

LEDBURY TOWN COUNCIL

MINUTES OF A MEETING OF THE FINANCE, POLICY & GENERAL PURPOSES COMMITTEE HELD ON 21 SEPTEMBER 2023

PRESENT: Councillors Bradford, Furlonger, Harvey, Howells and l'Anson

ALSO PRESENT: Angela Price – Town Clerk
Charlotte Barltrop – Minute Taker
Nick Morris – John Masefield Memorial Working Party
Tim Keyes – John Masefield Memorial Working Party

F52. ELECTION OF TEMPORARY CHAIR

Due to the absence of both the Chair, and Vice-Chair of the Committee, members were asked to elect a Chair for this meeting.

RESOLVED

That Councillor Harvey be elected to act as Chair for this meeting of the Finance, Policy & General Purposes Committee.

F53. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Eakin, Hughes, Newsham and Sinclair.

F54. DECLARATIONS OF INTERESTS

None received.

F55. NOLAN PRINCIPLES

RESOLVED:

That the Nolan Principles be received and noted.

F56. PUBLIC PARTICIPATION

Councillor Nick Morris and Mr Tim Keyes were in attendance and wished to speak to Agenda Item 19, in respect of the decision taken at an Extraordinary meeting of Full Council, held on 6 September 2023, that the John Masefield working Party become a stand-alone organisation.

Councillor Morris asked the Finance, Policy & General Purposes Committee to refer the decision taken by Full Council at their meeting on 6 September 2023,

back to the Full Council meeting scheduled for 28 September 2023.

Councillor Morris stated that he did not feel that there had been insufficient information or discussion on this matter at the meeting on 6 September to enable Members to make an informed decision.

Councillor Morris stated that he did not feel that there had been any realisation from those present that this project is important to the prosperity of the town. He advised that the response received from Members of the John Masefield in respect of this decision had been that it was essential for the success of the project that it remain under the umbrella of Ledbury Town Council and to maintain the integrity of the work which had been undertaken so far toward securing funding.

He went on to say that the Working Party had accepted an invitation from a professional fund raiser who believes she can help achieve funding of £200,000 for this project, who feels that this would not be achievable if the working party were not under the umbrella of the Council. As an established organisation the council was better placed to handle this sort of funding application and distribution of those funds accordingly.

Mr Keyes expressed that he found it strange that there did not appear to have been any discussion around the decision, which had been taken at the extraordinary meeting. He advised that there are many parties involved in the John Masefield Memorial project, many of whom are participating from a distance, including the volunteer fundraiser, Dr Jane Mee, who has been building on the excellent work which was done by the project manager to create a funding bid to go to Lottery Funding. In order for this bid to be successful, and to exist in the manner which it was currently being written, it was imperative that the project continued to be under the umbrella of Ledbury Town Council. He also expressed concerns that the project may not be able to move forward without the support of the Council and that the current funding bid would need to be completely reworked and may fail.

- F57. COUNCILLOR HARVEY PROPOSED THAT ITEM 19 BE BROUGHT FORWARD TO BE CONSIDERED WHILST MEMBERS OF THE JOHN MASEFIELD WORKING PARTY WERE PRESENT TO AVOID THEM HAVING TO WAIT UNTIL LATER IN THE MEETING.**

RESOLVED

That item 19 be brought forward to this point within the meeting Agenda.

- F58. TO REVIEW DECISION TAKEN AT EXTRAORDINARY MEETING OF COUNCIL IN RESPECT OF JOHN MASEFIELD MEMORIAL WORKING PARTY**

Councillor Harvey advised that she had requested this item to be on the agenda of this meeting, as she had concerns that the decision taken at Full Council on 6 September had not been a legitimate decision. Councillor Harvey referred to Standing Order 7 "Previous Resolutions" which states:

- a. A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 6 councillors to be given to the Proper Officer in accordance with standing order 9, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- b. When a motion moved pursuant to standing order 7(a) has been disposed of no similar motion may be moved for a further six months.

However, Councillor Harvey advised that given the content of the report provided by the Clerk that the decision made at the meeting was incorrectly made and therefore felt that the Finance, Policy & General Purposes Committee need to address that, stating that if the decision was incorrectly made then there is no decision in place.

She advised that this committee needs to consider whether the original decision needs to be re-made or whether they make a recommendation for Council to carefully consider the content of the previous decision and an alternative resolution be suggested taking into account all other issues around this decision, such as resources and support from the Council.

Councillor l'Anson stated that the members should discuss the aspects of the decision and not the realms of the Working Party.

Councillor Harvey questioned whether the decision which had been made was a safe decision or whether it was Ultra Vires.

Councillor Bradford quoted from the report, "This proposal was borne from frustration of Councillors that progress of the project and associated suggestions are hindered because of lack of authority that a Working Party has." He advised that he had read a lot of the information about the Working Party but considered that it appeared there was little progress being made. He had felt that the decision had been taken to help the Working Party rather than for any negative reasons. He stated that he would vote for whatever would move the project forward.

Mr Keyes provided some insight into why it appears that the Working Party had not made much progress, he advised that it would be normal for a project like this to move slowly in the early days whilst the funding application was being put together, as well as the plan for how the project was to be approached.

Councillor Bradford proposed that the Working Party continue but with a structured plan, terms of reference, clear budget, and activity plan.

Councillor Howells suggested that the working party be set up in a similar way to the Neighbourhood Development Plan Working Party which had been structured, whereby they planned and worked as a separate entity unless funding or major decisions were required to be made in which case these were brought to the relevant Committee for final approval. He supported Councillor Bradfords comments that the decision had been made to help the project move forward. He agreed that the Council should review the decision in the light of the information provided within the report and from Mr Keys and Councillor Morris.

Members agreed that the decision which had been made at the Council meeting on 6 September 2023 had been taken with Ultra Vires and therefore did not stand and that this item should be struck from the minutes.

Councillor Harvey expressed her disappointment that the decision had been made on the same day that a Working Party had met to discuss how the council goes about delegating powers to committees to be able to take decisions on expenditure rather than having to be referred to full council. She suggested that the questions to be asked were:

1. What could be done to improve the “fleetness of foot” of the Working Party?
2. That the Working Party be asked to provide a delivery plan which gives information on what the things are the Working Party planning to do, and the level of support required to enable it to happen from within the in-house team of officers at the Council, or whether there are other ways to provide that support that doesn't need to be from paid officers, such as individuals with the right skills.

Councillors Howells proposed that the Committee revisit the governance of the JMMWP and submit a further report to Council on how the Working Party should be set up in the future, using the NDP Working Party as a guideline for this, subject to decisions made about governance of all Council Working Parties in the future.

Councillor Bradford accepted that the legal points raised in the meeting in respect of the previous decision as being correct. He proposed that a recommendation be made to set up a new JMMWP and that they be asked to set goals for guidance for this committee.

Councillor Bradford was advised that due to the decision made at the meeting on 6 September 2023 being ultra vires the JMMWP still existed and therefore there was not requirement to set up a new Working Party.

Therefore he amended his proposal to mature the current JMMWP.

Councillor Furlonger suggested that it was important to have autonomy for all the Council's Working Parties and not have different Terms of Reference for each Working Party.

Councillor Harvey proposed that the Working Party looking at Council's Committee Structure and how to improve the decision-making function of this Council, make an early recommendation on how to improve the operation and governance of all Working Parties and that this decision be returned to Full Council as soon as possible. In the meantime, the John Masefield Memorial Working Party continue whilst acknowledging that there are concerns about the effort required to support this Working Party and that it needs to be mindful that sufficient notice is given to enable that support to be sources and provided to the working Party whilst waiting for further recommendations.

Both Councillors Howells and Bradford withdrew their proposals in support of Councillor Harvey's proposal.

Mr Keyes acknowledged that progress had been slow on this project but that the nature of the way that the application process for the fundraising worked was a slow process. He stated that good progress had been made by the project manager toward this project and that this was forming an excellent basis for the funding application.

RECOMMENDATION

- 1. That the Committee Structure Working Party be asked to make an early recommendation regarding how to improve the operation and structure of all Working Parties and return their decision to Full Council as soon as possible.**
 - 2. That noting that the previous decision made at the Extraordinary Full Council meeting was Ultra Vires and therefore does not stand, this record should be struck from the record of the minutes.**
 - 3. That the John Masefield Memorial Working Party continue to exist under the umbrella of Ledbury Town Council until such time as a further decision has been made on the function of Working Parties.**
 - 4. That the Clerk write to the Ledbury & District Civic Society to thank them for their letter in respect of the letter they had submitted and Mr Keyes attendance at the meeting.**
- F59. TO APPROVE AND SIGN AS A CORRECT RECORD THE MINUTES OF A MEETING OF FINANCE, POLICY & GENERAL PURPOSES COMMITTEE HELD ON 27 JULY 2023**

RESOLVED:

That the minutes of a meeting of the Finance, Policy and General-Purpose Committee held on 27 July 2023 be approved and signed as a correct record.

F60. TO REVIEW THE ACTION SHEET

The Clerk updated members on the following items:

F16.7 – that a response had been received from Advansys regarding the

website issues and that all staff and Councillors had been asked to report any issues.

Members expressed their disappointment at this response and requested that the Clerk write back to Advansys and ask them to carry out further investigations into this error.

Members discussed that this issue had gone on too long and that it would be beneficial for a group to meet to discuss the issues in detail and how to move forward with the website.

F49 – That the section 25 notice had been served and that the Co-op were engaging with the Council and their Solicitors in respect of the lease.

Councillors made the Clerk aware that there seemed to be issues with the décor at the Chapel and requested that the Clerk review the content of the lease in respect of responsibilities for maintaining the internal condition of the building to a satisfactory state.

RESOLVED:

That the action sheets be received and noted.

F61. TO RECEIVE THE RECORD OF RECEIPTS AND PAYMENTS FOR JULY 2023

RESOLVED

That the receipts and payments for July 2023 be received and noted.

F62. TO RECEIVE THE BALANCE SHEET AND TRIAL BALANCE FOR MONTH 4

RESOLVED

That the Balance Sheet and Trial Balance for month 4 be received and noted.

F63. BUDGET MONITORING REPORTS 1 APRIL – 31 JULY 2023

Members reviewed the report and asked the Clerk to look into the following lines before reporting back via email:

CC 101 – Closed Churchyard – NC Grounds Maintenance (Contract) no expenditure to date?

CC 103 – Grounds Maintenance – NC 4016 Town Cleaner – should this be included in NC4000

CC105 – Painted Room – NC 4018 National Insurance and 4019 – no provision made but expenditure present.

CC 107 – Town Promotion – no expenditure shown to date?

CC 108 – NC 4173 and CC 118 NC 4285 appear to be duplicate budget lines

CC108 Amenity Areas – NC 4208 and 4209 appear to be duplicated with expenditure shown in NC4208 with no budget but no expenditure shown in NC

4209 where there is budget allocation
CC110 – Recreation Ground – NC 4224 Wheely Bins Refuse Collection – no expenditure shown to date?
CC 110 – Recreation Ground – NC 4235 – Members queried whether this could be transferred to the Ear Marked Reserves in-year rather than wait until the year end?
CC 115 Town Centre Decorations – NC 4640 Christmas Lights – appears to be a duplicate entry CC 116 NC 4641 refers
CC 125 – Green Space Maintenance – NC 4014 Lengthsman Scheme P3 – no expenditure recorded to date?
CC 201 – Market House – NC4122 – Electricity why is this expenditure high
CC202 – Town Council Offices – NC 4000 – Staff Salaries – why are these here and not in CC 230?
CC 202 – Town Council Offices – NC 4122 – Electricity – is this an overspend or underspend?
CC214 – Grants with Powers – NC 4827 – CAL – Clerk to write to request report on work undertaken
CC 214 – Grants with Powers – NC 4890 Unspecified Grants – Check why the expenditure is so high?
CC220 – Finance & General Purposes - NC 1900 – Why is the precept not shown as income? Is there somewhere else this should be added?
CC220 – Finance & General Purposes – NC 4122 Electricity – why no budget allocation?
CC220 – Finance & General Purposes – NC 4130 – Insurance – Why no expenditure?
CC225 – Councillors/Newsletter – NC 4500 and 4502 move to CC 210 Civic Matters
CC302 – Full Council NC 4481 – Telephones – slightly high?

The Clerk provided responses to queries on the following items:

4170 – this is due to the break-in to the Cemetery buildings which occurred earlier in the year

4592 – due to a new member of staff and their uniform/PPE requirement

RESOLVED

- 1. That the Budget Monitoring Report be received and noted, subject to the Clerk providing further information on respect of the above queries.**
- 2. That the Clerk review the Financial Regulations in respect of negative balances on budget lines.**

F64. TO CONFIRM VERIFICATION OF BANK STATEMENTS AND RECONCILIATIONS FOR MARCH TO JUNE 2023

RESOLVED

That this item be deferred until the next meeting of the Finance, Policy & General Purposes Committee due to the absence of the Chair.

F65. CCLA PUBLIC SECTOR DEPOSIT FUND FACT SHEET – AUGUST 2023

RESOLVED

That the Public Sector Deposit Fund Fact Sheet for August 2023 be received and noted.

F66. INTERNAL/EXTERNAL AUDIT

The Clerk advised that the Internal Auditor had visited the offices on two occasions to carry out the review of Council policies, procedures, and governance as agreed previously by Council.

F67. CHANGE OF BANK ACCOUNT

Members discussed as to whether there was any benefit in changing to the new bank account as there was little difference represented in the quoted figures. It was suggested that the Clerk investigate options which Lloyds Bank, the current bank, might be able to offer.

RESOLVED

That the Clerk investigate options available from the current Banking provider and report back to the Committee.

F68. GRANT APPLICATIONS

£500 or under

Caroline Green – Take 4 Gallery

RESOLVED

That the Grant application from Take 4 Gallery be declined due to the Gallery being a commercial enterprise.

F69. REQUEST FROM LOCAL TRADER IN RESPECT OF SHOP FRONT GRANT FUNDING

Members discussed as to whether this application should be considered due to the deadline being passed and previous applicants being refused due to this reason.

RESOLVED

That the Clerk be instructed to write to the Trader and advise that whilst they are sorry that they had been unwell, and therefore not able to have the works carried out to their premises, they are unable to provide them a grant due to the timescale for this grant having passed.

F70. UPDATE ON INSURANCE SCHEDULE

RESOLVED

That it be noted that the annual insurance premium had increased following the purchase of the Weeding Machine and trailer at a cost of £61.01.

F71. SUSPENSION OF STANDING ORDER 3(x)

RESOLVED

To suspend Standing Order 3(x) for a period of 30 minutes to enable the remainder of the agenda business to be completed.

F72. TRAFFIC MANAGEMENT SIGNAGE

Members discussed whether it was necessary for the signage to be purchased specifically for the October Fair. It was agreed that this signage could be used for other events which are hosted by Ledbury Town Council and that the proposal should be updated and the item renamed to Traffic Management Signage.

RESOLVED

That road signage be purchased from company A, subject to confirmation that the quotation includes for freestanding signs which are fit for immediate usage.

F73. DRAFT EYE TEST POLICY

Members discussed as to whether this policy should be part of a DSE policy or whether a stand-alone policy was sufficient.

RESOLVED

That the Draft Eye Test Policy be approved, subject to it being incorporated into a DSE Policy.

F74. DATE OF NEXT MEETING

RESOLVED

To note that the next meeting of the Finance, Policy & General Purposes Committee is scheduled to take place on Thursday, 16 November 2023, at 7.00 pm, in the Committee Room, Council Offices, Church Lane, Ledbury.

F75. 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.

F76. NOTIFICATION OF POTENTIAL INSURANCE CLAIM

RESOLVED

That the report be received and noted, noting in particular that this is a matter for the Council's Insurance Company to managed on behalf of the Council, as an insurance company to insurance company matter and that the Clerk had followed the correct procedure.

The meeting ended at 9.26pm.

Signed Date.....
(Chairman)