

MINUTES OF THE MEETING OF ST IVES TOWN COUNCIL HELD IN THE COUNCIL CHAMBER, GUILDHALL, ST IVES ON THURSDAY 29 NOVEMBER 2018 AT 7.00 PM

PRESENT

Chairman – Councillor S Tanner (Town Mayor)

Vice-Chairman – Councillor J Symons (Deputy Town Mayor)

COUNCILLORS

Andrewes T

Henry R

Messenger K

Garrod H

Mitchell A

Tanner J

Griffin J

Tanner S

Tulley R

Kilmurry-Arthur K

Symons J

Lait R

OFFICERS

Town Clerk

Facilities Manager

APOLOGIES FOR ABSENCE – were received from Councillors Williams T, Nicholls C, Harris A, Glanville R.

88. PUBLIC SPEAKING

None

89. CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed Councillor Kilmurry-Arthur to her first Council meeting as an Elected Member.

90. DECLARATIONS OF MEMBER/OFFICER INTERESTS

Councillor Mitchell declared an interest in Minute 98 (contract arrangements for staff in the new Library and Information Service) and withdrew from the meeting during consideration of this item.

91. REQUESTS FOR DISPENSATION (approved by Council only)

None

92. MINUTES

RESOLVED – that the Chairman signs as a true and correct record the Minutes of the Meeting of the Council held on 18 October 2018.

93. APPROVAL OF REDUNDANCY POLICY

The draft policy was presented to Members by the Clerk. She pointed out to councillors that, since the publication of the draft, officers had discovered that Cornwall Council's Redundancy Policy gave a protected pay period of two years and asked them to consider whether the same period would be appropriate for the town council policy. She also drew the attention of councillors to two additional paragraphs that had been tabled, the first of which was designed to make sure that pay protection is fair but not excessive; and the second of which ensures that a colleague who works more hours in a protected post than s/he had previously worked is dealt with fairly.

The Clerk also recommended that paragraph 11.5 of the draft policy be amended to read, “Employees who are members of the Local Government Pension Scheme *and who are over 55 years of age* may also be entitled to immediate payment of their pension benefits...” [amendment indicated by italics].

RESOLVED – that the Redundancy Policy and Procedure be adopted with the following amendments;

the tabled additional paragraphs to be included as new paragraphs 7.7 and 7.8

the period of pay protection to be two years

that the redundancy payment for all staff (irrespective of age) should be 1.5 weeks for each year worked, up to a maximum of 20 years

that paragraph 11.5 be amended to include the words, “...*and who are over 55 years of age...*”, as shown above.

94. **APPOINTMENTS TO PANELS IN RELATION TO PROPOSED ORGANISATION CHANGE**

Referring to the report, the Clerk advised that three panels are required to ensure that the HR process underway to form the new Library and Information Service team can proceed. She asked members to consider nominations to each in line with the report’s recommendations. The Facilities Manager noted that the Appeals Panel may not be required but should be on standby in case staff wished to challenge the decision about their post vis-à-vis the new service by the job-matching panel.

RESOLVED – that

the Job-Matching Appeals Panel be made up of Councillors Mitchell, Kilmurry-Arthur, Andrewes and the Clerk, with Councillors Tulley and J Tanner to act as deputies

the shortlisting and interview panel for the LIS Manager post be comprised of Councillors Andrewes and Symons and the Clerk

the shortlisting and interview panel for the LIS Deputy Manager post be comprised of Councillors Glanville and Tulley and the Clerk.

95. **APPOINTMENT OF MEMBERS TO COMMITTEE VACANCIES**

Councillor Kilmurry-Arthur requested to be accepted on all four committees.

RESOLVED – that Councillor Kilmurry-Arthur sits on all four Town Council committees.

96. **APPOINTMENT OF REPRESENTATIVES TO VACANCIES ON OUTSIDE ORGANISATIONS**

Members discussed the appointments to the West Cornwall CCTV Group, the Coastal Communities Team and the Police Liaison Group; and to the Grievance/Disciplinary Panel and the Neighbourhood Plan Review Group. The Clerk noted the need to avoid conflicts of interest.

RESOLVED – that

Councillor Griffin be appointed to the Grievance/Disciplinary Panel

Councillor Messenger be appointed to the Police Liaison Group

Councillor Henry represents the council on the Coastal Communities Team

either one of Councillors Glanville be nominated to represent the council on the West Cornwall CCTV Group, should he decline than Councillors Nicholls or Mitchell will act in this capacity instead.

No appointment was made to the Neighbourhood Plan Review Group.

97. 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 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.

98. CONTRACT ARRANGEMENTS FOR STAFF IN THE NEW LIBRARY AND INFORMATION SERVICE (Paragraph 1,2 &3)

Councillor Mitchell expressed an interest in this item as a relative of an employee who may be affected and withdrew from the meeting while it was considered.

The Clerk sought direction from the council regarding the future contractual arrangements for people working on zero hours contracts. It was noted that many employees do not like zero hours contracts, while some do; and that they give employers greater flexibility which some have immorally exploited.

Several councillors expressed their dislike of this form of contract and felt that the town council should quickly remove current staff from them and agree not to engage staff on them in future. It was said that the town council had a moral duty to offer staff fixed-hours contracts, and the Clerk said that council would need to give her direction about the number of fixed hours that could be offered to people who were working under such flexible arrangements. In the case of the new library service that is being developed, she was unable to say how many fixed hours would be needed to meet summer and winter demand until the consultation with staff in the library and VIC had been completed. She added that the council risked exceeding its LIS staffing budget, and the Facilities Manager noted that giving too many fixed hours to staff who currently worked on zero hours contracts might result in four members of staff being rostered for the library and information service at some-times.

The Clerk asked councillors to note that the council currently employs two caretakers and two cleaners on zero hours contracts, as well as two members of VIC staff.

RESOLVED – that the members of VIC staff currently working zero hours contracts, who express the wish to do so, should be given minimum-hours contracts based, as a minimum, on the average number of hours they have worked in the last twelve months (based on two tiers, winter and summer hours), the actual hours to be agreed by the Chairman of the Facilities Committee, Finance and General Purposes Committee, the Mayor and the Town Clerk.

99. DEED OF VARIATION TO LIBRARY SERVICE AGREEMENT – ARTWORKS
(Paragraph 3)

In addition to the written report circulated prior to the meeting, the Clerk reported that she had informally discussed the temporary loan of the artwork with the Tate Gallery. From those conversations, she surmised that the loan would likely be delayed for some time while it was considered by the Gallery's Acquisition Committee. She said that there was no guarantee that it would be displayed in the town and said that it would only be accepted by the Tate if offered on a long-term basis. Councillors agreed that, on those grounds, the loan to the Tate Gallery should not be pursued.

Councillor Mitchell stated that he had had it confirmed that the sculpture had always belonged to the town council, and so could not, as he had stated at a previous meeting, be regarded as "a windfall". However, he noted that it was, nonetheless, a property of the town council and so could be disposed of by the council as it saw fit as long as due process is followed.

RESOLVED – that the ownership and insurance provisions as set out in the report be approved.

Meeting closed at 8.20 pm

Chairman