**

“That this Council agrees to investigate options for the recovery of costs of the Viaduct Inquiry from third parties”
2. **That the Council approves to investigate options for recovery of the cost from third parties.**
3. **That the Clerk ensure that the motion received from Councillor Morris be included on the agenda of the Full Council meeting scheduled for 1 October.**

C210

TO RECEIVE AND NOTE THE MINUTES OF A MEETING OF THE FINANCE, POLICY & GENERAL PURPOSES COMMITTEE HELD ON 18 JUNE 2020 AND 23 JULY 2020

Members were requested to receive and note the minutes of a meeting of the Finance, Policy and General Purposes Committee held on 18 June and 23 July 2020 and to consider any recommendations therein

The Clerk advised the following recommendations:

- I. **Pg 1041, F186(2)** - That a recommendation be forwarded to the next meeting of Council that the threshold for the costs in respect of the Viaduct inquiry be increased from the previously agreed £40,000 to £90,000, to take into account the additional work undertaken by the expert witnesses.
- II. **Pg 1045, F193(1)** – That a recommendation be submitted to a meeting of Full Council to adopt the Equal Opportunities Policy as provided by the Town Clerk.

The Town Clerk advised that the recommendation **F186(2) on page 1041** had be superseded by the following recommendation which had been made at the meeting of the Finance, Policy & General Purposes Committee held on 23 July 2020.

- III. **F207 (1)** - That a recommendation be forwarded to the next meeting of Council that the threshold for the costs in respect of the inquiry be increased from that recommended at the Finance, Policy & General Purposes Committee held on 18 June 2020, by £15,000 from the general reserves, making provision of a total of £105,000.
- IV. **F211(2)** - That a recommendation is submitted to a meeting of Full Council to adopt the Draft Information, Communication and ICT Policy as provided by the Town Clerk.

- V. **F211(3)** - That a recommendation is submitted to a meeting of Full Council to adopt the Event Cash Handling Policy as provided by the Town Clerk.

Councillor Howells noted that the policy did not mention cash handling during Covid-19 and queried whether this should be added as a precaution.

Councillor Harvey suggested that the Cash Handling Policy did not need to be amended. however, any measures that are needed in relation to Covid-19 are noted with other guidance that staff are asked to follow in the office.

The Town Clerk advised that cash handling is noted in the Covid-19 Risks Assessment.

Councillor Howells noted that the Draft information, Communication, and ICT Policy does not include the following wording **“included but not exclusively”** he felt that this would be beneficial to add.

Councillor Vesma proposed that the above wording is added to the ICT Policy and that the policy is reviewed every 12-months due to regular changes in legislation.

RESOLVED:

1. **That the minutes of the Finance, Policy and General Purposes Committee meetings held on 18 June & 23 July 202 be received and noted.**
2. **That the threshold for the costs in respect of the inquiry be increased from the previously agreed £40,000 to £105,000, to take into account the additional work undertaken by the expert witnesses and the extension to the length of the Inquiry.**
3. **That the Council adopt the Equal Opportunities Policy as provided by the Town Clerk.**
4. **That the Council adopt the Draft Information, Communication, and ICT Policy subject to the following amendments:**
 - I. **“included but not exclusively”**
 - II. **That the Draft Information, Communication, and ICT Policy is reviewed in 12 months**
5. **That the Council adopt the Event Cash Handling Policy.**

C211

TO RECEIVE AND NOTE THE MINUTES OF A MEETING OF THE RESOURCES COMMITTEE HELD ON 2 JULY 2020

Members were requested to receive and note the minutes of a Resources Committee meeting held on 2 July 2020 and to consider any recommendations therein.

RESOLVED:

That the minutes of a meeting of Resources Committee held on 2 July 2020 be received and noted.

C212

TO RECEIVE AND NOTE THE MINUTES OF A MEETING OF THE ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE HELD ON 9 JULY 2020

Members were requested to receive and note the minutes of a meeting of the Economic Development and Planning Committee held on 9 July and to consider any recommendations therein.

RESOLVED:

That the minutes of the Economic Development and Planning Committee held on 9 July 2020 be received and noted.

C213

TO RECEIVE AND NOTE THE MINUTES OF A MEETING OF THE ENVIRONMENT & LEISURE COMMITTEE HELD ON 16 JULY

Members were requested to receive and note the minutes of a meeting of the Environment & Leisure Committee held on 16 July and to consider any recommendations therein.

The Town Clerk advised members of the following recommendation that had been recorded as a recommendation to the Finance, Policy & General Purposes Committee, but that had not been forwarded to the committee:

Pg1061 - E69(1) That Members of the Environment & Leisure Committee agree to the purchase of the Husqvarna R316TsX AWD 112 cm deck mower at a cost of £6,650 with a RECOMMENDATION to the Finance, Policy & General Purposes Committee that the funds placed in the Special Projects budget for 2020/21 in the total of £4,500 be approved for expenditure, and that the additional cost of £2,120 be taken from Cost Centre 102, Nominal Code 4000 (Cemetery staff salaries), subject to the Clerk investigating part exchange for the current machine

The Town Clerk advised that the Council had been offered £250 in part-exchange for the current ride on mower. However, she suggested that Members may wish to retain the old machine as a spare should the new one ever be out of service for any reason. Members agreed that as the amount of part-exchange was minimal it would be sensible to keep the old machine as spare.

RESOLVED:

1. **That the minutes of the Environment and Leisure Committee held on 16 July 2020 be received and noted.**
2. **That Council agree to the purchase of the Husqvarna R316TsX AWD 112 cm deck mower at a cost of £6,650 and that £4,500 be taken from the Special Projects budget and that the additional cost of £2,120 be**

taken from Cost Centre 102, Nominal Code 4000 (Cemetery staff salaries)

3.

That the old sit and ride machine be kept as a spare, subject to there being sufficient space in the storage sheds at the cemetery.

C214

TO NOTE INVOICES PAID MADE IN APRIL, MAY, JUNE, AND JULY 2020

It was noted that the list of payments in respect of invoices paid in April, May and June were not available at the meeting.

RESOLVED:

1.

That the list of payments in respect of Invoices paid in April, May and June and July 2020 be distributed to members via email, noting that if members had queries that they contact the Chair and Deputy of Finance, Policy and General Purposes.

2.

That Members agreed to give delegated powers to the Town Clerk and Chair/Deputy of Finance, Policy and General Purposes to approve invoices made in April, May, June, and July 2020.

C215

INTERNAL AUDIT 2019/20

Members were provided with a revised report of the independent internal Auditor for the year ended 31 March 2020.

The Town Clerk advised that as a result of the Finance, Policy and General Purposes Committee held on 23 July, it was agreed that she would investigate queries that members had in relation to the questions in the Auditors report. She advised that the copy they had received was the updated version and that the below questions had been clarified.

Page 832 of the Internal Audit (Agenda item 13)

- I. 4b- Has a member of the Committee been appointed internal internal auditor?

The Town Clerk advised that as there is a chairman of the Finance committee, they can be appointed as the 'Internal Internal Auditor'. However, she explained that moving forward there will be a budget monitoring meeting working party that can discuss this further.

- II. 10d- N/A are movements in Treasury Deposits accurately recorded?

The Clerk advised that the Council do not have any treasury deposits.

III. 15a- N/A Any evidence of fraudulent activity should be brought to the attention of the Chairman

The Clerk advised that there is no evidence of fraudulent activity therefore it not applicable to the Council.

The Town Clerk also received advice from the auditor with regards to question 2 on the Government Statement 2019/2020 and that he confirmed the Council could agree to the following question.

“We maintained an adequate system of internal control including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness”

Members noted that the date on the revised internal audit had not been updated and that the amendments were not clear. Therefore, Councillor Vesma proposed that the Town Clerk contact the Internal Audit to ask whether he would update the report and that an extraordinary meeting of Full Council be scheduled for consideration of the Annual Governance Statement.

RESOLVED:

1. **That the Town Clerk contact the Internal Audit to ask whether he would update the report with the agreed amendments, and that an extraordinary meeting of Full Council be scheduled for consideration of the Annual Governance Statement.**

C216

OUTSIDE BODIES

Councillor Morris advised that Ledbury Food Bank were grateful for the donation from the Council.

Councillor Howells updated members on the recent meeting of the Trader's Association meeting and advised that they were looking forward to participating in events including the Christmas Lights Working Party.

Councillor Harvey proposed that the council alert the chairman of the Trading Association of any planning applications that may be of interest to them and ask for any comments.

The Town Clerk advised that she had not received confirmation from the Traders Association that they would like to become an outside body to the Council. Councillor Howells advised that he have a discussion with the Chairman and ask her to reply to the Town Clerks email.

RESOLVED:

That the outside bodies update be received and noted

C217

CO-OPTION

Members were asked to consider a timetable for the Co-option of additional members to fill the current vacancies on Ledbury Town Council.

Members agreed to the below timetable:

Applications sent to all members : 31 July 2020

Invite Letters to Candidates : 7 August

Extraordinary Meeting to be held – Start of September – TBC

RESOLVED:

1. **That members agree to the above timetable in relation to the Co-option.**

C218

FREEDOM OF TOWN

Members were asked to consider establishing a protocol for the purpose of awarding Freedom of the Town to an individual or group of distinction for services to the Town of Ledbury.

Some Members advised that due to time constraints they were unable to read the whole document. Therefore, Councillor Vesma proposed that the Freedom of Town Protocol be deferred to the Extraordinary meeting of Full Council

RESOLVED

1. **That the Freedom of Town Protocol be deferred to the Extraordinary Meeting.**

C219

NEWSLETTER

The Town Clerk advised that the administrator had started the Newsletter.

RESOLVED:

1. **That the update on the Newsletter be received and noted.**

C220

TOWN CLERKS REPORT

Members were provided with details of meetings and work streams that the Clerk had undertaken since the last meeting of Council.

RESOLVED:

1. **That the Town Clerk report be received and noted**

C221

KEY HOLDERS

Members were asked to consider whether they would like to designate 2 councillors to be come key holders for Ledbury Town Council.

Councillor Vesma proposed that the Council investigate the costs of a third-party key holding service.

RESOLVED:

1. That the Town Clerk investigate the costs of a third-party key holding service.

C222

STAFF /ORGANISATIONAL REVIEW

The Town Clerk advised Members that the Organisational review company had carried out a site review in the week and that she is hoping to have a report at the start of August.

RESOLVED:

1. That the Town Council receive and note the update from the Town Clerk on the Staff/organisational review.

C223

DATE OF THE NEXT MEETING

RESOLVED: that it be noted that the date of the next Full Council meeting is scheduled on 1 October 2020.

C224

EXCLSUION OF PUBLIC

RESOLVED: that in accordance with section 1(2) of the Public Bodies (Admission to Meetings) Act 1960, in view of the confidential nature of the business about to be transacted, in the public interest the press and public are excluded from the remainder of the meeting.

C225

DISTINGUISHED CITIZEN AWARD

Members were requested to give consideration to two nominations for the Distinguished Citizen Award, with one award being for two people. Members noted that one of the nominees had been received the award previously and therefore considered that it was not appropriate for them to be awarded this a second time.

RESOLVED:

1. That the Clerk inform the successful nominees that they have been nominated and that Council have agreed that they should be awarded the Distinguished Citizen Award.
2. That the Mayor and Clerk decide on the trophy to be awarded.

C226

SUSPENSION OF STANDING ORDERS

RESOLVED

That Standing Order 7(a) be suspended for a period of 30-minutes to allow the remaining business to be considered.

C227

YOUTH ACHIEVEMENT AWARD

Members were asked to give consideration to three applications for the Youth Achievement Award. Councillors felt that all three were worthy of the award and it was agreed that all three should receive the award.

RESOLVED:

- 1. That the Clerk inform the successful nominees that they have been nominated and that the Council have agreed that they should be awarded the Youth Achievement Award.**
- 2. That the Mayor and Clerk decide on the trophy to be awarded.**

The meeting closed at pm

Signed
Town Mayor

Date