

Minutes of the Meeting of the Finance & General Purposes Committee, St Ives Town Council, held in the Committee Room, The Guildhall, St Ives on Thursday 28 September at 7.00pm

PRESENT

Chairman – Councillor R Tulley
Vice-Chairman – Councillor C Nicholls

COUNCILLORS

Andrewes T	Harris A
Glanville R	Mitchell A
Henry R	Symons J
Williams T	

OFFICERS

Town Clerk
Facilities Manager

APOLOGIES FOR ABSENCE – were received from Councillors Garrod and S Tanner.

F&GP.37 PUBLIC SPEAKING

None.

F&GP.38 MINUTES

RESOLVED – that the Chairman signs as a true and correct record the Minutes of the Finance & General Purposes Committee meeting held on 20 July 2017.

F&GP.39 CHAIRMAN'S ANNOUNCEMENTS

The Chairman asked Councillors to note the fullness of the agenda and asked for debate to be focussed.

F&GP.40 DECLARATION OF COUNCILLOR AND OFFICER INTERESTS

Councillor Andrewes declared an Interest in relation to Minute F&GP.45 (Markets: invoicing and payments) as an organiser of the Farmers Market, and withdrew from the meeting during consideration of this item.

Councillor Symons declared an Interest in Minute F&GP.46 (Grants – Carbis Bay Memorial Hall), as a friend of the applicant, and withdrew from the meeting during consideration of this item.

F&GP.41 TOWN CLERK'S UPDATE REPORT

F&GP34 (Recruitment of Finance Officer) – Councillor Henry raised a point of order in relation to the recruitment of the Finance Officer. He claimed that a comprehensive recommendation at the last meeting of this committee had been overturned unfairly by Council,

which had accepted another recommendation from a report presented by the Town Clerk. He said he did not accept the argument that the urgency of the matter meant that a decision had to be made, and noted that some Councillors had been absent from the Council meeting. He asked the Chairman to comment on this, and for an update on the appointment process.

The Chairman said that the Scheme of Delegation meant that all committees made recommendations which Council was not bound to accept. In this instance, more information had become available between the committee and Council meetings. He was confident that the Scheme of Delegation had been followed correctly. The Town Clerk confirmed that due process had been followed and that there had been reference to the committee recommendation in the report to Council. Councillor Andrews agreed that due process had been followed but regretted that the first recommendation had not been put to Council. Councillor Nicholls expressed concern over the way the recommendation had, in his view, been overturned.

The Town Clerk said that advertisements had been placed in local media, in colleges and relevant journals etc. Interviews are to be held on 12 November, with a start date during mid-November allowing a crossover with the current Finance Officer.

F&GP20 (Publicity and communications) – Councillor Nicholls suggested that the St Ives Times and Echo should be used to advertise Council meetings.

F&GP10 (Electoral Review of Cornwall) – Councillor Nicholls asked whether the Council's response had been circulated to all Councillors. The Town Clerk agreed to do so.

F&GP56 (FOG / LAG Funding) – Councillor Nicholls said that this issue should have been resolved some time ago. The Town Clerk said the matter was due to be actioned and completed.

F&GP 53 (CCTV) – Councillor Symons said that there was no mention in the Clerk's Report of the money committed by the Fire Service Chief in a discussion with her. The Clerk said that she had had no such commitment either formally or informally and agreed to approach the Chief Fire Officer for clarification. She reminded the meeting that a previous promise from the Fire Service had been for a loan only. Council had resolved only to agree on a level of contribution when the PCC had formally committed a sum on behalf of the Police, and the matter is currently in abeyance.

RESOLVED – that the Clerk's update report be noted.

F&GP.42 **FINANCE REPORT**

The Chairman noted that the budget is close to balance, with most deviations from expected being underspends. Councillor Glanville said that a summary sheet should be appended to the report, and the Clerk agreed that this would be provided in future.

Councillors noted that the healthy Weddings income revenue will reduce with the VAT payments to be made in view of a recent ruling that wedding bookings are not considered exempt for VAT purposes.

The Clerk reported that as the Finance Report covered the period to the end of August, the September income for the VIC was not included in the figures, and that the £10,000 target for brochure advertising was nearly achieved and so it was hoped that the printing of the brochure would be viable.

Councillor Glanville asked Councillors to note that the monthly budget was apportioned in 12 equal amounts, and that income would fall in the off-season. The Clerk said that counter sales income this year broadly matched that of last year and so a year end projection would be a total of £29,000 against the budgeted £32,000.

The Town Clerk was asked why Services/Projects – Street Weeding had a budget of £3,000 of which only £80 had been spent. She explained that expenditure on wages had yet to be included.

The committee discussed the Hospitality budget, which had been reduced as expenditure had been anticipated to be lower than usual. This had not materialised. The Town Clerk said that the Council had agreed that that budget should be operated under a permitted overspend and that efforts are being made to keep costs down.

There was discussion about the Reserves, with Councillors expressing confusion about the carry-over on public conveniences. The Town Clerk will send the figures to Councillors, including the current balance in the bank and the balance sheet.

RESOLVED – that the Finance Report be noted.

F&GP.43 **BANKING ARRANGEMENT LEVEL OF FUNDS HELD**

The Chairman referred to the previously circulated report and its recommendation that the limit on the level of funds held in the Council's current account be increased, to ensure that sufficient funds are accessible to cover the expenditure commitment of the council at any point in time.

During discussion on this item the Town Clerk explained that the figure of £75,000 was recommended based on Officer's working knowledge of the expenditure commitments and was a figure that could be reviewed by this committee as necessary. She also agreed to seek clarification of the minimum amount that can be transferred into the Cornwall Council Town & Parish Deposit Scheme at any one time.

RESOLVED – that the funds management principles as set out in paragraphs 3.1 and 3.2 of the report considered by the committee be approved.

F&GP.44 **LEASE OF SECOND VEHICLE (Recommendation from C&E Committee)**

Councillors asked whether the recommendation from the Community and Environment Committee was budgeted for. The Town Clerk said that there was no provision in the current year's budget and so would effectively be an approved overspend and at year end would either be vired from another budget line, or else drawn from Reserves. It was noted that a second vehicle had previously been proposed and rejected.

It was suggested that the current vehicle should be traded in and a pick-up vehicle acquired for the Facilities and caretaking teams. The Facilities Manager said that such a vehicle would not meet the needs of the Facilities Maintenance Officer, and that a single vehicle would be inadequate.

RECOMMENDED – that a second vehicle should be leased, funded from Reserves.

F&GP.45 **MARKETS: Invoicing and payments**

Councillor Andrewes declared an Interest in this item as an organiser of the Farmers Market, and withdrew from the meeting during consideration of this item.

The Chairman referred to the report circulated and advised the committee that the current arrangements are for payments for the markets to be made to the council on the day and in cash. Although this arrangement worked, Council policy is for payment in advance and this practice was outside of that policy.

RESOLVED – that the invoice and payment procedure should continue, with the policy amended to allow for this exception.

F&GP.46 **GRANTS**

Councillor Symons declared an Interest in this item (Carbis Bay Memorial Hall) as a friend of the applicant, and withdrew from the meeting during consideration of this item.

The Committee considered applications from St Ives Town AFC (purchase of lawnmower) and Carbis Bay Memorial Hall (Renewal of lighting).

RESOLVED – that St Ives AFC be awarded a grant of £500, and Carbis Bay Memorial Hall be awarded a grant of £750, both sums to be spent in accordance with the proposed use as set out in the grant applications.

F&GP.47 **APPROVAL OF ABSENCE MANAGEMENT POLICY**

The Facilities Manager had drafted an absence management policy to complement the previously approved Disciplinary and Grievance policies and with the aim of enabling the council to provide a supportive and fair environment for employees.

Councillor Glanville said that employers are lawfully able to put people who have been off work for more than six months on a Suspended Register, and were not obliged to give them the same job on their return. He agreed to send the details of this to the Clerk.

Councillor Andrewes pointed out that there is no Protocol for Hearings, as referenced in paragraph 9.2 of the policy. The Facilities Manager undertook to bring such a protocol to a forthcoming meeting.

RECOMMENDED – that the draft Absence Management Policy approved and adopted.

F&GP.48 **INTERNAL AUDIT UPDATE**

The Chairman said that members of this committee periodically carry out a bank reconciliation and random audits on income and expenditure from the start to the end of the process. They might also look in detail at an aspect of council activity with the most recent having been an audit of the transactions and fees associated with Weddings. The next internal audit session is set for 31 October at 2pm, to focus on the VIC function. The Chairman said that volunteers from among the committee were required for this and all audit meetings, which are usually held at 2pm on the last

Thursday in each month.

Committee members agreed to contact the Chairman directly with the availability for sessions in future.

RESOLVED – that the update report is noted.

F&GP.49 **EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED – “That in accordance with the Public Bodies (Admissions to Meeting) Act 1960 (as extended by s.100 of the Local Government Act 1972), the press and the public be excluded from the meeting during the consideration of the following matters on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Local Government Act 1972 by virtue of the paragraph specified against the item.”

F&GP.50 **ANNUAL REVIEW OF TOWN COUNCIL PROPERTY ARRANGEMENTS (Paragraph 3)**

The Committee considered the comprehensive report compiled by the Town Clerk, setting out the current position with regard to freehold and leasehold properties of the council.

The Chairman said that the complex matter of property valuation and rent was made even more complicated by the new business rate rules. The committee discussed whether to use the Retail Price Index or Consumer Price Index in the rent reviews and decided on the latter.

St Ives Guildhall

After discussion, it was RESOLVED – that the actions listed in agenda items 2.4.i and 2.4.ii, and 2.6.1.i to 2.6.vi should be carried out, commissioning a market valuation for the rent reviews referred to in 2.4.i and 2.6.iv and also for the office space currently occupied by the Visitor Information Centre.

Market House Shops

The Town Clerk is to report on the potential rental increase regarding the shops to the Committee Chairman and Vice-Chairman. The Town Clerk said that a new schedule for rent reviews and lease renewals is now in place and will bring greater control.

RESOLVED – that actions 3.3.vii, 3.5.viii and 3.7.ix were all agreed, but using CPI rather than RPI.

The Island Centre

During discussion on this item it was noted that charities could claim a rebate against business rates whereas the town council could not. This meant that under the current billing arrangement charities would be recharged at the standard rate. This would be likely to change following the next round of business rates valuations for the building.

The renewal of leases of the first floor office spaces was subject to discussion under Minute F&GP.51 below.

Constitutional Club

The Club pays £300 rent per annum, an arrangement that has been in place for many years. There is no lease in place, rather an agreement that is renewed yearly. The Clerk reported that a lot of

money had been spent in recent times to bring the building up to an acceptable level, particularly with the installation of a fire detection system.

It was RESOLVED that the arrangement is too informal and that the Chairman, Vice-Chairman and Town Clerk should meet with the management committee of the Club to discuss the matter. Councillors were keen to explore the potential for the top floor to be a community resource and/or generate money for the council.

Trenwith Public Conveniences

RESOLVED – that

- 1) Members note the efforts to bring the legal process to completion, stating that it should be drawn to a conclusion within 28 days; and
- 2) the Town Clerk is delegated (in consultation with the Committee Chairman and Vice-Chairman) to agree the final sub-lease terms.

Porthmeor Car Park Public Conveniences

The situation outlined in the report was noted.

Huer's Hut

The Clerk explained that the drawing up of a new, yearly lease is nearing completion. This has been a process that entailed the Clerk returning to committee over some issues. The renewal of notice will be much less costly in future. The committee agreed that the tenant will need to acknowledge that it does not give him security of tenure but would mean that he would be entitled to one months' notice of termination of the agreement.

AGREED – that the Town Clerk continue to progress this matter, in consultation with the Committee Chairman and Vice-Chairman.

Fisherman's Lodges

The Chairman recounted the difficult situation regarding the fishermen's and the councillors' views of ownership of the lodges. It was AGREED to return to this issue at a future date.

Chapels

The situation as described in the report was noted.

Trowan Allotments

The situation as described in the report was noted, with it noted also that the allotments were subject to separate report on the agenda for this meeting.

The Malakoff

The Town Clerk described the potential risk associated with this old structure, which shows some sign of movement and is largely buried around the base and up the walls by rampant foliage. Members noted that Cornwall Council had done surveying work nearby.

RESOLVED - that the Facilities Manager is asked to consult with structural engineers to establish how the structure could be monitored over time.

F&GP.51 **REQUEST FOR LEASE RENEWAL – THE ISLAND CENTRE (Paragraph 3)**

The Chairman reported that St John Ambulance has requested a new lease. Upon noting that the electricity supply for the first floor offices was the same supply as the rest of the building, it was AGREED – that the Facilities Manager should investigate installing a separate meter for the larger first floor office. Councillors suggested that there should be a longer lease period to give the tenants more security and that the rent should more realistically mirror the value of the space and the cost to the council of providing it, and should include a contribution to the building's running costs. It was agreed that the Committee Chairman and Town Clerk should negotiate a new lease with the tenant based on the terms agreed, as set out in the resolution made with reference to Confidential Report 1:

Larger office, first floor

- 1) Actions 4.4.x, xii, xiii, xiv and xv were all agreed.
- 2) With regard to xi, it was agreed that a 10 year lease be offered with a break clause at the conclusion of Years 3 and 7 of the term, with three months' notice to be given by either party, retaining the break cause for structural reasons. Rent to commence at the current rent increased by CPI, and to be increased by CPI at the commencement of Year 6 of the term.
- 3) With regard to 4.4.xiii it was agreed that these costs would be borne by the town council.
- 4) It was further agreed that the recharge for utilities and business rates be delegated to the Town Clerk in consultation with the Committee Chairman and Vice-Chairman and for the Town Clerk to seek a business rates revaluation on the building.

Councillor Mitchell said that the tenant provided a great service and a worthwhile activity for young people in the town. Others suggested that the tenant is part of a national organisation that has a great deal of funding available, and that the rent should increase each year, especially as its charitable status means that it has relief on business rates. The meeting agreed that a tenant like St John Ambulance needed security and to be able to plan over a longer period.

It is unclear whether the St Ives School of Painting wishes to renew its lease, although it is assumed that it will. The Judo Club situation and that relating to the toilets as featured in the report were noted.

Smaller office, first floor:

- 1) Actions 4.8.xvi, xix, xx and xxi were agreed, (xxi to be delegated to the Town Clerk in consultation with the Committee Chairman and Vice-Chairman).
- 2) With regard to 4.8.xvii, it was agreed that the Town Clerk would seek the views of the School of Painting on this, and be delegated (in consultation with the Committee Chairman and Vice-Chairman) to offer a term up to and including that offered to the tenants of the larger office in this building, on comparative terms.
- 3) With regard to 4.8.xviii, it was agreed to proceed on the basis of increasing the rental charge in line with CPI.

RESOLVED – that the Town Clerk, in consultation with the Committee Chairman and Vice-Chairman is delegated to meet with the tenants and negotiate new leases based on the terms set out above.

F&GP.52 LIBRARY DEVOLUTION – REQUEST FROM FACILITIES COMMITTEE FOR ASSURANCES TO BE GIVEN TO STAFF (Paragraphs 1,2 &3)

Members considered the Facilities Manager's report and some expressed the view that VIC staff should be given more assurance about their future than recommended. Officers suggested that it would be unfair to give reassurances to VIC staff that the council would not be able to give to Library staff. Cornwall Council has specifically advised the Town Council that it should not talk to its staff outside the formal TUPE process. Councillor Andrewes proposed additional words that he felt gave greater assurance than officers' version. Councillors also asked the Town Clerk to obtain South West Councils' advice in writing. Councillors were reminded of the risk of legal challenge should any employee consider that they have been unfairly treated.

RESOLVED – that

- 1) Officers should draft a letter to staff incorporating Councillor Andrewes's additional words, and that it should be presented along with South West Council's opinion of it to Council;
- 2) the Clerk to ask for written clarification of South West Councils' reasoning regarding this matter.

Councillor Mitchell asked that his abstention from the vote be noted.

F&GP.53 VAT AND BUSINESS RATES MATTERS (Paragraph 3)

Councillors were asked to note the potentially serious situation faced by the council. The Chairman advised that the council is powerless to control events, although the effects can be mitigated in future years.

RESOLVED – that the report be noted and officers' actions endorsed.

F&GP.54 VAN – NEW YEARS EVE (Paragraph 3)

The committee received the report from the Facilities Manager in which he advised of the request from the police that the council provide a van and member of staff on the streets of St Ives on New Year's Eve. After lengthy debate, the committee expressed its sympathy for the police but felt that it could not take part in public protection matters.

RESOLVED – that the Clerk write to Inspector Phillips and advises her that the Town Council cannot assist in the way she has requested.

F&GP.55 ALLOTMENTS – TROWAN SITE (Paragraph 3)

The committee considered the previously-circulated report. It was noted that the valuation by the land owner was set out in a brief, initial discussion. Members discussed raising the rent for

allotmenters, and the Clerk noted that the current rent meets council costs. Members were reminded that a National Trust restriction on developments in that area is in force.

RESOLVED – that

- 1) the Clerk should seek a valuation for the allotment fields
- 2) the council should not express an interest in purchasing the additional 5 acres

F&GP.56 DEBTORS AND CREDITORS (Paragraph 3)

Members considered the previously circulated report and question why there appeared to be duplicated information. The Town Clerk advised that the repeated information had been given in an effort to provide full information and then a second report to draw attention to those matters requiring active consideration due to the length of time overdue.

RESOLVED – that the report be noted.

Meeting closed at 9.57 pm

Chairman