

Minutes of the **Town Council Meeting** held at Ilminster Bowling and Tennis Club, Shudrick Lane, Ilminster TA19 0BN, on Tuesday 18<sup>th</sup> August 2015 at 19:30hrs.

**Present:**

**Mayor** Cllr R Neave

**Councillors** F Albin, P Burton, R Drayton, J Fagan, J Fowler, C Goodall, V Keitch, D Kinder, S Shepherd, J Sothern, R Swann and T Walker

**In Attendance:**

**Officers:** Miss J Norris (Town Clerk) Mrs D Speed (Administration Officer Finance), Miss A Tolland (Administration Officer), Mrs S Whitefield (Deputy Town Clerk), Mr P Durman (Contract Administrator for the Football and Community Facility Project)

**Police Officer:** PC A Stuart

25 members of the public attended the meeting, 1 of whom spoke during the public participation session.

Councillor Walker explained that he would chair the start of the meeting as the Mayor had been delayed and when she arrived he would hand over to her; he welcomed members of the public to the meeting and reminded them that the meeting may be recorded.

**Speaker 1**

Mr Steve Dawe gave a PowerPoint presentation on the history and work of the Carnival. The group are seeking backing for a scheme which involves finding, purchasing and building a dedicated “carnival park” such as the one in Glastonbury where carnival clubs can each have their own sheds for building their carts. The benefits both to the town and the wider community were highlighted. The group are currently looking at gaining support from local councils.

Cllr. Walker then read out a letter from the manager of Furnicare that had been sent to the Town Clerk, explaining their work.

**70 Apologies for Absence**

Apologies for absence were received from Councillors Sherman and Storey.

**71 Declarations of Interest**

The declarations of interest outlined in the table below were made by Town Councillors

Name	Agenda Item	Minute No	Interest	Nature of Interest	Action
Cllr R Drayton	Agenda Item 11 Busking In Ilminster	80	Personal	Applicant’s mother is known to him	Spoke and voted
Cllr J Fowler	Agenda Item 3B Office action Plan, ref No 25 Winterhay Lane Footpath		Personal	The Councillor is a resident of Winterhay North	Spoke and voted
Cllr S Shepherd	Agenda Item 18 Sports Club Licence	87	Personal	President of the Cricket Club	Update item only

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**72 Minutes**

**RESOLVED**

- (i) that the minutes of the meeting held on 14<sup>th</sup> July 2015 be confirmed as an accurate record, subject to the typographical errors being corrected

Issues raised during Consideration of the Office Action Pan included:

- Winterhay Lane Footpath (Item 25). The time that has elapsed since the Town Council considered its position on the status of a footpath adjoining Winterhay Lane and that there has been an election resulting in a different composition of the Town Council
- Action on Rural Planning Chaos(item 24) no letter has, as yet, been written

**RESOLVED**

- (ii) To note the Office Action Plan relating to Town Council Meetings
- (iii) That the Town Council should re-consider its stance on the designation of a footpath adjoining Winterhay Lane at the next Town Council meeting

Notes:

- (i) Councillor Fowler declared a personal interest as a resident of Winterhay Lane North, in the Office Action Plan item 25, Winterhay Lane and spoke and voted on the item
- (ii) a recorded vote was taken on the proposal to re-consider the Town Council's stance on the designation of a footpath adjoining Winterhay Lane the details of which are attached to these minutes as Appendix 1

**73 Mayor's Announcements/Engagements**

- A)** There were no announcements made relevant to Town Council and Mayoral activities and engagements
- B)** The Mayor's engagements between 14<sup>th</sup> July 2015 and 18<sup>th</sup> August 2015 had been published on the agenda for the meeting, in addition the Deputy Mayor had attended the commemoration of the 70<sup>th</sup> Anniversary of Victory over Japan Day.

**74 Police Report**

This agenda item provides an opportunity for the Police to report on any matters relevant to policing in Ilminster. A written report was tabled before the start of the meeting and PC Stuart was in attendance. No matters related to policing were raised.

**75 Report from County Councillor for Ilminster**

County Councillor Vijeh's written report had been circulated with the agenda.

**76 Reports from District Councillors**

District Councillor Goodall reported on the following issues:

- Monthly snapshot from the District Council
- Flooding and the District Council's work and position regarding the setting up of a flood authority

**77 Reports from Representatives on Outside Bodies**

Reports from the Ilminster Chamber of Commerce and Industry, Dementia Alliance and the Ilminster Entertainments Society were received. Councillors had no comments or questions on these reports.

It was hoped that a date in September could be scheduled for the next Partners And Communities Together meeting, where issues such as

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drinking in public/moving people on could be discussed; Cllr Keitch would like to be given examples of such anti social behaviour as that would assist building a case for action.

**78. Appointment of a Representative to Ilminster's Literary Festival Organising Group**

A request from the Literary Festival Organising Committee for a Town Councillor to nominate a link representative was considered.

**RESOLVED** that Councillor Fowler be appointed as a link representative to Ilminster's Literary Festival Organising Group

**79. Carnival Club Site**

This agenda item was linked to the presentation made before the start of the formal meeting regarding the identification of a suitable site for the development of a carnival park in or close to Ilminster. The Project Committee are looking for support and assistance from the Town Council.

Issues raised during consideration of the item included:

- The Project Committee would like the Town Council to adopt an official position of support for the carnival.
- In the longer term, the Project Committee may ask for a grant towards the project
- Help may be needed to identify and acquire land
- When the Project Committee and its plans are more firmly established it will be possible to seek funding from large grant awarding bodies such as the National Lottery
- There is some limited funding for community led economic development initiatives
- The Town Council may be able to offer practical support e.g. applying for planning permission

**RESOLVED** that the Town Council supports the principle of developing a carnival park in or close to Ilminster

**80. Busking in Ilminster**

The Council were asked to consider approval of a request to allow a performer to busk in the town.

Issues raised during consideration of the item included:

- The requester is a talented young lady, with singing qualifications
- Music in the town centre would be uplifting and create a "buzz"
- The Town Council can only give permission for use of the Market House
- Ilminster is the requester's home
- Liaising with other users of the Market House to avoid potential problems and conflicts

The Chair welcomed the Mayor to the meeting at this point, whereupon she took the Chair for the remainder of the meeting

**RESOLVED** to give permission to the requester to busk in the Market House

Note: Councillor Drayton declared a personal interest as he knows the requester's Mother and spoke and voted on the item

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**81. Resources Committee Recommendations**

The recommendations from the Resources Committee meetings held on 7<sup>th</sup> April 2015 and 9 June 2015 were considered.

**RESOLVED**

**Pension Discretions**

- (i) that Ilminster Town Council adopts a policy of taking all decisions on a case by case basis in relation to pension discretions as detailed in the Local Government Pension Scheme Regulations 2008 (except Regulation 3) and the Local Government Pension Scheme Regulations 2013 (except Regulation 9) and LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 and
- (ii) on each occasion such a decision is required the Town Council will take into account all possible known risks and implications for the Town Council.
- (iii) With regard to Regulation 3 of Local Government Pension Scheme Regulations 2008 & Regulation 9 of the Local Government Pension Scheme Regulations 2013 “determining employee contribution rate” that the contribution rate band will be changed as appropriate whenever a pay change occurs

**Revenue Subsidy Grant Policy 2015/16**

- (i) That the Revenue Subsidy Grant Policy 2015/16 as attached to the minutes as Appendix 2 be approved

**82. Open Spaces Committee Recommendations**

The recommendations from the Open Spaces Committee meeting held on 28 July 2015 were considered.

**RESOLVED**

- (i) Company A be appointed to supply a new Kioti Mechron 2210 UTV Vehicle taking the Kawasaki Mule in part exchange at a cost of £6,200.
- (ii) That the Open Spaces Wardens are to be consulted as to whether the additional set of wheels with off road tyres are necessary.

**83. S106 Offer Letter for the Football and Community Facility**

The Mayor advised the meeting that the offer letter from South Somerset District Council (SSDC) is still at draft stage and needs to be approved by the appropriate manager before it can be sent to the Town Council. Whilst the amount of money to be granted is known, as it had been agreed by the appropriate SSDC Committees, the conditions attached to the grant have not been confirmed but are likely to include references to fair rent and lease periods.

**84. Archaeological Works at Brittens Field**

The Council were asked to consider quotations and appoint a company to carry out archaeological works at Brittens Field to satisfy Planning Condition No. 11 for the Football and Community Facility (14/04748/FUL)

Issues raised during consideration of the item included:

- Company B give a fuller picture, are marginally cheaper and offer a discount
- Company B rang for further information

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- The successful contractor should be made aware of the possibility of finding information regarding the original canal workings

**RESOLVED** that Company B be appointed to carry out the archaeological works required to satisfy the relevant planning condition for the Football and Community Facility and in accordance with the information and costs provided in their quotation

**85 Contract Administrator Management Arrangements**

The Town Council's Internal Auditor recommended in their review of the project management for the Football and Community Facility project that a terms of reference, including role context, and management arrangements were developed for the Contract Administrator. The Town Clerk had consulted the Internal Auditor and discussed the terms of reference with the Contract Administrator before compiling the draft document that was presented to the meeting for consideration.

**RESOLVED** to approve the Terms of Reference for the Contract Administrator as attached to these minutes as Appendix 3

**86. Recommendations from the Football and Community Facility Project Governance Group**

The Contract Administrator explained various aspects of the work to be done, advising on terms and dates. He explained how he had analysed the tenders and reassured Councillors that they would be fully informed of building progress, emphasising clarity and transparency in relation to work done.

**a) Tenders for building the Football and Community Facility**

Issues raised during consideration of the item included:

- Additional Town Council meetings may be required at short notice to consider significant changes to the specification or costs
- Once work commences on site it may be necessary to deal with unexpected matters
- Contractual time limits
- Contractor confidentiality
- Trust in the Contract Administrator and the contractor is an important element to the success of the project
- There is scope in the specification for value engineering should it be required to keep the build within the estimated costs
- Clarification on pricing in the tender analysis for drainage – foul drainage connection/services
- Councillors have a copy of the Football Club Business Plan dated April 2015, it is being constantly updated as new information and e.g. the tender figure becomes available
- A Letter of Intent would allow the Contract Administrator to continue negotiations with the contractor and give the contractor reassurance to begin preparations
- Build cost and ongoing business – quite a few unknowns Do need to know every detail. More realistic view once build plan is in place,

**RESOLVED**

- (i) that the lowest tender, that submitted by Contractor A, be accepted in principle subject to any checks and negotiations carried out by the Contract Administrator
- (ii) That a Letter of Intent with a £100,000 starter spend is sent to Contractor A

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- (iii) That the JCT Intermediate Form of Contract is the contract document to be used for the formal contract

**b) Delegated Authority to Approve Changes to the Building Specification**

Issues discussed during consideration of this matter included:

- £5,000 is approx 1% of the estimated project cost
- £5,000 seems a reasonable limit on a project of this size

**RESOLVED** that the Town Clerk is given delegated authority, following consultation with the Contract Administrator, to approve changes to the building / contract specification to a maximum value of £5,000 provided that such changes can be met from the budget (including the contingency)

**c) Communication between the Governance Group and the Town Council**

**RESOLVED**

- (i) That a short summary / list of the topics discussed at Football and Community Facility Project Governance Group meetings will be presented to the Town Council for information.
- (ii) Town Councillors are invited to attend Governance Group meetings, by arrangement with the Town Clerk, on the understanding that they are observers and may not participate in the meeting and that they maintain confidentiality regarding the matters discussed.

**87. Sports Club Licence**

The Town Clerk advised that the Town Council's Solicitor is compiling a first draft of an appropriate legal agreement which will shortly be circulated for comment to the group dealing with the licensing negotiations regarding The Shed. The Solicitor has also advised it may be necessary for the Town Clerk to compose a Tenancy at Will document to cover the period between the Sports Club relinquishing its tenancy and a new agreement being put into place with the Cricket Club.

Note: Councillor Shepherd declared a personal interest as President of the Cricket Club

**88. Petitions Scheme**

Consideration was given to whether any amendments to the existing petitions scheme were required.

Issues discussed during consideration of this agenda item included:

- Who should be eligible to create or sign the petition e.g. people living, working and studying in Ilminster or should it include visitors
- The minimum number of people signing before the Town Council would class it as a valid petition
- A template petition document is an excellent and useful idea
- The position of a parent of someone eligible to sign e.g. young or vulnerable person
- The possibility of having a for and an against column for signatories to indicate their opinion
- The eligibility of people newly left or moved into the area to sign the petition

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**RESOLVED**

- (i) that valid signatories are those people who live, work or study in Ilminster
- (ii) that the minimum number of signatures needed for the Town Council to class it as a valid petition is 50
- (iii) that the petition should state what action the petitioners wish the Town Council to take
- (iv) that a statement covering the subject of the petition appears on each page
- (v) that the petition organisers sign a declaration at the foot of each page stating that the signatures have been collected without any form of intimidation or coercion and that the statement at the head of the petition was read out clearly to each person before they agreed to take part
- (vi) That names and addresses of the petition organiser and petition signatories will not be placed on the Town Council's website or be used for any purpose other than verification
- (vii) That a template petition document is included in the Petitions Scheme

**89. Council Engagement – Surgeries and Quarterly Meetings**

Consideration was given to starting Councillor surgeries and feedback meetings

Issues discussed during consideration of this agenda item included:

- The Mayor read out an email from Councillor Fowler suggesting that monthly surgeries should be held starting in September 2015 and quarterly feedback meeting also starting in September 2015
- Town Councillors have previously held surgeries but they were discontinued due to poor take-up by the public
- The District Councillors for Ilminster are arranging to hold advice centres on the first Saturday in the month at the Greenfylde School Annex
- The advice centre sessions to be attended by the District Councillors will be to listen and take up case work for anyone who requires help with a District Council matter – they will offer advice, suggestions and information from the District Council perspective not a political one
- Surgeries are a method of community engagement
- Social media is a fast growing method of community engagement and it may be useful to develop some guidelines for Town Councillors
- Holding surgeries on Saturdays means they are accessible for people who work during the week
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**RESOLVED**

- (i) that Town Council surgeries be held monthly for a trial period of six months and then the matter be reviewed by the Town Council
- (ii) That the Town Council Surgeries run alongside the District Council advice centre

Note: a record vote was requested and taken on this item which is attached to these minutes as Appendix 4

**RESOLVED** that the Town Council contribute to the funding of the venue for holding the Councillor surgeries

Note: a recorded vote was requested and taken on this item which is attached to these minutes as Appendix 5

Councillors then discussed the compilation of a rota for the Saturday

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surgeries; the District Councillors will not be on the Town Council rota and Councillors Burton and Neave will not be able to participate due to other commitments. Each surgery session should have two Town Councillors attending plus a reserve. The surgeries will take place between 9-10 am. Cllr Keitch will make the arrangements for access to the building and locking it after each session.

Note: Cllr Sothorn left the meeting

Discussion moved to the suggestion of quarterly feedback meetings.

Issues discussed during consideration of this matter included:

- Quarterly is too often
- The Annual Town Assembly provides an opportunity for people on the electoral roll to raise issues pertinent to the town
- The meeting should have a framework with a clearly stated aim
- Topics for discussion at a feedback meeting may be required
- The meeting should be Informal

**RESOLVED** that one feedback meeting be arranged as a trial and then the matter be reviewed by the Town Council

**RESOLVED** in accordance Standing Order 1z to extend the meeting until 10.30pm to enable the business on the agenda to be completed.

#### **90. Effectiveness of Internal Audit**

The Town Council is required on an annual basis to consider the effectiveness of the internal audit so that it can make any appropriate changes.

Issues discussed during consideration of this agenda item included:

- The current Internal auditors are very effective and willing to explain the what why and how of their work
- Three year contract in place
- The Town Clerk believes that there is a good working relationship between the Town Council and Internal Audit view which assists with the provision of an effective.
- 2014/15 was the first time that an area outside the annual return had been the specific focus for a report – the project management of the Football and Community Facility - and the Town Clerk would like to see internal audit used more proactively in this way so as to prevent problems

**RESOLVED** that Town Councillors be asked at a suitable Town Council meeting for their suggestions for areas / topics to be audited as part of the 2015/16 internal audit programme

#### **91. Assistance of the Internal Auditor with the Development of a Strategic Objectives and the Associated Risk Management**

Following discussion with the Town Clerk, the Internal Auditor has provisionally agreed to assist with the development of strategic objectives and the associated risk management. It is thought that the provision of the equivalent of 2.5 days work should be sufficient

Issues discussed during consideration of this agenda item included:

- The expenditure could be funded from the general contingency fund
- RESOLVED** that expenditure to a maximum of £750.00 is agreed for the Town Council's Internal Auditors to assist with developing and establishing the Town Council's approach to risk management



**92. Authorisation of payments and Notification of Virements**

The Schedule of Payments for authorisation was presented for Council's approval. Issues discussed during consideration of this agenda item included:

- Clarification of the Bates Wells Braithwaite letter – part of the football project, coming out of £5,000 grant – charge to registry

**RESOLVED** that the accounts listed in the schedule presented to the Town Council totalling £21,677.22 gross, be approved

**93. Project Plan**

The Project Plan was considered and no changes were made.

**94. Clerk's Update**

The updates, sent by email since the last Town Council agenda was published, were listed on the Agenda. No matters pertaining to the updates were raised.

The meeting closed 21:59 hrs.

Chair's signature & date