

LEDBURY TOWN COUNCIL

TOWN COUNCIL OFFICES, CHURCH STREET, LEDBURY
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28 July 2023

Dear Councillor

You are summoned to attend a meeting of **LEDBURY TOWN COUNCIL** to be held on Thursday, 3 August 2023 at 7.00 pm in the Jacobean Room, Ledbury Town Council, Church Lane, Ledbury for the purpose of transacting the business shown in the agenda below.

Please note that a representative of the Hills Ford 3 shires Rally will be giving a presentation on this year's rally at 6.30 pm in the Burgage Hall.

Yours faithfully

Angela Price PSLCC, AICCM, MIWFM
Town Clerk

FILMING AND RECORDING OF COUNCIL MEETINGS

Members of the public are permitted to film or record meetings to which they are permitted access, in a non-disruptive manner. Whilst those attending meetings are deemed to have consented to the filming, recording, or broadcasting of meetings, those exercising the rights to film, record or broadcast must respect the rights of other people attending under the Data Protection Act (GDPR) 2018

A G E N D A

1. Apologies
2. Declarations of Interests

To receive any declarations of interest and written requests for dispensations.

Members are invited to declare disclosable pecuniary interests and other interests in items on the agenda as required by the Ledbury Town Council Code of Conduct for Members and by the Localism Act 2011.

(Note: Members seeking advice on this item are asked to contact the Monitoring officer at least 72 hours prior to the meeting)

3. **Nolan Principles** (Pages 542-543)
4. **To approve and sign as a correct record the minutes of the meeting of Full Council held on 2 August 2023** (To Follow)
5. **Herefordshire Councillors' Reports** (To Follow)

To receive reports from Ledbury Ward Members:

- i. Councillor Harvey
- ii. Councillor Peberdy
- iii. Councillor Simmons

6. **Mayors Communications** (Verbal)
7. **To consider questions/comments from members of the public in accordance with the provisions of Standing Orders 3(e) and 3(f)**

"Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda. The period of time designated for public participation at a meeting shall not exceed 15 minutes unless directed by the Chairman of the meeting"

8. **To Receive motions presented by Councillors in accordance with Standing Order 9** (None received)

MINUTES

9. **To receive and note the minutes of meetings of the Planning, Economy & Tourism Committee held on 13 July 2023 and to give consideration to any recommendations therein** (Pages 544-553)
10. **To receive and note the minutes of a meeting of the Environment & Leisure Committee held on 20 July 2023 and to give consideration to any recommendations therein** (Pages 554-555)
11. **To receive and note the minutes of a meeting of the Finance, Policy & General Purposes Committee held on 27 July 2023 and to give consideration to any recommendations therein** (Pages 556-563)

FINANCE

12. **To receive invoices for payment (July Final)** (Pages 564-565)
13. **To give consideration to the delegation of payments due outside of the committee cycle** (Pages 566-567)

14. **Recommendations from other committees** (Pages 568-597)
- i. **Environment & Leisure Committee – Memorial Topple Testing**
 - ii. **Finance, Policy & General Purposes Committee**
 - a. **Appointment of Internal Auditor to undertake review Council procedures**
 - b. **Market House Roof Tender**

GOVERNANCE

15. **Committee Membership** (Pages 598-599)

GENERAL

16. **Outside Bodies** (Pages 600-605)
- i. Minutes of a meeting of the Ledbury Strömstad Twinning Association – 18 April 2023
 - ii. Minutes of a meeting of Ledbury Carnival Association – 12 July 2023
17. **Progress on call for remote meeting powers for Councils** (for information)
- <https://www.nalc.gov.uk/news/entry/2557-house-of-lords-backs-nalc-s-call-for-remote-meeting-powers>
18. **Ledbury War Memorial** (Pages 606-609)
- i. Response received from West Mercia Police
 - ii. Response received from Council's Solicitors
 - iii. Certificate of Progress Payment
 - iv. Architects site visit report – 24 July 2023 (To Follow)

19. **Date of next meeting**

To note that the next meeting of Full Council will be the Annual Meeting scheduled for 28 September 2023

**Distribution: - Full agenda reports to all Councillors (10)
Plus file copy**

**Agenda reports excluding Confidential items to:
Local Press (2)
Library (1)
Police (1)**

The Seven Principles of Public Life (Nolan Principles)

1. **Selflessness**

Holders of public office should act solely in terms of the public interest.

2. **Integrity**

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

3. **Objectivity**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. **Accountability**

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

5. **Openness**

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

6. **Honesty**

Holders of public office should be truthful.

7. **Leadership**

Holders of public office should exhibit these principles in their own behaviour and treat others with respect. They should actively promote and robustly support the principles and challenge poor behaviour wherever it occurs.

LEDBURY TOWN COUNCIL

MINUTES OF A MEETING OF THE PLANNING, ECONOMY & TOURISM
COMMITTEE

HELD ON 13 JULY 2023

PRESENT: Councillors Bradford (Chair), Harvey, Howells, Hughes, l'Anson.

ALSO PRESENT: Angela Price – Town Clerk
Sophie Jarvis – Minute Taker
Ward Councillors – Justine Peberdy & Stef Simmons

P39. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Morris.

P40. DECLARATIONS OF INTEREST AND WRITTEN REQUESTS FOR DISPENSATIONS

RESOLVED:

Councillor l'Anson declared an interest in planning application no. 231366 due to the applicant being her neighbour.

P41. PUBLIC PARTICIPATION

RESOLVED:

P42. TO APPROVE AND SIGN THE MINUTES OF THE PLANNING, ECONOMY & TOURISM COMMITTEE MEETING HELD ON 8 JUNE 2023.

Councillor Hughes proposed that the minutes of the Planning, Economy & Tourism Committee meeting held on 8 June 2023 be signed as a correct record, Councillor Howells seconded this and all members were in favour.

RESOLVED:

That the minutes of the Planning, Economy & Tourism Committee meeting held on 8 June 2023 were signed as a correct record.

P43. TO REVIEW THE ACTION SHEET

The following points on the action sheet were discussed:

P28 – That both the draft Markets Strategy Outline & the draft Markets Policy be referred to the Markets Working Party to be discussed in more detail.

Members were advised that a further report on both documents would be submitted to the next meeting of the Planning, Economy & Tourism Committee on 10 August 2023.

P29(1) – That a temporary plan be drawn up for the Tourist Information Centre being in the Town Council offices for the short term and an interim report be provided at the next Planning, Economy & Tourism Committee meeting.

Members asked the Clerk if any funding had been investigated for this. The Clerk informed members that she had spoken to representatives from the Herefordshire BID.

P33(2) – That Herefordshire Council be asked to provide an official report on No. 14 High Street (the old Shaw Healthcare building), to include what the next steps are in relation to this building being made safe and usable again.

The Clerk informed members that Herefordshire Council had copied her into recent correspondence in respect of this.

RESOLVED:

That the contents of the Action Sheet be received and noted.

P44. MINUTES OF A MEETING OF THE MARKETS WORKING PARTY

RESOLVED:

That the minutes of a meeting of the Markets Working Party be deferred to the Planning, Economy & Tourism Committee meeting on 10 August 2023.

P45. PAINTED ROOM VISITOR NUMBERS MARCH-MAY 2023

Members asked that this item be included on the next agenda to include the March–May visitor numbers from 2022 to allow them to make an accurate comparison. It was also suggested that a business plan and budget be reported to the committee to include sales.

Members noted that the Painted Room is sometimes shut on a Saturday. The Clerk informed members that the Painted Room is only shut as a last resort when there have been staff shortages. A new volunteer has recently been recruited, however there is still a need for more staff. Members questioned whether there would be any students interested in

helping, it was suggested that the Market House Theatre be approached to ask if there are any people there that would be interested in helping.

Councillor Harvey suggested that the Market House Theatre could help to put on a drama performance that could be recorded for the website to help encourage people to visit the Painted Room and other Heritage sites. It was also suggested that a virtual walk around the town with QR codes could be created to allow visitors to scan the QR codes at a particular location in Ledbury and then this would show pictures of what this area of the town looked like years ago compared to now. It was noted that this would be a good idea to introduce as part of the Heritage Open Days event.

RESOLVED:

- 1. That the visitor numbers from March–May 2022 be provided at the next committee meeting in addition to the March – May 2023 numbers to allow members to make a comparison.**
- 2. That a business plan and budget be included in this report going forward to enable Councillors to view and consider the “sales forecast”.**

P46. TOURIST INFORMATION CENTRE COUNCIL OFFICES

Members asked the Receptionist for a verbal update on what the Hereford Tourist Information Centre looked like and what local merchandise they had for sale.

Members requested that a plan be provided to the next committee meeting to include local merchandise information, details on costs or whether items could be on a sale of return basis. Councillor Harvey suggested that a business plan needs to be put together for the Tourist Information Centre to include details such as staff, merchandise, recruitment process and make this the project for the Council this year along with sorting the website/electronic presence and improving the Charter Market.

Ward Councillor Stef Simmons arrived at 7:22pm.

Councillor Hughes proposed that the recommendation made in the report should be accepted, Councillor Howells seconded this, and all members were in favour.

Councillor Howells suggested that it would be wise to ask other local Tourist Information Centres who they contacted to help with their set up. Members agreed that the local towns in Herefordshire should all work together to help promote each other especially during tourism season.

All members were in favour of making a recommendation to Full Council to retrieve 3 quotes to commission a consultant to create a business plan for the Tourist Information Centre.

RESOLVED:

- 1. That members noted the information provided by the CDO and would like to pursue working with Glide Media and the Herefordshire BID to improve the Tourist Information Centre.**
- 2. That the Clerk obtain quotes from consultants on the cost to commission a business plan in respect of the future of the TIC.**

P47. UPDATE FROM BUSES4US

Members noted that no response had been received from Bloor Homes with regard to their written request for bus stops being installed on the Viaduct development site.

Members noted that the Aldi service is ending shortly and asked the Ward Councillors to look into this and investigate what is in place for when this service comes to an end. Members also asked if the Ward Councillors would help the Town Council with their efforts to encourage developers to install bus stops on all new housing developments in Ledbury.

Councillor Hughes proposed that the following recommendation be made to Full Council: "That the Traffic Management Working Party be authorised to work with Clare Stone to explore the possibility of S106 monies being used for a Ledbury Hoper type service". Councillor Howells seconded this, and all members were in favour.

RESOLVED:

- 1. That Ward Councillors be asked to look into when the Aldi bus service is likely to come to an end and what, if anything will be put in place in its stead.**
- 2. That Ward Councillors be asked to help investigate bus stops being put in at all of the new development sites in Ledbury.**

RECOMMENDATION:

That members recommend to Full Council that the Traffic Management Working Party be authorised to work with Clare Stone to explore the possibility of S106 monies being used for a "Ledbury Hopper" type service.

P48.

PLANNING CONSULTATIONS

i. **Planning Application No. 230680**

Application for approval of reserved matters following outline approval of 212114 – one dwelling and associated vehicular access – Parkway House, Little Woolpits Lane, Herefordshire, HR8 2JG. Re-consultation.

Councillor Hughes proposed Ledbury Town Council submit no objections to this planning application, Councillor Bradford seconded this, and a vote took place. 4 members were in favour, 1 abstained.

RESOLVED:

No objection

ii. **Planning Application No. 231593**

Retrospective planning application for the change of use of land to a dog daycare business and associated development – The Bullen, Ledbury, Herefordshire, HR8 2JE

Ward Councillor Stef Simmons gave members a verbal update on this planning application which she had been looking into.

Councillor Hughes proposed that Ledbury Town Council submit no objections to this planning application, Councillor Bradford seconded this, and a vote took place. 2 members were in favour and 3 abstained.

RESOLVED:

No objection

iii. **Planning Application No. 231366**

To revert the small shop area on the ground floor back to residential use – 3 Church Street, Ledbury, Herefordshire, HR8 1DH

Councillor l’Anson declared an interest in this planning application and did not take part in voting on this item.

Councillor Hughes proposed that Ledbury Town Council submit no objections to this planning application, Councillor Bradford seconded this, and a vote took place. 3 members were in favour, 1 abstained.

RESOLVED:

No objection

iv. Planning Application No. 231853

Proposed lowering of a section of wall along a length of approximately 25 meters and replace with a timber close boarded fence to match the height of the existing wall (Part retrospective) – Bye Street Car Park, Ledbury, Herefordshire, HR8 1BU

Councillor Hughes proposed Ledbury Town Council submit no objections to this planning application, Councillor Bradford seconded this, and a vote took place. 4 members were in favour, 1 abstained.

RESOLVED:

No objection

v. Planning Application No. 231916

Proposed single storey extension – 38 Woodfield Road, Ledbury, Herefordshire, HR8 2XJ

Councillor Hughes proposed Ledbury Town Council submit no objections to this planning application, Councillor Bradford seconded this, and a vote took place. 4 members were in favour, 1 abstained.

RESOLVED:

No objection

vi. Planning Application No. 231923

Proposed works to existing damaged stone plinth filled and covered with proposed tiling to match – Sear House, Bye Street, Ledbury, Herefordshire, HR8 2AA

Councillor Hughes proposed that Ledbury Town Council submit no objections to this planning application, Councillor Bradford seconded this, and a vote took place. 4 members were in favour, 1 abstained.

RESOLVED:

No objection

P49. TABLED APPLICATIONS

RESOLVED:

There were no tabled planning applications.

P50. PLANNING DECISIONS

RESOLVED:

That the Planning Decisions document be received and noted.

P51. ENFORCEMENT NOTICE WITHDRAWAL IN RESPECT OF LITTLE BUSH PITCH, LEDBURY, HEREFORDSHIRE, HR8 2PX

Councillor Harvey gave members a verbal update of this planning application.

RESOLVED:

Members received and noted the Enforcement Notice Withdrawal in respect of Little Bush Pitch, Ledbury, Herefordshire, HR8 2PX.

P52. TRAFFIC REGULATION ORDER SCHEME TO IMPLEMENT NO ENTRY RESTRICTION ON WOODLEIGH ROAD, LEDBURY

Members discussed the confusion over whether the proposed cycle lane would be access for pedestrians as well. Ward Councillors clarified that this proposed cycle lane is just for bikes and it would not include any access for pedestrians to utilise this as well.

All members were in favour of accepting this proposed traffic regulation order scheme in principal but would like to request that pedestrians be incorporated into this and for it to include traffic calming measures.

RESOLVED:

That members accept the traffic regulation order scheme to implement no entry restriction on Woodleigh Road, Ledbury in principle. However, it be requested that pedestrian access is included in this plan along with traffic calming measures.

P53. APPLICATION FOR PREMISES LICENSE AT LEDBURY MINI MARKET, 10 NEW STREET, LEDBURY, HR8 2DX

Members discussed that this is a new tenant at this property and that they would support this premises proving they trade responsibly.

RESOLVED:

That members support the application for a premises license at Ledbury Mini Market, 10 New Street, Ledbury, Herefordshire, HR8 2DX.

P54. APPEAL DECISION – 49 BANK CRESENT, LEDBURY, 220374 – APPLICANTS COSTS DECISION

RESOLVED:

That members received and noted the appeal decision – 49 Bank Crescent, Ledbury, 220374 – applicants costs decision.

P55. TO GIVE CONSIDERATION TO AREAS IN LEDBURY THAT WOULD BENEFIT FROM ON-STREET CHARGING INFRASTRUCTURE

Members suggested that it might be wise to walk around town to view where the on-street charging points could be beneficial and to view how this would affect the pavement.

Members agreed that this information should be shared on the Town Council's website and social media platforms to make sure that local residents are aware.

RESOLVED:

That Ledbury Town Council share this information on the website/social media platforms to make local residents aware.

P56. REPORT PREPARED BY COUNCILLOR HOWELLS IN RESPECT OF MCCARTHY STONE PROPOSALS

RESOLVED:

That the report prepared by Councillor Howells in respect of the McCarthy Stone proposals be sent to Herefordshire Council Planning Officers.

P57. NEIGHBOURHOOD DEVELOPMENT PLAN

Members discussed establishing a project to promote public awareness and engagement to obtain responses to consultations in the Local Plan. With the new Local Plan coming into place Members agreed that raising public engagement should be a priority for this and that the Neighbourhood Development Plan Working Party be reviewed in January.

RESOLVED:

That the Neighbourhood Development Plan Working Party be reviewed in January, but in the meantime the Council raise awareness of the Local Plan consultation which it is anticipated will commence in September 2023.

P58. SECTION 106 (STANDING ITEM)

TO REVIEW LEDBURY TOWN COUNCIL S106 WISH LIST

Members agreed that a task & finish group be set up to review the S106 wish list in more detail.

RESOLVED:

That a task & finish group be set up to review the Ledbury Town Council S106 wish list in more detail.

P38. DATE OF NEXT MEETING

To note that the date of the next meeting of the Economy, Planning & Tourism Committee is scheduled for 10 August 2023.

The meeting ended at 9:00pm.

Signed Dated
(Chair)

LEDBURY TOWN COUNCIL

MINUTES OF A MEETING OF THE ENVIRONMENT AND LEISURE COMMITTEE
HELD ON 20 JULY 2023

PRESENT: Councillors Bradford (Deputy Chair).

ALSO PRESENT: Julia Lawrence – Deputy Town Clerk
Sophie Jarvis – Minute Taker

Due to the meeting not being quorate it could not proceed and therefore will be rescheduled.

E21 DATE OF NEXT MEETING

To note that the date of the next Environment and Leisure Committee meeting is to be rescheduled which will take place at the Town Council offices.

The meeting ended at

Signed Dated

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LEDBURY TOWN COUNCIL

MINUTES OF A MEETING OF THE FINANCE, POLICY & GENERAL PURPOSES COMMITTEE HELD ON 27 JULY 2023

PRESENT: Councillors Bradford, Eakin, Harvey, Hughes, l'Anson. and Sinclair

ALSO PRESENT: Angela Price – Town Clerk
Charlotte Barltrop – Minute Taker

F30. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Harvey and Howells.

F31. DECLARATIONS OF INTERESTS

Councillor Hughes declared an interest in item 16 due to having a personal friendship with the applicant.

F32. NOLAN PRINCIPLES

RESOLVED:

That the Nolan Principles be received and noted.

F33. PUBLIC PARTICIPATION

No members of the public were present.

F34. TO APPROVE AND SIGN AS A CORRECT RECORD THE MINUTES OF A MEETING OF FINANCE, POLICY & GENERAL PURPOSES COMMITTEE HELD ON 1 JUNE 2023

Councillor Bradford queried the minutes at F22, stating that there was a conversation about purchasing a concrete building which had not been minuted. The Town Clerk advised that she would review the recording of the June meeting to confirm this and record the amendments if appropriate.

RESOLVED:

That the minutes of a meeting of the Finance, Policy and General-Purpose Committee held on 1 June 2023 be approved and signed as a correct record subject to the amendment.

F35. TO REVIEW THE ACTION SHEET

The Clerk provided the following updates:

- F8.1 - The Clerk advised that she is working with BBLP in respect of them installing the plaque
- F16.9 - The Clerk advised that she had had a meeting with the Internal Auditor to discuss this and a scope and costings will be included in the Full Council agenda of 3 August 2023 for consideration
- F18 -The Clerk made Members aware of a letter received from the Treasurer of the Ledbury Visually Impaired Club in which they had suggested that the Council may wish to support the cost of transport to events, £40 per trip for 5 trips

RESOLVED:

1. That the Action Sheet be received and noted.
2. That Ledbury Town Council grants the sum of £200 to Ledbury Visually Impaired Group to provide transportation for their forthcoming trips.

F36. TO APPROVE INVOICES FOR PAYMENTS FOR JULY 2023

RESOLVED:

That the invoices for payment in the sum of £12,073.02 (plus VAT) be approved.

F37. TO RECEIVE THE RECORD OF RECEIPTS AND PAYMENTS FOR MAY AND JUNE 2023

RESOLVED

That the receipts and payments for May and June 2023 be received and noted.

F38. TO RECEIVE THE BALANCE SHEET AND TRIAL BALANCE FOR MONTHS 2 AND 3

RESOLVED

That the Balance Sheet and Trial Balance for months 2 & 3 be received and noted.

F39. BUDGET MONITORING

i. 2022/23 End of Year Movements

RECOMMENDATION:

- 1. That a recommendation be made to Council that due to the low amount in the general fund at the year-end close no movements from the general fund to the earmarked reserves be undertaken in respect of the 2022/23 year-end balance.**
- 2. That in addition to the £40,000 allocated in the War Memorial earmarked reserve, Members offset any additional costs from the funds being received from The Stone Workshop, with any further additional costs being allocated from within the Listed Buildings Reserve as previously agreed.**
- 3. That the works to repair the Market House roof be allocated from within the Listed Building earmarked reserve.**

RESOLVED:

- 1. That the earmarked reserves for Play/Skate Park in the sum of £24,500 be used for improvements to the play equipment at the recreation ground in 2023/24.**

ii. 2024/23 Budget Monitoring Reports

The Chair queried the following lines within the 2023/24 budget reports which were showing as in excess of the anticipated 25% expenditure:

- CC 102 – NC 4170 – Cemetery & Buildings – Maintenance 82.9% - Clerk to check and provide update
- CC201 – NC 4122 – Market House – Electricity – the Clerk advised that this was due to a payment for the council offices having been posted to this NC in error and also that the contract for this account had ended and currently it is not possible to enter into new fixed contracts with electricity suppliers
- CC202 – NC 4122 – Council Offices – Electricity – this line appears to be showing a negative expenditure of 97.6% - the Clerk to check and provide update
- CC230 – NC4018 – Management and Payroll – National Insurance – it was noted that this is showing an expenditure of 62.7%, however it was also noted that staff salaries (4000) in the same Cost Centre was only showing an expenditure of 4% - The Chair asked that all salary payments be amalgamated into one in each cost centre going forward
- CC235 – NC4405 – Office facilities and equipment – Photocopier hire – it was noted that this was nearly double the anticipated spend at this stage of the financial year. However, it was recognised that this was due to an error in respect of ended the previous contract

that had previously been reported to Members.

- CC31 – NC4553 – Planning/Economic Development - Tourist Information Centre – this was in relation to a one-off purchase of the advertising feathers and A boards in relation to the TIC

RESOLVED

That the Budget Monitoring Reports be received and noted, noting that the Clerk is to provide updates on the following:

CC102 – NC 4170 and CC202 – NC4122

F40. TO CONFIRM VERIFICATION OF BANK STATEMENTS AND RECONCILIATIONS FOR MARCH TO JUNE 2023

RESOLVED

That it be noted that the bank statements and reconciliations for March to June 2023 had been signed by the Chairman of the Finance, Policy & General Purposes Committee in accordance with the Council's Financial Regulations.

F41. CCLA PUBLIC SECTOR DEPOSIT FUND FACT SHEET – MAY AND JUNE 2023

Members enquired as to whether, with the current high interest rates, this is the best way to hold these sums and whether there may be a higher yield with the monies in a deposit account.

RESOLVED

That the Public Sector Deposit Fund Fact Sheets May and June 2023 be received and noted.

F42. INTERNAL/EXTERNAL AUDIT (Standing item)

No updates were reported

F43. CHANGE OF BANK ACCOUNT

Members were advised that on attempting to sign up the Council to a new bank account with Starling Bank the Clerk had been asked to provide personal details which suggested that the bank account would be somehow linked to the Clerks personal bank account.

The Clerk informed Members that prior to the report regarding Starling Bank, Ledbury Town Council had previously taken the decision to move their banking Unity Trust Bank due to them having knowledge of how Councils operate.

Members agreed that the information which had been requested by Starling Bank, and the method of sign up, was not appropriate for Ledbury Town Council and that the Clerk should write to Starling to tell them that their services were no longer required and to request they remove all information provided to them when initially attempting to set up an account be removed from their databases.

RESOLVED

- 1. That the Clerk investigate joining Unity Trust Bank and provide a report to the next meeting of the committee.**
- 2. That the Clerk be authorised to write to Starling Bank, on behalf of Ledbury Town Council, to inform them of the Council's reasons for not continuing the process of opening a new bank account with them, and to request that they remove any data which has thus far been provided from their records.**

F44. MARKET HOUSE

i. ROOF TENDER

Councillor Bradford advised that the roof work previously carried out may still carry a guarantee and suggested that officers should look into this.

The Clerk informed Members that of the total sum of £33,064.60, £13,168 of the quotation was for scaffolding and another £5,000 was a contingency.

Councillor Hughes proposed that a recommendation be put to Full Council to accept the tender and that Full Council should be advised that Caroe & Partners have confirmed the tender as correct and that the company is reputable.

RECOMMENDATION

That Full Council accept the tender received in the sum of £33,064.60 for the works to the Market House Roof, noting that Jane Chamberlain of Caroe & Partners has confirmed the tender as correct and that the company is reputable.

ii. PLASTER WORK

The Clerk informed members that Company B had been asked to provide additional information for their quotation to bring it into line with Company A's quoted scope. Company B had quoted a further £550 +VAT for inspecting the panels of the Market House and had advised that an additional £5,000 be made available for further works following the inspection.

Members agreed that, with this information provided, Company A should be engaged to complete the works based on their clear quotation and price.

RESOLVED:

That Company A be appointed to undertake the repairs to the plaster on the Market House to enable works to be carried out as soon as possible.

F45. GRANT APPLICATIONS

£500 or under

Caroline Green – Take 4 Gallery

Councillor Hughes declared an interest in this item which resulted in the meeting being inquorate.

RESOLVED:

That this item be deferred to the next meeting of the Finance, Policy & General Purposes Committee due to the meeting being inquorate as a result of one Councillor having submitted a declaration of interest.

F46. TO REVIEW RISK REGISTER PART 6 - CONTRACTUAL

Councillor Hughes stated that he and the Clerk had discussed the Risk Register and agreed that there was some work needed to clarify the content of the Register.

RESOLVED

- 1. That the Clerk and Councillor Hughes work on the Risk register and provide an amended version to a future meeting of the Committee.**

F47. DATE OF NEXT MEETING

To note that the next meeting of the Finance, Policy & General Purposes Committee is scheduled 28 September 2023

RESOLVED

To note that the next meeting of the Finance, Policy & General Purposes Committee is scheduled to take place on Thursday, 28 September 2023, at 7.00 pm, in the Committee Room, Council Offices, Church Lane, Ledbury.

F48. EXCLUSION OF PRESS AND 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, the press and public be excluded from the remainder of the meeting.

F49. UPDATE ON STATUS OF MORTUARY LEASE

RECOMMENDATION:

That Full Council be asked to approve that the Council's Solicitors, Red Kite, be given instruction to proceed with a Section 25 Notice to end the existing lease confirming that the Council is prepared to enter into a new lease, setting out the terms the Council is prepared to accept.

F50. UPDATE ON SMALL CLAIMS COURT APPLICATION

Members asked for clarification as to what a Warrant of Control would entail.

The Clerk informed the meeting that this meant that if you have a county court judgment for a debt and do not pay as the court has ordered, the creditor can apply to the court for a 'warrant of control'. This warrant authorises a county court bailiff to try to take control of possessions to encourage the individual to pay what they owe.

RECOMMENDATION:

That Full Council be asked to approve the application for a Warrant of Control be made to recover the outstanding sum of £928.30 and any additional costs owed to Ledbury Town Council in respect of the individual.

F51. VEXATIOUS COMPLAINANT

Members considered whether the Vexatious Complaint Policy should now be invoked. The Chair advised that the Council's Vexatious Policy clearly outlines that in the first instance the Resources Committee should be informed, and the complainant should be contacted to state that the Vexatious Complaint Policy was to be invoked with a copy of the Policy being sent to them to ensure that they are aware of the full Policy.

RECOMMENDATION:

1. That Full Council authorise the Clerk to write to the complainant to advise them that the first stage of the Councils Vexatious Complainant Policy was to be invoked against them, and that a copy of the Policy be included with the correspondence accordingly.
2. That the offer of assistance received from Mr Rippon be considered subject to any response received from the individual in relation to the notification of the invoking of the first stage of the Councils Vexatious Policy.

The meeting ended at 8.25pm.

Signed Date.....
(Chairman)

INVOICES FOR PAYMENT July 2023 Final

Agenda Item 12

INVOICE DATE	INVOICE NO	BAC's/Chq	COMPANY	DESCRIPTION	NET AMOUNT	VAT AMOUNT	GROSS AMOUNT
22.07.2023		BACS	Costco (Reimburse AP)	Extra large Refuse Bags	52.26	10.45	62.71
19.07.2023	9987802	BACS	Chubb	Additonal work carried out on intruder alarm	205.77	41.15	246.92
21.07.2023	2773596	BACS	Viking	Confidential Paper	22.57	4.95	27.52
21.07.2023	1396996214	BACS	Screwfix	Hammerite for Benches at Dog Hill Wood	63.32	12.66	75.98
19.07.2023	37719	BACS	Shreddall	LTC Shredding	72.88	14.57	87.45
21.07.2023	18292	BACS	Ledbury Garden Machinery	Repair of Husqvrna Mower	327.00	65.40	392.40
25.07.2023	3756	BACS	County Signpost Ltd	Open days advert	70.00	14.00	84.00
13.07.2023	BK211293-1	BACS	SLCC	Themed Summit - Finance - AP	60.00	12.00	72.00
13.07.2023	BK11301-1	BACS	SLCC	Themed Summit - Finance - JL	60.00	12.00	72.00
25.07.2023		BACS	Steve Maund	Lengthsman & P£ Rights of Way	528.00	0.00	528.00
25.07.2023	7259904149	BACS	NALC	Staff training	54.07	10.81	64.88
25.07.2023	7259929849	BACS	NALC	Staff Training	54.07	10.81	64.88
25.07.2023	7260758859	BACS	NALC	Staff Training	54.07	10.81	64.88
25.07.2023	7260733449	BACS	NALC	Staff Training	54.07	10.81	64.88
25.07.2023	7260771449	BACS	NALC	Staff Training	54.07	10.81	64.88
30.06.2023	2.02306E+11	BACS	PJ Nichols Ltd	Fuel for van & mowers	56.13	11.23	67.36
13.07.2023	CB1474175939	BACS	BullGuard.com	Subscription for Internet Security	58.32	11.67	69.99
30.03.2023	7210	BACS	Bliss Cleaning Services	LTC Office cleaning	370.00	74.00	444.00
28.04.2023	7362	BACS	Bliss Cleaning Services	LTC Office cleaning	259.00	51.80	310.80
31.05.2023	7481	BACS	Bliss Cleaning Services	LTC Office cleaning	222.00	44.40	266.40
25.07.2023	1398352055	BACS	Screwfix	Hammerite	49.97	9.99	59.96
25.07.2023	9273	BACS	Mrs H M Jones	Bugler for memorial service	50.00	0.00	50.00
25.07.2023	53664	BACS	Online playgrounds	Gate Springs	260.00	52.00	312.00
26.07.2023		BACS	Mayor's Expenses	Mileage 08.07.2023 July	5.76	0.00	5.76
26.07.2023		BACS	Mayor's Expenses	Expenses July 2023	87.39	0.00	87.39
27.07.2023	240	BACS	Ian Bishop Masonry	Progress payment - war memorial	2375.00	475.00	2850.00
27.07.2023	6	BACS	Simon Addison Highland Piper	Piper for Korean War 70th Ann.	50.00	0.00	50.00
TOTAL					5575.72	971.32	6547.04

FULL COUNCIL	3 AUGUST 2023	AGENDA ITEM: 13
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Report prepared by Angela Price – Town Clerk

TO GIVE CONSIDERATION TO THE DELEGATION OF PAYMENTS DUE OUTSIDE OF THE COMMITTEE CYCLE

Purpose of Report

The purpose of this report is to ask Members to establish a method of approving invoices for payment outside of the bi-monthly meeting cycle.

Detailed Information

Attached is a copy of the Council’s current Financial Regulations, which provide details on how the payment of invoices are to be managed.

Financial Regulation 5 provides detail on the banking arrangements and authorisation for payment. Financial Regulation 5.2 refers to how invoices for payment are managed, which is currently that the RFO will present a schedule of payments, together with the relevant invoices to a meeting of the Finance, Policy & General Purposes Committee for approval. As Full Council can consider any matter which would normally be considered at committee level, the current practice is also to provide a schedule of payments to Full Council for consideration.

Currently the committee cycle is bi-monthly, with the exception of the Planning, Economy & Tourism Committee, which meets monthly. As a result of this there are some occasions where payment of invoices is delayed, and this can sometimes create operational issues in so far as some of the companies that we regularly order from will not allow us to place an order until we have cleared the balance outstanding.

As Members are aware consideration is being given to a new committee structure in the future, and if a Management Committee is established and they meet on a monthly basis as has been proposed previously, this would negate the need for a change to Financial Regulations, as a schedule of invoices for payment could be considered at these meetings. Therefore, officers would suggest a temporary amendment be made to Financial Regulation 5, until such time the council’s committee structure has been reviewed, to include the following:

*“The RFO shall prepare a schedule of payments requiring authorisation, forming part of the Agenda for the Meeting and, together with the relevant invoices, present the schedule to the Finance, Policy & General Purposes Committee, **or in a month where there is no Finance, Policy & General Purposes Committee scheduled, a schedule of invoices for payments be presented to the Planning, Economy & Tourism Committee of any payments that should not wait a further month before approval for payment.** The committee shall review the schedule for compliance and, having satisfied itself shall authorise payment by a resolution of the committee. The approved schedule shall*

be ruled off and initialled by the Chairman of the Meeting. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of the meeting at which payment was authorised. Personal payments (including salaries, wages, expenses, and any payment made in relation to the termination of a contract of employment) may be summarised to remove public access to any personal information.”

It should be noted that the current Chair of the Finance, Policy & General Purposes Committee is also a member of the Planning Committee.

Recommendation

Members are requested to agree to a temporary amendment to Financial Regulation 5 as outlined above, to enable the Planning, Economy & Tourism Committee to be able to approve invoices for payment until such time the council's committee structure has been reviewed, at which time further permanent amendments may be required to the Financial Regulations.



Ledbury Town Council

Finance Regulations

Adopted 28.02.19

Amended 07.11.19

Updated 24.06.21

Reviewed 11.05.2023(Minute no. C16)

Next review 10.05.2024

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These Financial Regulations were adopted by the council at its meeting held on 28 February 2019.

1. General

- 1.1 These financial regulations govern the conduct of financial management by the council and may only be amended or varied by resolution of the council. Financial regulations are one of the council's three governing policy documents providing procedural guidance for members and officers. Financial regulations must be observed in conjunction with the council's standing orders¹ and any individual financial regulations relating to contracts.
- 1.2. The council is responsible in law for ensuring that its financial management is adequate and effective, and that the council has a sound system of internal control which facilitates the effective exercise of the council's functions, including arrangements for the management of risk.
- 1.3. The council's accounting control systems must include measures:
 - for the timely production of accounts;
 - that provide for the safe and efficient safeguarding of public money;
 - to prevent and detect inaccuracy and fraud; and
 - identifying the duties of officers.
- 1.4. These financial regulations demonstrate how the council meets these responsibilities and requirements.
- 1.5. At least once a year, prior to approving the Annual Governance Statement, the council must review the effectiveness of its system of internal control which shall be in accordance with proper practices.
- 1.6. Deliberate or wilful breach of these Regulations by an employee may give rise to disciplinary proceedings.
- 1.7. Members of council are expected to follow the instructions within these Regulations and not to entice employees to breach them. Failure to follow instructions within these Regulations brings the office of councillor into disrepute.
- 1.8. The Responsible Financial Officer (RFO) holds a statutory office to be appointed by the council. The Clerk has been appointed as RFO for this council and these regulations will apply accordingly.

¹ Model Standing Orders for Councils (2018 Edition) is available from NALC (©NALC 2018)

- 1.9. The RFO;
- acts under the policy direction of the council;
 - administers the council's financial affairs in accordance with all Acts, Regulations and proper practices;
 - determines on behalf of the council its accounting records and accounting control systems;
 - ensures the accounting control systems are observed;
 - maintains the accounting records of the council up to date in accordance with proper practices;
 - assists the council to secure economy, efficiency and effectiveness in the use of its resources; and
 - produces financial management information as required by the council.
- 1.10. The accounting records determined by the RFO shall be sufficient to show and explain the council's transactions and to enable the RFO to ensure that any income and expenditure account and statement of balances, or record of receipts and payments and additional information, as the case may be, or management information prepared for the council from time to time comply with the Accounts and Audit Regulations.
- 1.11. The accounting records determined by the RFO shall in particular contain:
- entries from day to day of all sums of money received and expended by the council and the matters to which the income and expenditure or receipts and payments account relate;
 - a record of the assets and liabilities of the council; and
 - wherever relevant, a record of the council's income and expenditure in relation to claims made, or to be made, for any contribution, grant or subsidy.
- 1.12. The accounting control systems determined by the RFO shall include:
- procedures to ensure that the financial transactions of the council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;
 - procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records;
 - identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers in relation to significant transactions;
 - procedures to ensure that uncollectable amounts, including any bad debts are not submitted to the council for approval to be written off except with the approval of the RFO and that the approvals are shown in the accounting records; and
 - measures to ensure that risk is properly managed.

1.13. The council is not empowered by these Regulations or otherwise to delegate certain specified decisions. In particular any decision regarding:

- setting the final budget or the precept (council tax requirement);
- approving accounting statements;
- approving an annual governance statement;
- borrowing;
- writing off bad debts;
- declaring eligibility for the General Power of Competence; and
- addressing recommendations in any report from the internal or external auditors, shall be a matter for the full council only.

1.14. In addition, the council must:

- determine and keep under regular review the bank mandate for all council bank accounts;
- approve any grant or a single commitment in excess of £5,000; and
- in respect of the annual salary for any employee have regard to recommendations about annual salaries of employees made by the relevant committee in accordance with its terms of reference.

1.15. In these financial regulations, references to the Accounts and Audit Regulations or 'the regulations' shall mean the regulations issued under the provisions of section 27 of the Audit Commission Act 1998, or any superseding legislation, and then in force unless otherwise specified.

In these financial regulations the term 'proper practice' or 'proper practices' shall refer to guidance issued in *Governance and Accountability for Local Councils - a Practitioners' Guide (England)* issued by the Joint Practitioners Advisory Group (JPAG), available from the websites of NALC and the Society for Local Council Clerks (SLCC).

2. Accounting and audit (internal and external)

2.1. All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations, appropriate guidance and proper practices.

2.2. On a regular basis, at least once in each quarter, and at each financial year end, a member other than the Chairman or a cheque signatory shall be appointed to verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign the reconciliations and the original bank statements (or similar document) as evidence of verification. This activity shall on conclusion be reported, including any exceptions, to and noted by the council Finance Committee.

2.3. The RFO shall complete the annual statement of accounts, annual report, and any related documents of the council contained in the Annual Return (as specified in proper practices) as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report

thereon to the council within the timescales set by the Accounts and Audit Regulations.

- 2.4. The council shall ensure that there is an adequate and effective system of internal audit of its accounting records, and of its system of internal control in accordance with proper practices. Any officer or member of the council shall make available such documents and records as appear to the council to be necessary for the purpose of the audit and shall, as directed by the council, supply the RFO, internal auditor, or external auditor with such information and explanation as the council considers necessary for that purpose.
- 2.5. The internal auditor shall be appointed by and shall carry out the work in relation to internal controls required by the council in accordance with proper practices.
- 2.6. The internal auditor shall:
 - be competent and independent of the financial operations of the council;
 - report to council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;
 - to demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and
 - has no involvement in the financial decision making, management or control of the council.
- 2.7. Internal or external auditors may not under any circumstances:
 - perform any operational duties for the council;
 - initiate or approve accounting transactions; or
 - direct the activities of any council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.
- 2.8. For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as is described in proper practices.
- 2.9. The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and statements of account required by Audit Commission Act 1998, or any superseding legislation, and the Accounts and Audit Regulations.
- 2.10. The RFO shall, without undue delay, bring to the attention of all councillors any correspondence or report from internal or external auditors.

3. Annual estimates (budget) and forward planning

- 3.1. Each committee (if any) shall review its three-year forecast of revenue and capital receipts and payments. Having regard to the forecast, it shall thereafter formulate and submit proposals for the following financial year to the council

not later than the end of November each year including any proposals for revising the forecast.

- 3.2. The RFO must each year, by no later than November, prepare detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the following financial year in the form of a budget to be considered by the relevant committee and the council.
- 3.3. The council shall consider annual budget proposals in relation to the council's three year forecast of revenue and capital receipts and payments including recommendations for the use of reserves and sources of funding and update the forecast accordingly.
- 3.4. The council shall fix the precept (council tax requirement), and relevant basic amount of council tax to be levied for the ensuing financial year not later than by the end of January each year. The RFO shall issue the precept to the billing authority and shall supply each member with a copy of the approved annual budget.
- 3.5. The approved annual budget shall form the basis of financial control for the ensuing year.

4. Budgetary control and authority to spend

- 4.1. Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:
 - the council for all items over £5,000;
 - a duly delegated committee of the council for items over £500; or
 - the Clerk, in conjunction with Chairman of Council or Chairman of the appropriate committee, for any items below £500.

Such authority is to be evidenced by a minute or by an authorisation slip duly signed by the Clerk, and where necessary also by the appropriate Chairman.

Contracts may not be disaggregated to avoid controls imposed by these regulations.

- 4.2. No expenditure may be authorised that will exceed the amount provided in the revenue budget for that class of expenditure other than by resolution of the council, or duly delegated committee. During the budget year and with the approval of council having considered fully the implications for public services, unspent and available amounts may be moved to other budget headings or to an earmarked reserve as appropriate ('virement').
- 4.3. Unspent provisions in the revenue or capital budgets for completed projects shall not be carried forward to a subsequent year.
- 4.4. The salary budgets are to be reviewed at least annually in October for the following financial year and such review shall be evidenced by a hard copy

schedule signed by the Clerk and the Chairman of Council or relevant committee. The RFO will inform committees of any changes impacting on their budget requirement for the coming year in good time.

- 4.5. In cases of extreme risk to the delivery of council services, the clerk may authorise revenue expenditure on behalf of the council which in the clerk's judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of £500. The Clerk shall report such action to the chairman as soon as possible and to the council as soon as practicable thereafter.
- 4.6. No expenditure shall be authorised in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the council is satisfied that the necessary funds are available and the requisite borrowing approval has been obtained.
- 4.7. All capital works shall be administered in accordance with the council's standing orders and financial regulations relating to contracts.
- 4.8. The RFO shall regularly provide the council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared at least at the end of each financial quarter and shall show explanations of material variances. For this purpose "material" shall be in excess of £100 or 15% of the budget.
- 4.9. Changes in earmarked reserves shall be approved by council as part of the budgetary control process.

5. Banking arrangements and authorisation of payments

- 5.1. The council's banking arrangements, including the bank mandate, shall be made by the RFO and approved by the council; banking arrangements may not be delegated to a committee. They shall be regularly reviewed for safety and efficiency.
- 5.2. The RFO shall prepare a schedule of payments requiring authorisation, forming part of the Agenda for the Meeting and, together with the relevant invoices, present the schedule to the Finance, Policy & General Purposes Committee. The committee shall review the schedule for compliance and, having satisfied itself shall authorise payment by a resolution of the committee. The approved schedule shall be ruled off and initialled by the Chairman of the Meeting. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of the meeting at which payment was authorised. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of a contract of employment) may be summarised to remove public access to any personal information.

- 5.3. All invoices for payment shall be examined, verified and certified by the RFO to confirm that the work, goods or services to which each invoice relates has been received, carried out, examined and represents expenditure previously approved by the council.
- 5.4. The RFO shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading. The RFO shall take all steps to pay all invoices submitted, and which are in order, at the next available council or Finance Committee meeting.
- 5.5. The Clerk and RFO shall have delegated authority to authorise the payment of items only in the following circumstances:
 - a) If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled Meeting of council, where the Clerk and RFO certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of council or finance committee;
 - b) An expenditure item authorised under 5.6 below (continuing contracts and obligations) provided that a list of such payments shall be submitted to the next appropriate meeting of council or finance committee; or
 - c) fund transfers within the councils banking arrangements up to the sum of £10,000, provided that a list of such payments shall be submitted to the next appropriate meeting of council or finance committee.
- 5.6. For each financial year the Clerk and RFO shall draw up a list of due payments which arise on a regular basis as the result of a continuing contract, statutory duty, or obligation (such as but not exclusively) Salaries, PAYE and NI, Superannuation Fund and regular maintenance contracts and the like for which Finance, Policy & General Purposes Committee, may authorise payment for the year provided that the requirements of regulation 4.1 (Budgetary Controls) are adhered to, provided also that a list of such payments shall be submitted to the next appropriate meeting of council or Finance Committee.
- 5.7. A record of regular payments made under 5.6 above shall be drawn up and be signed by two members on each and every occasion when payment is authorised - thus controlling the risk of duplicated payments being authorised and / or made.
- 5.8. In respect of grants a duly authorised committee shall approve expenditure within any limits set by council and in accordance with any policy statement approved by council. Any Revenue or Capital Grant in excess of £5,000 shall before payment, be subject to ratification by resolution of the council.
- 5.9. Members are subject to the Code of Conduct that has been adopted by the council and shall comply with the Code and Standing Orders when a decision to authorise or instruct payment is made in respect of a matter in which they

have a disclosable pecuniary or other interest, unless a dispensation has been granted.

- 5.10. The council will aim to rotate the duties of members in these Regulations so that onerous duties are shared out as evenly as possible over time.
- 5.11. Any changes in the recorded details of suppliers, such as bank account records, shall be approved in writing by a Member.

6. Instructions for the making of payments

- 6.1. The council will make safe and efficient arrangements for the making of its payments.
- 6.2. Following authorisation under Financial Regulation 5 above, the council, a duly delegated committee or, if so delegated, the Clerk or RFO shall give instruction that a payment shall be made.
- 6.3. All payments shall be affected by cheque or other instructions to the council's bankers, or otherwise, in accordance with a resolution of council or duly delegated committee.
- 6.4. Cheques or orders for payment drawn on the bank account in accordance with the schedule as presented to council or committee shall be signed by two members of council and countersigned by the Clerk, in accordance with a resolution instructing that payment. A member who is a bank signatory, having a connection by virtue of family or business relationships with the beneficiary of a payment, should not, under normal circumstances, be a signatory to the payment in question
- 6.5. To indicate agreement of the details shown on the cheque or order for payment with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the cheque counterfoil.
- 6.6. Cheques or orders for payment shall not normally be presented for signature other than at a council or committee meeting (including immediately before or after such a meeting). Any signatures obtained away from such meetings shall be reported to the council or Finance Committee at the next convenient meeting.
- 6.7. If thought appropriate by the council, payment for utility supplies (energy, telephone and water) and any National Non-Domestic Rates may be made by variable direct debit provided that the instructions are signed by two members and any payments are reported to council as made. The approval of the use of a variable direct debit shall be renewed by resolution of the council at least every two years.
- 6.8. If thought appropriate by the council, payment for certain items (principally salaries) may be made by banker's standing order provided that the instructions are signed, or otherwise evidenced by two members are retained and any payments are reported to council as made. The approval of the use of a

banker's standing order shall be renewed by resolution of the council at least every two years.

- 6.9. If thought appropriate by the council, payment for certain items may be made by BACS or CHAPS methods provided that the instructions for each payment are signed, or otherwise evidenced, by two authorised bank signatories, are retained and any payments are reported to council as made. The approval of the use of BACS or CHAPS shall be renewed by resolution of the council at least every two years.
- 6.10. If thought appropriate by the council payment for certain items may be made by internet banking transfer provided evidence is retained showing which members approved the payment.
- 6.11. Where a computer requires use of a personal identification number (PIN) or other password(s), for access to the council's records on that computer, a note shall be made of the PIN and Passwords and shall be handed to and retained by the Chairman of Council in a sealed dated envelope. This envelope may not be opened other than in the presence of two other councillors. After the envelope has been opened, in any circumstances, the PIN and / or passwords shall be changed as soon as practicable. The fact that the sealed envelope has been opened, in whatever circumstances, shall be reported to all members immediately and formally to the next available meeting of the council. This will not be required for a member's personal computer used only for remote authorisation of bank payments.
- 6.12. No employee or councillor shall disclose any PIN or password, relevant to the working of the council or its bank accounts, to any person not authorised in writing by the council or a duly delegated committee.
- 6.13. Regular back-up copies of the records on any computer shall be made and shall be stored securely away from the computer in question, and preferably off site.
- 6.14. The council, and any members using computers for the council's financial business, shall ensure that anti-virus, anti-spyware and firewall software with automatic updates, together with a high level of security, is used.
- 6.15. Where internet banking arrangements are made with any bank, the Clerk shall be appointed as the Service Administrator. The bank mandate approved by the council shall identify a number of councillors who will be authorised to approve transactions on those accounts. The bank mandate will state clearly, the amounts of payments that can be instructed by the use of the Service Administrator alone, or by the Service Administrator with a stated number of approvals.
- 6.16. Access to any internet banking accounts will be directly to the access page (which may be saved under "favourites"), and not through a search engine or e-mail link. Remembered or saved passwords facilities must not be used on

any computer used for council banking work. Breach of this Regulation will be treated as a very serious matter under these regulations.

- 6.17. Changes to account details for suppliers, which are used for internet banking may only be changed on written hard copy notification by the supplier and supported by hard copy authority for change signed by two members and the Clerk. A programme of regular checks of standing data with suppliers will be followed.
- 6.18. Any Debit Card issued for use will be specifically restricted to the Clerk and Deputy Clerk and will also be restricted to a single transaction maximum value of £500 unless authorised by council or finance committee in writing before any order is placed.
- 6.19. A pre-paid debit card may be issued to employees with varying limits. These limits will be set by the Finance Committee. Transactions and purchases made will be reported to the Finance Committee and authority for topping-up shall be at the discretion of the Finance Committee.
- 6.20. Any corporate credit card or trade card account opened by the council will be specifically restricted to use by the Clerk and Deputy Clerk and shall be subject to automatic payment in full at each month-end. Personal credit or debit cards of members or staff shall not be used under any circumstances.
- 6.21. The Clerk and Deputy Clerk will each be issued with a credit card with a limit of £1,000 per card.
- 6.22. The credit cards will be kept locked in the Council safe when not in use.
- 6.23. All purchased on the credit card will be made in accordance with Financial Regulation 4 above "Budgetary Control and Authority to Spend" and no purchase shall be made on the credit card without prior knowledge and approval by the Clerk or Deputy Clerk in their absence.
- 6.24. The RFO may provide petty cash to officers for the purpose of defraying operational and other expenses. Vouchers for payments made shall be forwarded to the RFO with a claim for reimbursement.
 - a) The RFO shall maintain a petty cash float of £250 for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept to substantiate the payment.
 - b) Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.
 - c) Payments to maintain the petty cash float shall be shown separately on the schedule of payments presented to council under 5.2 above.

7. Payment of salaries

- 7.1. As an employer, the council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance legislation. The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salary rates shall be as agreed by council, or duly delegated committee.
- 7.2. Payment of salaries and payment of deductions from salary such as may be required to be made for tax, national insurance and pension contributions, or similar statutory or discretionary deductions must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to the next available council meeting, as set out in these regulations above.
- 7.3. No changes shall be made to any employee's pay, emoluments, or terms and conditions of employment without the prior consent of the council relevant committee.
- 7.4. Each and every payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a separate confidential record (confidential cash book). This confidential record is not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:
 - a) by any councillor who can demonstrate a need to know;
 - b) by the internal auditor;
 - c) by the external auditor; or
 - d) by any person authorised under Audit Commission Act 1998, or any superseding legislation.
- 7.5. The total of such payments in each calendar month shall be reported with all other payments as made as may be required under these Financial Regulations, to ensure that only payments due for the period have actually been paid.
- 7.6. An effective system of personal performance management should be maintained for the senior officers.
- 7.7. Any termination payments shall be supported by a clear business case and reported to the council. Termination payments shall only be authorised by council.
- 7.8. Before employing interim staff, the council must consider a full business case.

8. Loans and investments

- 8.1. All borrowings shall be affected in the name of the council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by Council as to terms and purpose. The application for borrowing approval, and subsequent arrangements for the loan shall only be approved by full council.
- 8.2. Any financial arrangement which does not require formal borrowing approval from the Secretary of State/Welsh Assembly Government (such as Hire Purchase or Leasing of tangible assets) shall be subject to approval by the full council. In each case a report in writing shall be provided to council in respect of value for money for the proposed transaction.
- 8.3. The council will arrange with the council's banks and investment providers for the sending of a copy of each statement of account to the Chairman of the council at the same time as one is issued to the Clerk or RFO.
- 8.4. All loans and investments shall be negotiated in the name of the council and shall be for a set period in accordance with council policy.
- 8.5. The council shall consider the need for an Investment Strategy and Policy which, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.
- 8.6. All investments of money under the control of the council shall be in the name of the council.
- 8.7. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.
- 8.8. Payments in respect of short term or long-term investments, including transfers between bank accounts held in the same bank, or branch, shall be made in accordance with Regulation 5 (Authorisation of payments) and Regulation 6 (Instructions for payments).

9. Income

- 9.1. The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.
- 9.2. Particulars of all charges to be made for work done, services rendered or goods supplied shall be agreed annually by the council, notified to the RFO and the RFO shall be responsible for the collection of all accounts due to the council.
- 9.3. The council will review all fees and charges at least annually, following a report of the Clerk.
- 9.4. Any sums found to be irrecoverable and any bad debts shall be reported to the council and shall be written off in the year.

- 9.5. All sums received on behalf of the council shall be banked intact as directed by the RFO. In all cases, all receipts shall be deposited with the council's bankers with such frequency as the RFO considers necessary.
- 9.6. The origin of each receipt shall be entered on the paying-in slip.
- 9.7. Personal cheques shall not be cashed out of money held on behalf of the council.
- 9.8. The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made at least annually coinciding with the financial year end.
- 9.9. Where any significant sums of cash are regularly received by the council, the RFO shall take such steps as are agreed by the council to ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.
- 9.10. Any income arising which is the property of a charitable trust shall be paid into a charitable bank account. Instructions for the payment of funds due from the charitable trust to the council (to meet expenditure already incurred by the authority) will be given by the Managing Trustees of the charity meeting separately from any council meeting (see also Regulation 16 below).

10. Orders for work, goods and services

- 10.1. An official order or letter shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained.
- 10.2. Order books shall be controlled by the RFO.
- 10.3. All members and officers are responsible for obtaining value for money at all times. An officer issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any de minimis provisions in Regulation 11.1 below.
- 10.4. A member may not issue an official order or make any contract on behalf of the council.
- 10.5. The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments, the RFO shall ensure that the statutory authority shall be reported to the meeting at which the order is approved so that the minutes can record the power being used.

- 10.6 Quotes for sustainable and/or renewable goods and from eco/green suppliers will be sought in the first instance.

11. Contracts

- 11.1. Procedures as to contracts are laid down as follows:

a) Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that this regulation need not apply to contracts which relate to items (i) to (vi) below:

i. for the supply of gas, electricity, water, sewerage and telephone services;

ii. for specialist services such as are provided by legal professionals acting in disputes;

iii. for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;

iv. for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the council;

v. for additional audit work of the external auditor up to an estimated value of £500 (in excess of this sum the Clerk and RFO shall act after consultation with the Chairman and Vice Chairman of council); and

vi. for goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price.

vii. Quotes for sustainable and/or renewable goods and from eco/green suppliers will be sought in the first instance.

b) Where the council intends to procure or award a public supply contract, public service contract or public works contract as defined by The Public Contracts Regulations 2015 ("the Regulations") which is valued at £25,000 or more, the council shall comply with the relevant requirements of the Regulations².

c) The full requirements of The Regulations, as applicable, shall be followed in respect of the tendering and award of a public supply contract, public service contract or public works contract which exceed thresholds in The Regulations set by the Public Contracts Directive 2014/24/EU (which may change from time to time)³.

² The Regulations require councils to use the Contracts Finder website to advertise contract opportunities, set out the procedures to be followed in awarding new contracts and to publicise the award of new contracts

³ Thresholds currently applicable are:

a) For public supply and public service contracts 209,000 Euros (£181,302)

b) For public works contracts 5,225,000 Euros (£4,551,413)

- d) When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the council.
- e) Such invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.
- f) All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of council.
- g) Any invitation to tender issued under this regulation shall be subject to Standing Order 18, Financial Controls and Procurement and shall refer to the terms of the Bribery Act 2020.
- h) When it is to enter into a contract of less than £25,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk or RFO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £3,000 and above £100 the Clerk or RFO shall strive to obtain 3 estimates. Otherwise, Regulation 10.3 above shall apply.
- i) The council shall not be obliged to accept the lowest or any tender, quote or estimate.
- j) Should it occur that the council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the council requires further pricing, provided that the specification does not change, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision-making process was being undertaken.

12. Payments under contracts for building or other construction works

- 12.1. Payments on account of the contract sum shall be made within the time specified in the contract by the RFO upon authorised certificates of the architect or other consultants engaged to supervise the contract (subject to any percentage withholding as may be agreed in the particular contract).
- 12.2. Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments. In any case where it is estimated that the total cost of work carried out under a contract, excluding agreed variations, will exceed the contract sum of 5% or more a report shall be submitted to the council.

- 12.3. Any variation to a contract or addition to or omission from a contract must be approved by the council and Clerk to the contractor in writing, the council being informed where the final cost is likely to exceed the financial provision.

13. Stores and equipment

- 13.1. The officer in charge of each section shall be responsible for the care and custody of stores and equipment in that section.
- 13.2. Delivery notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.
- 13.3. Stocks shall be kept at the minimum levels consistent with operational requirements.
- 13.4. The RFO shall be responsible for periodic checks of stocks and stores at least annually.

14. Assets, properties, and estates

- 14.1. The Clerk shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the council. The RFO shall ensure a record is maintained of all properties held by the council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Accounts and Audit Regulations.
- 14.2. No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £250.
- 14.3. No real property (interests in land) shall be sold, leased or otherwise disposed of without the authority of the council, together with any other consents required by law. In each case a report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 14.4. No real property (interests in land) shall be purchased or acquired without the authority of the full council. In each case a report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 14.5. Subject only to the limit set in Regulation 14.2 above, no tangible moveable property shall be purchased or acquired without the authority of the full council. In each case a report in writing shall be provided to council with a full business case.

- 14.6. The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

15. Insurance

- 15.1. Following the annual risk assessment (per Regulation 17), the RFO shall affect all insurances and negotiate all claims on the council's insurers in consultation with the Clerk.
- 15.2. The Clerk shall give prompt notification to the RFO of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.
- 15.3. The RFO shall keep a record of all insurances effected by the council and the property and risks covered thereby and annually review it.
- 15.4. The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to council at the next available meeting.
- 15.5. All appropriate members and employees of the council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined annually by the council, or duly delegated committee.

16. Charities

- 16.1. Where the council is sole managing trustee of a charitable body the Clerk shall ensure that separate accounts are kept of the funds held on charitable trusts and separate financial reports made in such form as shall be appropriate, in accordance with Charity Law and legislation, or as determined by the Charity Commission. The Clerk shall arrange for any audit or independent examination as may be required by Charity Law or any Governing Document.

17. Risk management

- 17.1. The council is responsible for putting in place arrangements for the management of risk. The Clerk shall prepare, for approval by the council, risk management policy statements in respect of all activities of the council. Risk policy statements and consequential risk management arrangements shall be reviewed by the council at least annually.
- 17.2. When considering any new activity, the Clerk with the RFO shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the council.

18. Suspension and revision of Financial Regulations

- 18.1. It shall be the duty of the council to review the Financial Regulations of the council from time to time. The Clerk shall make arrangements to monitor changes in legislation or proper practices and shall advise the council of any requirement for a consequential amendment to these Financial Regulations.
- 18.2. The council may, by resolution of the council duly notified prior to the relevant meeting of council, suspend any part of these Financial Regulations provided that reasons for the suspension are recorded and that an assessment of the risks arising has been drawn up and presented in advance to all members of council.

LEDBURY TOWN COUNCIL

FULL COUNCIL	3 AUGUST 2023	AGENDA ITEM: 14(i)
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Report prepared by Julia Lawrence – Deputy Town Clerk

MEMORIAL TOPPLE TESTING AT LEDBURY CEMETERY

Purpose of Report

The purpose of this report is to ask Members to give approval for funds to be used from 2022/23 General Reserves in order that the balance of the memorial topple testing at Ledbury Cemetery can take place.

Detailed Information

Members of the Environment and Leisure Committee were presented with a report at their meeting held on 15 June 2023 (Agenda Item No. 13) advising that further memorial topple testing needed to be undertaken at the Cemetery. The testing of memorials within churchyards or cemeteries, whether open or closed, is a legal requirement for the operator of the cemetery and should be carried out every 5 years. Members of the Environment and Leisure Committee agreed that the balance of memorial topple testing needed to be done as soon as possible.

As previously noted, this is a specialist service specific to cemeteries and as such the number of companies who can provide this service is limited and therefore obtaining three quotations, as is required by the Council's Financial Regulations, has not been possible. The cost to topple test each memorial is £3.75 plus VAT, which includes a full visual inspection to establish whether there is any damage to the memorial or vegetation around it and whether or not it is leaning. Memsafe, as part of their fees, would carry out physical assessments, a risk assessment, photography, and an audited spreadsheet showing the completed works and any recommendations to make the memorial safe. If a memorial is unsafe, it is standard practice to secure a small sign to it stating that the memorial is unsafe and the cost of such a sign is not included within the £3.75 cost.

Memsafe have calculated that approximately 1,600 memorials still need to be tested which includes memorials in the new area. To complete the balance of the testing in one year could be in the region of £6,000 plus VAT, excluding any costs for any signage for unsafe memorials, costs associated with contacting relatives or notices in the local press if no family members are listed, which is also a requirement to show that the Council is undertaking its duty in respect of inspections. Appendix A shows the area where topple testing was carried out in 2020, highlighted in green.

The Council's 2023/24 budget allocation for memorial testing is £1,000 and there are currently no earmarked reserves available for this. However, it was proposed by the Environment & Leisure Committee that a recommendation be made to the Finance, Policy and General Purposes Committee that funds be taken from the Council's

General Reserve for the balance of costs. As this recommendation has missed the next Finance, Policy, and General Purposes Committee, it is now being presented to Full Council for this consideration.

Recommendations

1. Members are requested to give consideration to the above information, and to agree that the additional amount of circa £5,000 be taken from the General Reserve to enable the Memorial Topple Testing programme to proceed ensuring that the Council meets its statutory obligations in respect of memorial testing.
2. That subject to approval of 1) above, officers be authorised to instruct Memsafe to undertake topple testing of the remaining areas within Ledbury Cemetery at the earliest opportunity.

Angela Price PSLCC, MICCM, MIWFM CILCA
Town Clerk
Ledbury Town Council
Church Street
Ledbury
Herefordshire
HR8 1DH

26th July 2023

Dear Angie,

Further to our Teams meeting yesterday I am writing to set out a proposed framework for the review of the Councils processes and systems.

Areas to be reviewed

- Corporate Governance (standing orders / financial regulations / committee terms of reference / minutes)
- Procurement
- Human Resources / Personnel
- Corporate Communication (use of website/social media)
- Burials

Structure of the review

The review will be a high level review. It will seek to measure three specific criteria;

1. Whether the Council has a formal system (or systems) in place in each of the areas.
2. Whether the system(s) in place corresponds to a stated quality measure / best practice, including any standards set by the Council.
3. Whether the system is broadly operating as intended.

Methodology

The review will consist of two main elements,

1. a review of documentation in place for each operational area
2. a series of face to face discussions with staff members involved with, or responsible for, each of the operational areas.

Report deliverables

The report will provide a high level assessment of the systems in place and will identify areas where systems are not in place, systems do not meet a specific quality measure or standard, or where the system in place is not operating as intended.

The report will, where appropriate, make recommendations to Council as to how it may address any of the areas where it does not currently fully meet the three criteria for each of the operational areas subject to review.

Time and Cost

It is estimated that each operational area should take, on average, half a day to review. An additional day will be required to draft the report. The Council should also consider an additional contingency of 1 day to cover any additional work. Based on the 5 activity areas that would give a total time requirement of 3.5 days plus 1 contingency day.

At current daily rates the costs of this review would be $3.5 \times \text{£}395.00 = \text{£}1,382.50$ plus VAT, with a further $\text{£}395.00$ plus VAT as a contingency.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'K. Rose'.

Kevin Rose ACMA
Director

FULL COUNCIL	3 AUGUST 2023	AGENDA ITEM: 14(ii)
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Report written by Angela Price – Town Clerk

APPOINTMENT OF INTERNAL AUDITOR TO UNDERTAKE REVIEW COUNCIL PROCEDURES

Purpose of Report

The purpose of this report is to provide Members with a proposed framework and cost received from the Internal Auditor in respect of undertaking a review of all the council's processes and systems.

Detailed Information

When reviewing the Annual Audit Return in June 2023, the Finance, Policy & General Purposes Committee resolved the following:

Minute F16(9) - That the Auditor be commissioned to carry out a review of the Ledbury Town Council processes in order that these can be brought in line with the required standards.

Following this the Clerk contacted the Internal Auditor and met with him via Teams to discuss what the Council were looking from this process, and it was agreed that the Auditor would provide a scope and costings for consideration by Council.

Attached is the proposed framework and costings as provided by the Internal Auditor for Members approval,

Recommendation

That Members approve the proposed framework as outlined in the attached, along with the cost for this work, and authorise the Clerk to instruct the Internal Auditor to proceed at a cost of £1,382.50 plus VAT for 3.5 days plus a further £395 plus VAT contingency, noting that the areas of to be reviewed are:

- Corporate Governance (standing orders/financial regulations/committee terms of reference/minutes)
- Procurement
- Human resources/Personnel
- Corporate communication (use of website/social media)
- Burials

LEDBURY TOWN COUNCIL

FULL COUNCIL	3 AUGUST 2023	AGENDA ITEM: 14(ii)(a)
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Report prepared by Angela Price - Town Clerk

RECOMMENDATION FROM FINANCE, POLICY & GENERAL PURPOSES COMMITTEE - MARKET HOUSE ROOF TENDER

Purpose of Report

The purpose of this report is to ask Members to give approval to a recommendation from the Finance, Policy & General Purposes Committee held on 27 July 2023.

Detailed Information

At the meeting of Finance, Policy & General Purposes Committee held on 27 July 2023 Members were requested to give consideration to, and make a recommendation to Council, on a tender received in respect of works to the roof of the Market house

They were advised that the value of the quotation was £33,064.60 excluding VAT and that Caroe & Partners had been asked to review the quotation received to ensure that the costings and materials were appropriate for the works. Following the review of this tender Jane Chamberlain of Caroe & Partners provided the following:

“This company have a good reputation and have carried out high quality roof repairs on historic building projects which we have been involved in and which were competitively tendered.

Their tender includes £13,168 for scaffolding and sensibly includes a £5,000 contingency sum, which should be allowed for, when budgeting for the work.

Contract preliminaries at £ 3,808 are at the level we would expect for this size of contract.

Nothing stands out as being over or under priced. All priced items seem fair. Please note that some of them are provisional sums and will be re-costed when the actual extent of repair is known.

We therefore consider that this is a reasonable tender. We have found difficulty in obtaining tenders for other roof repair works in recent months. Other tendering processes have only produced one or two tenders, a reflection on how busy contractors are at the moment.

We have not been appointed to work on this project and would be pleased to help further if this would be of assistance. If we were required to make site visits or carry out other further work, we would charge at our standard hourly rates plus VAT.”

Members of the Finance, Policy & General Purposes Committee resolved that a recommendation be made to Full Council that the tender submitted be accepted in the sum of £33,064.60, noting that £13,168.68 of the cost was for scaffolding and that it includes a contingency sum of £5,000.

Recommendation

1. That Members approve the recommendation from the Finance, Policy & General Purposes Committee that the D A Cook, as the only contractor to submit a tender for the roof works and taking into account the response received from Caroe & Partners, be appointed to undertake the roof repairs to the Market House, High Street Ledbury, as per their tender submission in the sum of £33,064.60, noting that £13,168.68 of the cost is for scaffolding and that it includes a contingency sum of £5,000.
2. That Members consider whether to appoint Caroe and Partners to provide support with this project and attend site visits whilst the work is being undertaken, which will be at their normal hourly rate.

Ledbury Town Council

Church Street, Ledbury, Herefordshire, HR8 1DH

clerk@ledburytowncouncil.gov.uk Tel: 01531 632306

Ledbury Cemetery - 1st Draft

SCALE: 1:201

DATE: 14/08/2022

MAP FILENAME: Ledbury Cemetery 1st Draft 01.06.22

Map data may be © Crown copyright and database right (2022) supplied under OS PSMA licence number EIL 100054102. Terms and conditions apply. Refer to Ordnance Survey @ website.



APPENDIX A



These symbols do not indicate any change. Existing features are shown as they are. Please refer to the map for further details.

- Graves
- Queries
- Cremation Plots
- Potential Graves

Football Ground

L TWR

Stand

Chapel

Mortuary

Lytwood

Arkle

Brandywell

Hawthorns

Oakdene

Bankside Estate

Balkavre

Pine View
Rosynia
Corners

Wilkswood

Opp Cem

Cedar House

Winslow

Bell View

Allington

B 4216

600

St

LB

2

4

6

24

26

28

30

32

FULL COUNCIL	3 AUGUST 2023	AGENDA ITEM: 15
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Report prepared by Angela Price – Town Clerk

COMMITTEE MEMBERSHIP

Purpose of Report

The purpose of this report is to make Members aware of an issue relating to membership numbers on the Resources Committee due to the Deputy Mayor also being a chair of the committee, and to ask Members to consider a suggestion to resolve this issue.

Detailed Information

1. Resources Committee

As Members are aware the Resources Committee membership consists of the Mayor, Deputy Mayor, and Chairs of Committees, with Vice-Chairs as substitutes in the event a Chair is unable to attend. This would normally mean that there would be five Members on this committee.

However, due to Councillor Chowns being both the Deputy Mayor and Chair of the Environment & Leisure Committee the membership of the Resources Committee for 2023/24 is reduced to four.

If Councillor Chowns was unable to attend a meeting, then Councillor Bradford would be invited to attend as his Vice-Chair, which would ensure the numbers would remain at four. However, if for example the Mayor and Deputy Mayor were both unable to attend this would reduce the attendance to three and should this coincide with both the Chair and Vice-Chair not being available the meeting would not be quorate.

Therefore, officers would ask Members to give consideration to an amendment to the Membership for the 2023/24 Municipal Year that Councillor Bradford, as the Chair of Environment & Leisure be invited to attend the meetings as Councillor Chowns substitute for the Environment & Leisure Committee, which would allow Councillor Chowns to attend the meetings as the Deputy Mayor and would ensure that the numbers attending the meetings would remain at five as often as possible.

Also, whilst considering the above suggested amendment officers would suggest that Members consider an amendment to the Resources Committee Terms of Reference to allow for non-committee Chairs and Vice-Chairs to be invited to attend the Resources Committee when matters that they have been leading on for the committees or council are referred back to the Resources Committee, to ensure continuity of such matters.

2. **New Councillor Committee Membership**

As Members are aware Ledbury Town Council carried out a co-option process on 2 August 2023.

Subject to candidates being successful at that meeting, consideration needs to be given as to which of the following committees, if any, they would wish to serve on:

Environment & Leisure Committee
Finance, Policy & General Purposes Committee
Planning, economy & Tourism Committee

Recommendations

1. That Members give consideration to amending the Membership of the Resources Committee for the 2023/24 Municipal Year to enable Councillor Bradford to be invited to sit on the Resources Committee for 2023/24, as a substitute for Councillor Chowns who is currently sitting on this committee with two roles, namely, the Deputy Mayor and Chair of Environment & Leisure Committee.
2. That Members consider an amendment to the Resources Committee Terms of Reference to allow for non-committee Chairs and Vice-Chairs to be invited to attend the Resources Committee when matters that they have been leading on for the committees or council are referred back to the Resources Committee, to ensure continuity of such matters.
3. That those new Councillors who were co-opted at an extraordinary meeting of Council held on 2 August 2023, be invited to declare which committees, if any they would like to serve on.

**MINUTES OF LEDBURY STRÖMSTAD TWINNING ASSOCIATION
TUESDAY 18 APRIL 2023 – LEDBURY MARKET HOUSE**

PRESENT: Caroline Alexander (CA) – Chairman, Sue Bettington (SB), Cllr Phillip Howells – Ledbury Town Council (PH), Hilary Jones (HJ), Clive Jupp (CJ), Jill Jupp (JJ),

APOLOGIES: Pauline Bates (PSB), Phil Bettington (PB), Cllr Stephen Chowns – Ledbury Town Council (SC), Nick Fish (NF), Mel Fish (MF), Katie Horne (KH), Mal Hughes (MH), Sue Hughes (SH) (both Ledbury Community Choir), Howard Mayell (HM) and Steve Onions (Vice Chair) Ledbury Swifts (SO) and Olivia Truman (Community Development Officer – Ledbury Town Council (OT).

ITEM NO:	SUBJECT	ACTION
1.	WELCOME AND INTRODUCTIONS: CA welcomed everyone to the meeting.	
2.	MINUTES OF PREVIOUS MEETING AND MATTERS ARISING: Agreed and the Minutes were then signed as a correct record. CA explained the Association’s participation in World Book Day event. CA and CJ had read Pippi Longstocking stories and provided activities in Pot and Page on Saturday 4 March.	
3.	TREASURER’S REPORT: SB reported that the bank balance was currently £1378.65. This included the proceeds of the Quiz, a net £146.00 and a donation of £100.00 from Adam Munthe’s Trust. JJ to do thank you letter.	JJ
4.	MEMBERSHIP RENEWAL: This had all been distributed along with Spring Newsletter. Reference to the review of subscription had been included in the covering letter. New Membership Leaflet: JJ and CJ to draft and then circulate.	JJ/CJ
5.	FACEBOOK PAGE: MF had reported it was difficult to progress as Jan Palmblad (JP) was the Admin but via the Strömstad Kommun which he was no longer involved with. Jan could not remember the password. CJ to contact JP to try to find a way forward PH arrived at the meeting at 19.52.	CJ

	<p>One alternative was to set up a new FB Page, with effect from the Twentieth Anniversary as this was a milestone.</p> <p>JJ contact MF re update.</p>	JJ
6.	<p>SWIFTS UPDATE: The Swifts and the Mayor of Ledbury had organised the 'Mayor's Mile' as a joint project. £530.00 had been raised to be split between the Mayor's Charity, Strong Young Minds and Ledbury Swifts.</p> <p>The dates of the visit to Strömstad were 26 – 31 July 2023. Around 40 were going. PH was also hoping to accompany them as a member of the Twinning Association Committee.</p> <p>Fund raising was on-going for the visit.</p>	
7.	<p>REPORT BACK FROM STRÖMSTAD GROUP: The Group set up in Strömstad to coordinate activities connected with Twinning continued to meet. Music, education, and young people were represented within the group which also had links to those in Strömstad organising sports. They were discussing a musical cooperation in Ledbury at the beginning of 2024.</p> <p>The Group were meeting with the Kommun on 24 April, to discuss future plans, and how the Council and the group could best work together to sustain the Twinning focus on their side of the North Sea.</p>	
8.	<p>EDUCATIONAL LINKS: Students from the Strömstiernaskolan and Whitecross Schools had met to talk on-line on 1 March 2023 and discussed environmental problems, recycling etc.</p>	
9.	<p>TALKS TO LOCAL GROUPS: It was agreed to contact local schools to arrange talks for the autumn as the summer term was likely to be very busy for them.</p> <p>PH had suggested that a talk was given to Ledbury Town Council when the new Council was in place following the May elections.</p> <p>JJ follow up with Town Council Office to identify a suitable date.</p> <p>Try to link the two Tourism Offices of the Towns. Talk to Community Development Officer at Ledbury Town Council.</p>	<p>JJ</p> <p>CA/JJ</p> <p>JJ</p> <p>JJ</p>

10.	<p>SOCIAL EVENTS AND FUND RAISING: Quiz Evening Friday 17 March: This had been a well-attended, good community event. It was also beneficial to support the Royal British Legion Club. A net £146.00 had been raised.</p> <p>Thanks were recorded to David as Quiz Master.</p> <p>Smorgasbord Evening: To be held at the Talbot Hotel. JJ to discuss menu with Layne, Chef at Talbot and then circulate publicity.</p> <p>Community Day 10 June 2023: A display in the Club Sport window was suggested. Also, a presence in Little Strömstad for an hour or so over the lunchtime period.</p> <p>Ledbury Carnival: To take place on August Bank Holiday Monday 28 August. The theme was 'Countryside Fun'. Association to have decorated vehicle in the procession and a stall.</p>	JJ
11.	<p>ANNUAL GENERAL MEETING: Tuesday 23 May 2023 7.30 pm in the Market House Ledbury.</p> <p>To be followed by social in Little Strömstad. JJ to book table</p>	JJ
12.	<p>DATE OF NEXT MEETING: To be confirmed. Consider a Friday evening, with drink to follow, to enable those that were unable to attend on a Tuesday to participate</p> <p>The Meeting closed at 8.30 pm. CA thanked everyone for attending.</p>	JJ

**MINUTES OF A MEETING OF LEDBURY CARNIVAL ASSOCIATION
HELD ON WEDNESDAY 12th JULY 2023 AT LEDBURY COUNCIL OFFICES**

PRESENT: Johnny Chan (Chair) (JC), Sonia Bowen (SB), Sue Hughes (SH), Janet Meredith (JM), Harold Armitage (HA).

APOLOGIES: Jamie Hobby (JH), Alesa Halford (AH), Ashley Norman (AN), Paul Bartlett (PB), Keith Francis (KF).

IN ATTENDANCE: Jill Jupp (JJ)

CARNIVAL THEME: COUNTRYSIDE FUN, MONDAY 28TH AUGUST 2023.

1.	WELCOME AND APOLOGIES: JC welcomed everyone and noted absent members.	
2.	MINUTES OF PREVIOUS MEETING AND MATTERS ARISING: The Minutes of the previous meeting held on 21 st June 2023 were reviewed, and the following amendments were noted: Item 10: SB was not involved with the Raffle or Shop Window competition. Item 12: first line should read 'The programme will be trimmed this year...' Item 12: JJ said she had approached Helping Hand to help with road side advertising and was waiting to hear. The Minutes were then approved.	
3.	TREASURER'S REPORT: JM reported the balances were the same as last month, with balances at the end of June of Current A/c £4,886.91; Deposit A/c £2,139.72p; Petty Cash £20.00p; giving a total of £7,046.63p. JM has requested a transfer of funds from our Deposit A/c to Current A/c and is waiting for this to take place, after which the Deposit A/c will close.	
4.	FUNDRAISING, SPONSORSHIP, GRANT APPLICATIONS AND UPDATE ON LARGE DONATION: A £750 donation from Sequani had been received, but we had still not received the £4,500 grant from the Town Council. JM to chase. A large donation of £7,500 has been promised from Mr Clive Hitchin, which will cover the entire cost of the Parade. Another substantial anonymous donation is imminent. This means that the cost of the carnival is covered this year. The Go Fund Me page has produced nothing so far. Discussion took place regarding keeping the Facebook page up to date, and all agreed this needs to happen. We need someone to manage our Facebook page. The Co-op grant application is in progress but the process takes about two years, if we are successful, before any monies are received. Other sources were suggested: Civic Society; Herefordshire Community Foundation; Newsquest.	JM
5.	PROCESSION, ROAD CLOSURE AND RELATED WORK; PROCESSION ROUTE AND SAFE TO GO: As we now have funds, we will revert to the original ProceSSION route from the Rugby Club. SB asked for the amended entry form to be agreed as it needs to be sent to schools asap before their summer closure at end of next week. It was agreed to ask if the Town Council offices would be happy to collect to take receipt of the completed entry forms. SB to ask. SB to send the amended entry form to JC.	SB

	<p>SB reported that Ledbury Plant Hire will supply transport for the Carnival Prince/Princesses.</p> <p>SB asked if Cool Move Dance troupe would be able to do a dance display as they did last year in front of main stage. It was decided they could perform outside Red Kite offices when the main stage bands swop over, perhaps drawing audience to that end of the Carnival stalls. SB to liaise with them.</p> <p>Co-op really supportive about supporting the mobility scooter competition and will decorate their frontage, and will offer raffle prizes.</p> <p>For judging the carnival entries, there will be two sets of 3 judges plus one other to judge mobility scooters. The Mayor has been asked if she would supply judges and if she wanted to be one of them.</p> <p>HA has offered his Rolls Royce if required. The Twinning car would also be available.</p> <p>SB has prepared the judging sheet for this year.</p> <p>Park and Ride sheet will be updated.</p> <p>Static car display is still in the balance due to requirements for Public Liability insurance. JM to ask if a display would be covered. We need to provide man power to marshall this, if it goes ahead. After discussion it was decided to postpone it until next year.</p> <p>It was agreed to ask Shaun from Safe To Go to a small meeting (JC, SB) to confirm final details and to see if we can trim down his costs, and JM has asked for a definite quote and pro forma invoice.</p> <p>The number of Procession Stewards needed was discussed, including volunteers to walk alongside floats and bucket collectors.</p>	<p>SB</p> <p>SB</p> <p>SB</p> <p>SB</p> <p>JC,SB</p> <p>JM</p>
6.	<p>MAIN EVENTS: BANDS, CHILDRENS ENTERTAINMENT:</p> <p>SH had applied to use the whole of St Katherines car park and had been advised that the upgrading works that should have been completed by end of July had not yet been started and would now finish on 1st September. Only a small part of the car park at the Barn end would be unavailable and SH had been asked to supply a Risk Assessment and copy of Public Liability certificate for the event. JM to furnish these, and is the contact for emergency purposes.</p> <p>SH to chase return of performer contracts.</p>	<p>JM</p> <p>SH</p>
7.	<p>STALLS AND STREET ORGANISATION:</p> <p>Stall requests are still coming in.</p>	<p>JM</p>
8.	<p>EVENT MANAGEMENT AND HEALTH AND SAFETY:</p> <p>JJ agreed to update Event Management Plan and SB to assist.</p> <p>Health and Safety Policy, and Risk Assessment need to be reviewed and agreed by the committee preferably at the next meeting on 26th July, or 9th August latest.</p> <p>JM will review our Carnival insurance renewal.</p> <p>DBS was reviewed so the EMP can be completed. JC and JJ are, together with Shaun and Nicky from Safe to Go. SB will get DBS checked.</p>	<p>JJ, SB</p> <p>All</p> <p>JM</p> <p>SB</p>
9.	<p>RAFFLE AND SHOP WINDOW COMPETITION:</p> <p>Raffle: JM has arranged for raffle tickets to be printed.</p> <p>We have a £100 cash prize. JJ still waiting to hear from Wadworths regarding a prize. If they do not offer anything JJ would approach the Talbot who could offer a meal for 4 with wine.</p> <p>Westons have offered £100 of their stock. We also have a voucher from Eastnor Pottery.</p> <p>Need volunteers to sell raffle tickets on Saturdays in August. JM will do them all.</p> <p>JM will ask KF if he will volunteer, and ask AH if Prince/Princesses can attend.</p>	<p>JJ</p> <p>JM</p>

	Shop Window Competition: JH to sort this out. SH will organise the judging and get the results to JC. Judging will take place early Friday evening 25 th August.	SH
10.	PUBLICITY: Thanks to JM for last week's article in the Reporter. SB prepared the promotional Carnival poster and has distributed to schools, etc. Electronic version is available and hard copies are available. HA offered to help put up road signage. JC has started updating the carnival programme, and explained the trimmed information to go in. Once updated JC will circulate to committee for any further amendments. Hopefully the Town Council will print. We need A Boards to advertise the programme of events in the Town Centre.	JC JJ,SH?
11.	AOB: JM asked for confirmation to renew the Insurance policy – all agreed.	JM
12.	DATE OF NEXT MEETING: Confirmed dates of next meetings: 26 th July, 9 th August, 23 rd August. Start time 7.30pm. Apologies as soon as possible to JC please. JC still cannot send messages to gmail accounts, but can receive them, so JM will be passing messages on for him. The meeting closed at 9.35pm.	

FULL COUNCIL	3 AUGUST 2023	AGENDA ITEM: 18
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Report prepared by Angela Price – Town Clerk

LEDBURY WAR MEMORIAL

Purpose of Report

The purpose of this report is to provide Members with updates on resolutions taken at the Council meeting held on 29 June 2023, and updates on the progress of the refurbishment works.

Detailed Information

i. Response received from West Mercia Police

Members will recall that at the Council meeting held on 29 June the following was resolved:

Minute no. C33(4) - That the Clerk be instructed to write to Ms Willats to withdraw the complaint submitted by Councillor Sinclair pending receipt and consideration of the above legal advice.

Following the meeting the Clerk emailed Ms Willats on 30 June 2023 to advise her of the decision of the Council and the request to withdraw the complaint submitted by Councillor Sinclair, on behalf of Ledbury Town Council.

On 18 July 2023 a response was received from DS Watkins advising that Ms Willats is no longer employed by West Mercia Police in the same capacity as he had been when she had previously looked at the initial report of fraud in 2022. DS Watkins advised that due to Ms Willats re-deployment she had been away from work emails for a period, and that on re-opening them after her break she had found the messages from Councillor Sinclair and the Town Clerk and forwarded them to DS Watkins, as she had been a supervisor in CID at the time of Ms Willats previous review.

In her email DS Watkins advised that *“on review I still don’t think this is a Police matter and it should be pursued as a civil claim.”*

Therefore, Members should note that no investigation will be carried out into the information provided by Councillor Sinclair.

ii. **Response received from the Council’s Solicitor**

At that meeting of Council on 29 June 2023 Members will recall that the following resolution was also mad:

Minute no. C33(3) - That the Clerk be instructed to seek the necessary legal advice as regards the extent of the binding undertaking already made with The Stone Workshop.

The Clerk emailed Red Kite Solicitors on 5 July 2023 to ask for advice on whether the authority given to Councillor Sinclair had breached the agreement made with The Stone Workshop. After being put in touch with the relevant partner at Red Kite Solicitors a response was received on 13 July 2023 from Emma Hughes-McEwan.

The advice received from Ms Hughes-McEwan was:

“The actions following the Settlement Agreement, by undertaking and seeking further action against the other party, conflicts with the Agreement reached and the basis of the settlement.

Therefore, the Council is at real risk of being in breach of this agreement by seeking to progress any further claim or action against the other party.”

iii. **Certificate of Progress Payment**

Members will be aware that the works to the War Memorial in High Street have commenced. This project is being overseen by O’Brien Price and Caroe & Partners, with regular monthly site visits to inspect the works and to discuss any issues that have arisen through the course of the works.

The first site visit took place on Monday, 24 July 2023; present at the meeting were the contractor, the architect, the Town Clerk, and the Deputy Town Clerk. Unfortunately, the Chair of the Environment & Leisure Committee was unable to attend due to other commitments.

A report on the site visit will be provided by Jane Chamberlain of Caroe and Partners in due course. However, she was satisfied with the works carried out to date and as a result has issued the attached Certificate of Progress Payment, and the invoice from the Contractor, Ian Bishop, was included in the list of invoices for payment in agenda item 12.

The amount payable, which is 95% of the value of the work and materials to-date is as agreed within the JCT Contract between Ledbury Town Council and Ian Bishop.

4. **Architects Site Visit report**

As mentioned above a site visit took place on Monday, 24 July 2023, which resulted in the issuing of the Certificate of Progress Payment.

Unfortunately, the Architects report in respect of this site visit had not been received at the time of writing this report, however, it is anticipated that this will be received before this meeting and the Clerk will provide a copy of this report to all Members once received.

Recommendation

1. That the response from West Mercia Police be received, noting that the Police do not believe this to be a Police matter.
2. That the response received from Ms Hughes-McEwan be received and noted.
3. That Members receive and accept the attached Certificate of Progress Payment, noting that the invoice from Ian Bishop in relation to this is included within the list of invoices for payment at agenda item 12.
4. That subject to receipt of the Architects site visit report, Members receive and note the report noting that this is part of the JCT contract process.

CERTIFICATE OF PROGRESS PAYMENT

Caroe &
Partners
Architects

Project no. H1930
Project name LEDBURY War Memorial
Date of Valuation 26 July 2023
Date of Issue 26 July 2023
Final Date for Payment 9 August 2023
Certificate no. I
Contract MW

71C St Thomas Street
Wells, Somerset, BA5 2UY

Tel 01749 677561

wells@caroe.co.uk
www.caroe.co.uk

Employer	Ledbury Town Council Church Street Ledbury HR8 1DH	Contractor	Ian Bishop Masonry 49A Barton Street Tewkesbury GL20 5PU
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This certificate of progress payment is issued under the terms of the above mentioned agreement

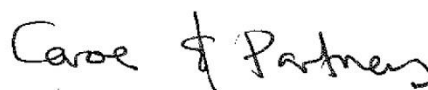
Value of Work Executed and of materials and goods on site	£	2,500.00
Amount payable (95% of the above value)	£	2,375.00
Less total amounts previously certified	£	0.00
Net amount for payment	£	2,375.00

All amounts are exclusive of VAT. The Employer shall in addition pay the amount of VAT properly chargeable.

We hereby certify that the AMOUNT FOR PAYMENT due to the contractor is

Two Thousand Three Hundred & Seventy Five Pounds

Signature of the Contract Administrator on behalf of Caroe & Partners



Distribution

Employer
File

✓

Contractor

✓

Quantity Surveyor