

## FINANCE AND POLICY COMMITTEE

Minutes of the meeting of the Finance and Policy Committee held at the Pavilion, Soham, on Monday 10 June 2019.

Present: Cllrs C Warner (Chairman), D Woricker, G Dyer, L Johnston and A Pallett

FP40/19 PUBLIC COMMENT TIME

There were no representations made by members of the public in respect of matters under discussion or those arising from previous minutes.

FP41/19 DECLARATIONS OF INTEREST

There were no declarations of interest made by members to items on the agenda.

FP42/19 APOLOGIES FOR ABSENCE

There were no apologies or absences recorded

FP43/19 ACCOUNTS – MAY 2019

NOTED income & RESOLVED to recommend to Council approval of those payments made to 31<sup>st</sup> May 2019 totalling £ 44 456.50 (inc vat)

NOTED budget balance as at 31<sup>st</sup> May 2019 and the following matters:

- a) Those unexpected costs related to the South chapel and as approved by full council at its May 2019 meeting will be (continued to be) taken from general funds/reserves (current debit of £11560).

APPROVED to recommend to full council that consideration should be given to those continuing costs for scaffold hire (cost incurred currently include 6 months hire) or to purchasing outright to be sold on subsequently/later date.

- b) Tree works (£35) for works in closed cemetery (St Andrews) which has no allocated precept (budget amount) for current 2019-20 financial year and will require virement of this (and any other) overspend amount(s) ALSO NOTED previously approved works (surface tarmac dress of footpath/pedestrian High St access church side- circa £3403.20 approved FP112/17 to be commenced last financial year) cost which needs to be met by virement, as recommended in the most recent IIA report to full council, from other current budgetary headings that may be underspent (tba-suggest at present virement of £3000 from insurances budget).

APPROVED TO RECOMMEND TO FULL COUNCIL

-commencement of those works previously agreed under FP112/17 (retarmac/dress pedestrian path skirting flint wall in closed churchyard which is the direct access Fountain Lane/High St)

-Virement of £3000 from current budget from insurance to notionally cover St Andrew closed churchyard ongoing costs (other funds from other budget surpluses will need to be applied).

- c) NOTED additional proposal to install a form of pictorial/visual depiction of time line/through the ages/history of the church/ Soham along the avenue of lime trees in the closed churchyard to be discussed with Priest in Charge/Church Wardens & Cllr Johnston.
- d) % budgetary income/expenditure now indicated on monthly basis to assist Cllrs in financial decision making processes noting that only half precept amount has been remitted by billing authority (ECDC) but all (income) and expenditure budgets are fully accounted for in the summary budget sheet.
- e) NOTED income from Rural Payments Agency claimed for Environmental Stewardship of commons for 2016-17 of £473.86 (Clerk requested confirmation that all outstanding payments in regards to this matter have now been received).

NOTED IIA's concern regarding the (relatively low) level of general funds retained by the town council (see FP 43/19a)

NOTED that funds to increase general funds could be taken/virement from current ringfenced amounts (allocated reserves 122/18 and/or strategic amenity 189/18) but these would then affect council's ability to purchase capital items (such as land or undertake phase II new hall build) subsequently and/or to raise the council precept in 2020-21 to increase general fund levels held.

APPROVED to keep watching brief on the matter of the low level of general funds held and to make recommendation to full council as budgeting for precept 2020-21 (commencing Sept) assessments are made.

NOTED CIL meaningful proportion 1<sup>st</sup> October 2018- 31<sup>st</sup> March 2019 of £10720.05 was received and applied to last months accounts (total of £45737.14 still owed from future CIL payments to allocated reserves 122/18 to repay those reserves and complete financial matters related to Phase I pavilion refit).

APPROVED request to ECDC to indicate in the spreadsheets received regarding CIL transfers a % of total remitted by Developers to provide indication of outstanding amounts still expected to be received by Soham Town Council (nb CIL is received as staged payments on in-build development(s) from Developers).

APPROVED TO RECOMMEND TO COUNCIL that investigation by the Chairman and as confirmed by the Clerk that there are no excess funds remaining and owed to the 'Lest we forget' WW1 project and that this budget allocation should now be struck through/removed (as being completed).

NOTED those difficulties regarding the proposed accounts package from DCK Beavers which in current testing has highlighted some difficulties which if not resolved may mean revision of previous decision to introduce other proprietary accounts packages and/or remain with current excel spreadsheet system (labour intensive) which will need to have some platform interface to allow making tax digital (from October 2019).

NOTED the Clerks annual difficulties and struggles with revising the authorising signatories (bank mandate) with Barclays Bank PLC.

NOTED Cllrs Johnston, Warner, Pallett & Woricker met on 5<sup>th</sup> June 2019 and that members of the Finance & Policy Committee, where available, will be invited to attend the council offices on the Wednesday morning a week before the scheduled main full council meeting for briefing purposes and to ensure sufficient time is allowed for Clerk to provide draft set of notes which will form the basis further discussions and resultant minutes by the committee on the Monday night and prior to the main council meeting that evening.

NOTED for membership information, reference and assistance that:

-Cllrs do not hold/have authority to act in the capacity of Cllr outside of official council meetings, hold meetings with third Parties as Cllrs or act in a manner that gives the impression that they act for the town council, direct either staff (employees) or Contractors engaged by the town council unless instructed or delegated to do so by the full council and as recorded in the official minute book.

- Cllrs who do act without such authority are not only acting ultra vires (above legal authority) which may bring the council as a Body into disrepute and/or give rise to challenge/complaint but may as consequence result in them being held personally responsible and financially liable for those/any costs incurred in expenditure/compensation/restitution.

- only suitably professional/qualified Cllrs or Cllrs who can demonstrate experience in such matters for Soham Town Council may assist the Clerk, where requested to do so, in employee relation and HR matters<sup>1</sup>.

NOTED Clerks request and APPROVED that where an agenda item allows latitude for members to raise issues under ' matters arising' and when not formally listed<sup>2</sup> MUST provide the previous minute number in reference to the update/information and on which they may be requesting further council decision/approval.

NOTED that with the installation of the automated gates (FP 46/19 below) by mutual agreement all routine weekend work undertaken by ground staff, including Sat and Sunday morning litter collection at the recreation ground will cease effective 1<sup>st</sup> July 2019.

NOTED to mitigate these changes new additional large(r) capacity litter bins will be installed at the recreation ground during June and a watching brief taken on the levels of littering by users (members noted that the out of hours caretaking provision provided by the ground staff will continue to be undertaken and overtime payments made in regards to this activity).

NOTED any further issues will be reported as matter(s) arising and considered by full council at the upcoming evening (June 2019) meeting.

FP 45/19 COMMUNITY AMENITIES REQUIRING IMMEDIATE ATTENTION  
(FP 08/19, FP 18/19, FP 28/19, FP 36/19)

NOTED matter of adizone gym equipment and summary report prepared by Clerk at Kingfisher Drive was referred back to the

<sup>1</sup> Finance & Policy are delegated with recruitment issues. The Chairman is the line manager of the Clerk.

<sup>2</sup> Membership should be aware that 'matters' which require financial expenditure MUST be formally listed on the published agenda

Finance & Policy committee by full council at its May 2019 meeting (64/19 B).

NOTED that the major cost in resolving this issue is the safe and legal disposal of the existing surface materials and not the removal (and resitting) of the gym equipment.

NOTED report from Victor Legrande/original Suppliers indicated that one piece of gym equipment would be uneconomic to repair and should be disposed of in any subsequent agreed works.

APPROVED TO RECOMMEND TO FULL COUNCIL that the adizone gym and surface issue must be resolved in this financial year and that the work (scope/extent and cost still to be agreed) should be undertaken by the original installers The Great Outdoor Gym Company.

NOTED that the current strategy for increasing fees for all services provided by Soham Town Council (minimum 5%) will be reviewed by Chairman of the relevant committees for their recommendation(s) in forward budget/finance planning (commencing September each year).

APPROVED committee chairman to obtain information for purchasing/leasing a container unit suitable for the temporary storage of the gym equipment at the current site/recreation ground which ever more appropriate.

APPROVED decisions regarding resolving the adizone issue to be considered at a subsequent Finance & Policy committee meeting for its recommendation to full council for final decision.

NOTED HM Land registration of the recreation ground is now proceeding as certified copies of original Title and conveyancing documentation have been received by Woodfines Solicitors.

NOTED Clerks and Woodfines Solicitors' concern regarding the legal status/relationship between Soham Town Council and the hereditament, Scout and Girl Guide building, which is most unclear given the length of time of occupation without legal agreement (records suggest since 2010 and likely to be even before this time); as payments have never been made or received between Parties; in a building that was not built by the town council using ratepayer monies but nevertheless is considered owned by the town council due to it residing on town council land and which is now subject to Premises Licence for authorised and regulated activities; noting that the Scout and Girl Guide management committee retain at the very least some beneficial interest in this asset all of which without proper negotiation may result in significant difficulties for future relationships and its ongoing and future use(s) and as:

-APPROVED that a list of known and emergent issues should be identified by the Chairman, Committee Chairman and Clerk to begin discussions and negotiations with the current management committee of this building.

-ACKNOWLEDGED that in such negotiations where no agreement may be achieved it may be necessary for consideration of its removal and compensation

NOTED draft letter as approved by full council at its previous meeting regarding the (loss of) the Shade common has been prepared and that it was forwarded for response to Wellers Solicitors who have as a good turn to the Clerk kept a watching brief on matters which still

identified significant difficulties regarding the legal time limits imposed to take effective action and the likelihood of success in reinstatement/registration of this common but who have also reconfirmed that the (most) appropriate course of action at this point would be to engage a barrister for specialist legal opinion/advice with starting costs of £5000 (and upwards).

APPROVED subject to Cllr Johnston receiving confirmation from the Lord of Manor that he had and has no legal or beneficial interest in this land area that the issue of seeking legal opinion and paying those related costs in the matter of the (loss of the) Shade common should be relisted for full council to further consider.

NOTED that this year's round of Cambridgeshire County Council (CCC) MHI preliminary applications needs to be submitted by 4<sup>th</sup> August 2018 and resident groups together with those Cllrs who are assisting them must undertake this activity but also prepare the necessary information for full council to consider providing any financial support before the Highways Committee Panel meets to review and score these submissions.

NOTED matters related to the good regulation and management of Qua, East Fen and Angle common under a commons management committee structure still need to be pursued by the relevant Stakeholders including Soham Town Council but that the committee was pleased to note the planning application proposed for Fordham Rd includes as part of the S106 agreement negotiations a provision of £8000 for 'commons project'.

NOTED BUT DECLINED request to install hard plastic recycling facilities at the Pavilion due to concerns regarding lack of reliable management of this type of activity and the diverse nature of users to this Public building unlike that in more single use facilities such as schools and swimming pools although Cllr Dyer was requested to liaise with the Requester to pursue the possibility of more appropriate alternative sites in the wider town.

NOTED town signs (FP38/18, COM 17/18, COM 24/18 b) are ready and awaiting installation by benefactor (FP28/19) but a stability issue has been identified which will now require (some) additional form of bracing which will affect the aesthetics but also attract additional costs APPROVED to recommend to full council that there is no choice but to incur these additional costs to enable the town signs to (finally) be installed (project commenced 2016).

NOTED letter of thanks from RBL Soham Branch regarding community support and payment by Soham Town Council for annual marshalling road closures and public liability insurance to enable the annual Remembrance Day public parade to occur in Soham<sup>3</sup>.

NOTED any further issues will be reported as matter(s) arising and considered by full council at the upcoming evening (June 2019) meeting.

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<sup>3</sup> Subsequently new information has been received indicating that whilst the Royal British Legion National Executive encourages Local Authorities (Parish and Town Councils) to accept responsibility, costs and public insurances necessary for public Parades on Remembrance Sundays if and where they choose not to then local branches may undertake/organise such using their own insurances cover which is indemnified by the National Association.

FP 46/19 CEMETERY & ALLOTMENT ISSUES REQUIRING IMMEDIATE ATTENTION (FP 113/18, FP06/19, FP16/09, FP 26/19, FP 37/19)  
NOTED automated metal front gates (open on a timed dawn to dusk operation) installation at cemetery is scheduled Tue-Thurs 11-13<sup>th</sup> June (notices indicating there will be no vehicular or pedestrian access during this time have been posted on current gates and on social media.

NOTED cast iron railings on the front wall due to brittleness will need to be mended/reinforced prior to re-installation after the front wall reinstatement but where this is considered to be financially unviable they may need to be replaced.

NOTED that the current strategy for increasing fees for all services provided by Soham Town Council (minimum 5%) will be reviewed by Chairman of the relevant committees for their recommendation to forward budget/finance planning (commencing September each year).

NOTED ongoing South Chapel safety matters and costs (FP 43/19 above) and Clerk has received 2 of 3 quotes for full structural survey that will enable progress of this project to assess likely costs, specification to allow engagement of suppliers (Contract Finder) indication of any work timings/project timescale (including the ongoing hire of the scaffolding FP 43//19), necessary financial structuring and assessment of likely sources of funding (insurance, grants and/or future precept-rate demand)

NOTED Chairman's request for Weatheralls allotments to be cleared fully to encourage lettings on this site (costs to be taken from current allotment surplus budget £7865.90)

NOTED previous committees recommendation CA29/18 b) and CA06/19 to undertake such works in area sections to split larger plots to more manageable area/sizes and to then to actively promote/advertise cleared areas/sections for tenant leasing to avoid regrowth issues/repeated flytipping at this allotment site.

NOTED any further issues will be reported as matter(s) arising and considered by full council at the upcoming evening (June 2019) meeting.

FP 47/19 PLANNING REQUIRING IMMEDIATE ATTENTION

NOTED there is an expectation for all members to review those comments made by residents on the Planning Portal for upcoming plans at monthly committee meeting to ensure that they are fully prepared//conversant with issues

NOTED that a planning application for 178 houses at Broad Piece (19/00717/OUM-Persimmon Homes) has been submitted/received by the Planning Authority (will be listed on the next planning meeting 24<sup>th</sup> June 2019 for consideration)

APPROVED response letter provided to Persimmon Home (Anne Dew) related to the previous web-based consultation be issued to the Planning Authority for their information/records (PL 17/19)

NOTED planning application land rear 55-65 Fordham Rd (18/0059/FUM) with interest in that the proposed legal agreement (s106) negotiations to include a proposal for financial contribution for 'commons project' of £8000.

NOTED those comments made previously at the last full council meeting (13<sup>th</sup> May 2019-under public comment time) concerning the progress of the Eastern Gateway Development (Recent consultation held by representatives of This Land Ltd at the Comrades Club, Soham).

NOTED changes to elected membership (post 2019 local elections) and the withdrawal of the Local Plan which now reverts to the previously adopted 2015 Plan and as consequence of these changes: APPROVED Planning Committee Chairman extend invitation for This Land Ltd to attend either the July or August 2019 planning committee meetings<sup>4</sup> to present those boards/information previously used in the most recent consultation and where affirmative response is received: APPROVED planning committee membership to make preparation to positively engage with Developers to include where appropriate suggestions that might assist in obtaining outcomes that generate benefit to both new and existing Soham residents.

and NOTED any further issues will be reported under matter(s) arising considered by full council at the upcoming evening (June 2019) meeting.

FP 48/19 DATE OF NEXT MEETING

NOTED next meeting of the Finance & Policy Committee will be held at the Pavilion on Monday 8<sup>th</sup> July 2019 commencing 6.30pm.

(members are invited to attend a update briefing at council offices on Wednesday 3<sup>rd</sup> July 2019 10am)

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<sup>4</sup> Post meeting This Land Ltd accepted the invitation and will attend the 29<sup>th</sup> July 2019 planning committee meeting.