

**MINUTES OF AN EXTRAORDINARY MEETING  
OF THE  
FINANCE & GENERAL PURPOSES COMMITTEE  
HELD ON 12th of DECEMBER, 2018  
IN THE TOWN COUNCIL OFFICES, LEDBURY**

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**PRESENT:** Councillors: E Harvey, J Hopkins, P Howells, N Shields

**IN ATTENDANCE:** Cllr Morris, L James (Minutes) One member of public.

**F.152-12.18 APOLOGIES**

were received from Cllrs Baker, Harrison, Manns, Roberts, and Warmington.

As both Cllrs Baker and Harrison were absent, a temporary chair was required, and it was proposed by Cllr Hopkins that Cllrs Shields chair the meeting, this was seconded by Cllr Howells.

**F.153-12.18 INTERESTS**

No interests were declared at this point in the meeting.

**F.154-12.18 PUBLIC PARTICIPATION**

The member of public did not wish to speak.

**F.155-12.18 FINANCIAL MATTERS**

4.1 To approve invoices for payment.

The Cllrs thanked the office for splitting the payment lists in to regular and irregular payment sections. The Talbot invoice was explained; there is an overcharge that is being rectified. It was requested that a file note be added in the office to record the sums involved if not stated elsewhere. Action Point: Office to detail monies concerned with this overpayment.

Chairman's Expenses – a full breakdown of these were viewed by the Cllrs present.

It was proposed by Cllr Hopkins that the invoices should be approved for payment. Cllr Howells seconded this.

**RESOLVED:** to approve the invoices for payment.

4.2 Payment of Invoice ref LEB/LEB/LED004/0001 from Masefield Solicitors LLP regarding professional charges billed in February 2016.

Cllr Shields explained the background to this invoice, which was for work commissioned by Councillors, relating to the Judicial Review. Masefield Solicitors had not billed for this work, and this came to light when trying to ascertain the paper trail regarding the Judicial Review. It was agreed by the Cllrs present that Masefield Solicitors had done some work, but that this was never properly authorised by the Council. Cllr Harvey asked that this payment be highlighted to the Internal Auditors. Cllr Howells asked if a copy of the letter which came to the Council is available, it was explained that it

was not originally in Council records, but Cllr Harvey has provided a copy to the Council. Cllrs Shields proposed that the invoice is paid, but a note placed on file specifying that it was never properly authorised at time of commission. This was seconded by Cllr Hopkins.

**RESOLVED:** To pay invoice ref LEB/LEB/LED004/0001 from Masefield Solicitors, but a file note to be placed specifying that the work was not properly authorised at the time of commission.

#### **F.156-12.18 SPECIFIED GRANT APPLICATIONS 2019/20**

To consider applications received.

Cllr Harvey raised that grant closure reports require evidence that the grant is spent on a project, for some “grants” this would be difficult to specify. It was further discussed that some of the grant applications were for specific projects, and others were a contribution towards on-going service provision. It was proposed by Cllr Harvey that a distinction is made between grant applications for a specific project and those which are a contribution to on-going service provision. Cllr Howells proposed that the applications be noted and deferred to the F&GP meeting at the end of January, by which time the new grant application process will have been formalised. This was seconded by Cllr Harvey.

**RESOLVED:** To defer consideration of applications received to the January 2019 F&GP meeting, where they can be considered under the new grant application process which will have been formalised by that time.

#### **F.157-12.18 RISK MANAGEMENT**

To review section 3 of the Risk Register: Other Liabilities.

i) The Town Council expends funds on an activity outside its legal powers: It was stated by Cllr Shields that section 3 needs to be kept under regular review until Office Staff recruitment has been finalised. It is hoped that the Clerk’s position will be filled by a Clerk with CILCA competence.

ii) Failure to maintain full document control: To establish a file protocol as soon as possible.

**ACTION POINT:** needs review to ensure file naming protocol has been established.

iii) Failure to keep records in accordance with the Data Protection Act: Section unchanged.

iv) GDPR. Rule changes: To ensure that only public council email addresses are used, if Cllr private email addresses are used (for example when Cllrs are first elected and public address not yet set up) they should be bcc’d. Cllr Hopkins will discuss private email address handling with the Acting Deputy Clerk. The risk register section was unchanged.

v) Failure to respond to Data Protection/Freedom of Information Act disclosure requests as required by law: Section unchanged.

vi) Insufficient insurance cover for any aspect of Council responsibilities. Insurances in place. Section unchanged.

vii) Individual councillor fails to maintain a full and accurate register of interests: It was confirmed that this is reviewed at the Annual Meeting, and that the onus is on the Councillor, not the Council. Cllr Harvey asked if since the new Code of Conduct for Herefordshire Council was adopted in June 2018, had the register of interests had been updated? Cllr Shields requested that the next full Council meeting have an agenda item regarding



the updated Code of Conduct and Register of Interest forms. Section unchanged regarding risk levels.

viii) Slander and/or libel by a Councillor: Confirmed this is the Councillors personal responsibility. Section unchanged.

ix) Slander and/or libel by a member of staff: Section unchanged.

x) Judicial Review: It was agreed that this section should be renamed "failure to claim back Judicial Review costs". The risk of not claiming back the costs were discussed and concluded that the actual risk should be 3,3,9, with the residual risk being 1,3,3.

It was proposed by Cllr Shields to recommend to Full Council that the changes for Other Liabilities on the Risk Register should be adopted. Cllr Howells seconded this.

**RESOLVED:** to recommend to Full Council that the changes for Other Liabilities on the Risk Register should be adopted.

**ACTION POINTS:**

It was requested that the next full Council meeting include an agenda item regarding the updated Code of Conduct and Register of Interest forms.

It was asked that the Office make the current risk register available on the Website at all times.

It was asked that each time changes are made to the Risk Register that the changes should be recommended to Full Council.

#### **F.158-12.18 TOWN COUNCIL OFFICES**

7.1 To Consider quotations for the Town Council Office's Cleaning Contract. These quotes were discussed. As the member of public was present, it was agreed that the companies should only be identified as Company A & Company B. It was noted that with regards to Company A it was not clear whether VAT was included in the quote or not; however, on discussion, it was noted that Company B gave a lower quote regardless of VAT inclusion or exclusion in Company A, and Cllr Shields proposed that Company B be recommended to Full Council as the preferred contract. Cllr Howells seconded this.

**RESOLVED:** To recommend to Full Council that Company B is the preferred contract for cleaning of the Town Council Offices.

7.2 To update members on progress of the Health and Safety Audit at TCO. Ellis Whittam are preparing a Health and Safety Manual for the Council, and as part of this should be doing a Health and Safety inspection. It was also suggested that the Hereford & Worcester Fire and Rescue Service be contacted to advise on fire safety in the TCO. Cllr Hopkins asked that the Temporary Clerk to define who the fire marshals are in the TCO.

**ACTION POINT:** to define the Fire Marshals for the TCO.

7.3 To receive an update on actions taken regarding the TCO Quinquennial Survey.

It was explained that costs regarding scaffolding etc. were still being sought. Cllr Harvey asked that as well as urgent items, that any items on the '18 month' list should be included whilst scaffolding etc. was in place. It was considered necessary by the Cllrs present to ensure repairs are done in the most cost-effective way. Cllr Harvey suggested that, for example a "Cherry Picker" was required for access, that work on the Market House at the same time should be considered, and that Ledbury Places and the Civic Society contacted to establish if costs could be shared. Ian Stainburn has retired and is not willing to act as an advisor, but has supplied the office names of others to who may be able to help. Hugh Shannon, Building Conservation Officer for Herefordshire Council has been contacted to seek advice on

what work needs to be done as a priority. The Asbestos survey has been done. The members of the committee requested sight of this survey.  
ACTION POINT: To distribute Asbestos survey to F&GP members for review.

#### **F.159-12.18 FINANCIAL REGULATIONS**

To consider the updated Financial Regulations.

The Temporary Clerk had noted that the Financial Regulations had been altered in the past and in places no longer adhered to the National Standards. Cllr Harvey had produced a tracked document showing where the local Regulations differed from the National Regulations. The Financial Regulations were reviewed line by line, and the National Standards adopted where appropriate. Where there are customised fields in the National Standards, the appropriate item to which these related was discussed and agreed. With regards to item 11, Contracts, Cllr Harvey wished to draw special attention to this. She believes that clauses had been altered in the past and used to bypass the National Standard Financial Regulations.

ACTION POINTS arising from this review are:

5.6, note for Temporary Clerk to revise cheque raising process in line with amended Financial Regulations.

6.21: item "c" – please can this be instigated as soon as possible.

8.3 Chair has not received copies of bank statements in the past, please can this be instigated.

11aii: Cllr Harvey asked that the Temporary Clerk investigate further referring to the special audit report February 2015 Green Dawn and take advice from internal auditors if more advice is needed, and report back to F&GP.

15.5: Please can the Temporary Clerk advise whether this is different to Liability Insurance, and are we meeting this regulation.

***Cllr Morris left the meeting at 9.40pm.***

Cllr Shields asked that Cllr Harvey provide a fair, clean copy to the Temporary Clerk for referral to the next Full Council – with a recommendation that the Full Council accept the Financial Regulations subject to clarification of 11aii.

#### **F.160-12.18 INSURANCE CLAIM**

To consider insurance claim following damage to vehicle at Ledbury Cemetery.

Deferred to the next F&GP meeting, with a request for more information on the claim, background etc. needed before it can be considered.

**RESOLVED:** To defer to the next F&GP meeting.

#### **F.161-12.18 GENERAL DATA PROTECTION REGULATIONS (GDPR)**

To receive any update regarding GDPR compliance.

No update was received.

#### **F.162-12.18 OUTSIDE BODIES**

To receive and note any reports from Councillors who have attended meetings as a representative of Council.

No reports received.

#### **F.163-12.18 CORRESPONDENCE FOR INFORMATION**

To note any correspondence received.

None.

**F.164-12.18 DATE OF NEXT MEETING AND ITEMS FOR FUTURE AGENDA INCLUSION**

**\*\*No items\*\* were suggested for future agendas by councillors in the meeting.**

**The date of the next, scheduled meeting of the Finance and General Purposes committee is 17<sup>th</sup> January 2019.**

Meeting closed at 10.10pm.

CHAIRMAN ..... DATE .....