

**MINUTES OF A MEETING OF THE POLICY & RESOURCES COMMITTEE HELD IN THE
COUNCIL CHAMBER, TOWN HALL, MARKET PLACE, NEWBURY
ON MONDAY 24 April 2017 AT 7.30PM.**

PRESENT

Councillors Howard Bairstow; Jeff Beck, Adrian Edwards; David Fenn; Dave Goff (Chairperson); Sarah Greenall; Elizabeth O’Keeffe; Margo Payne; Anthony Pick; Tony Stretton; Julian Swift-Hook; Martha Vickers.

IN ATTENDANCE

Hugh Peacocke, CEO
Gillian Durrant, RFO

50. APOLOGIES FOR ABSENCE

There were none.

51. DECLARATIONS OF INTEREST AND DISPENSATIONS

The Chief Executive Officer declared that Councillors Howard Bairstow, Jeff Beck, Adrian Edwards, Dave Goff and Anthony Pick are also Members of West Berkshire Council, which is declared as a general interest on their behalf and a dispensation is in place to allow them to partake in discussions relating to West Berkshire Council (WBC) business.

Councillor Vickers declared a non-pecuniary interest in item 15 as her husband is a trustee of the Mable Luke Trust.

52. MINUTES

PROPOSED: Councillor Margo Payne

SECONDED: Councillor Martha Vickers

RESOLVED: That the minutes of the meeting of the Policy & Resources Committee held on Monday 16 January 2017 be approved as a correct record and signed by the Chairperson.

53. QUESTIONS AND PETITIONS FROM MEMBERS OF THE PUBLIC

There were none.

54. MEMBERS’ QUESTIONS AND PETITIONS

Councillor Julian Swift-Hook asked the following 2 questions:

Question 1:

“According to the Good Councillor’s Guide (published by the National Association of Local Councils), it is unlawful for a council to delegate decision-making to any individual councillor, yet this council’s Standing Order 18.2 apparently has exactly that effect, giving the Mayor as chair of council or the chair of a committee the power

unilaterally to decide whether or not a Motion submitted by a councillor should be included in an agenda.

It is clearly wrong that an individual councillor effectively has the power to stifle debate that may be inconvenient for him or her, but may nonetheless be of legitimate public interest.

While acknowledging that these implications may not have been fully appreciated when last year we reviewed this Standing Order along with all the others, now that the problem has come to light can I ask what steps the Chief Executive will be taking, and in what timeframe, to rectify this apparently undemocratic and potentially unlawful situation?"

The Leader of the Council, Councillor David Goff answered:

"The Guidance referred to relates to decisions taken by the Council at meetings and where required, between meetings. It stresses that unless delegated to an officer or committee, such decisions should be corporate decisions. The Standing order referred to is not in relation to such decisions.

The previous version of Standing Orders, adopted in 2014, included an almost identical provision, that motions should be "endorsed" by the Mayor or the Chair and the last review proposed "approved" as a more straightforward term. However, in either event, this provision is not in line with the Model Standing orders, which recommend that unless the wording or subject of a proposed motion is considered improper, (in which case the Proper Officer shall consult with the chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected) that the motion should appear on the agenda.

Standing Orders will be reviewed at the Council meeting on 26 June and the matter may be reviewed at that stage."

Supplementary question from Councillor Julian Swift-Hook:

"Please confirm that this standing order will be reviewed at the Council meeting on 26 June."

The Leader of the Council, Councillor David Goff responded:

"Yes, it will."

Question 2:

"In recent correspondence with Cllr Vickers, the Leader in effect confirmed that the incoming Deputy Mayor will be nominated based on what amount to political considerations. By way of justification, he referred Cllr Vickers to an 11-year-old Standing Order, long since deleted, which said that the role of Mayor should reflect the political composition of the council.

This Standing Order was put in place in 2006 by just five councillors voting in favour. There was no support from any of the then Conservative councillors (two of whom sit on this council today). It was deleted in 2008 with the full support of the then Conservatives (seven of whom, including the Leader, are still Town Councillors today).

Clearly 11 and 9 years ago the Town Council's Conservatives did not think a political approach to Mayoral nominations was a good idea. Could the Leader please explain to me why he and his colleagues have apparently changed their minds?"

The Leader of the Council, Councillor David Goff, answered:

“There is no provision in Standing Orders as to how the Mayoral role should be allocated. That decision is left to Full Council. The custom and practice that we have followed in recent years is that the Mayoral role should follow the political composition of the Council.

We have not deviated from this.”

Supplementary question from Councillor Julian Swift-Hook:

“This is not a rational argument against change. It should be council policy that the Mayor and Deputy Mayor be elected on seniority and not political according to the political composition of the Council. On which committee agenda can this be added?”

The Leader of the Council, Councillor David Goff responded:

“You can add it to the agenda of a future Full Council meeting.”

55. HEALTH AND SAFETY REPORT

The information was received and noted by the Committee. The Officer concerned was commended for the thorough nature of the report.

56. LIST OF PAYMENTS

PROPOSED: Councillor Tony Stretton

SECONDED: Councillor Anthony Pick

RESOLVED: That the lists of payments for the period 1 January 2017 to 31 March 2017 is authorised.

57. INCOME AND EXPENDITURE ACCOUNT 2016/17

The income and expenditure account to March 2017 was received and noted by the Committee.

PROPOSED: Councillor David Goff

SECONDED: Councillor Tony Stretton

RESOLVED: That the over spends shown against the account codes on Agenda Appendix 4 & 4a be approved.

PROPOSED: Councillor Tony Stretton

SECONDED: Councillor Howard Bairstow

RESOLVED: To vire some of the tree maintenance budget from Open Spaces to Victoria Park and Diary Farm Allotments to cover relevant expenditure.

The full year forecast by the RFO was noted by the committee.

58. DEBTS OVER £500 AND MORE THAN THREE MONTHS OLD

The Committee was concerned to hear that another cheque presented by this tenant had been returned by the bank and that a further review meeting would take place on 2 May. Noted the report from the Responsible Financial Officer.

59. INTERNAL AUDIT REPORT

The third interim internal audit report for the financial year 2016/17 from Auditing Solutions Ltd, as attached at Appendix 5 to the agenda, was received and noted by the Committee. The Committee thanked the Chairman, Councillor David Fenn and the members of the Audit Working Group for their detailed work on these reports.

60. TOWN COUNCIL RESERVES AND EXPENDITURE OF S.106 AND CIL MONIES

PROPOSED: Councillor Margo Payne

SECONDED: Councillor Howard Bairstow

RESOLVED: to earmark CPA & L for 20 Anniversary projects

RESOLVED: to use earmarked reserves of HWG for blue plaques and Dendro-dating work. Agreed that the description of this agenda item should be reviewed next year.

RESOLVED: That the earmarked reserves were agreed as shown in Appendix 6a, as amended above.

61. FUTURE EXPENDITURE OF S.106 AND CIL MONIES

PROPOSED: Councillor Anthony Pick

SECONDED: Councillor Adrian Edwards

RESOLVED: That the future expenditure of S.106 and CIL monies be as set out in appendix 7, and that a policy for the future expenditure of CIL be discussed at a future meeting.

62. AUDIT WORKING GROUP

PROPOSED: Councillor David Fenn

SECONDED: Councillor Sarah Greenall

RESOLVED: That the Financial Regulations be amended as shown in Appendix 8a

PROPOSED: Councillor David Fenn

SECONDED: Councillor Sarah Greenall

RESOLVED: That the Council open a bank account with Handelsbanken in Newbury for internet banking.

63. COUNCIL STRATEGY – 6 MONTHS PROGRESS REPORT

Members noted the 6 months progress report on the Council Strategy Action Plan

64. REQUEST FOR GRANT FUNDING FROM THE MABEL LUKE TRUST

PROPOSED: Councillor Julian Swift-Hook

SECONDED: Councillor David Goff

RESOLVED: to suspend standing orders allow Tony Vickers, Director, Mabel Luke Trustee Ltd., to answer questions regarding the application

PROPOSED: Councillor Tony Stretton

SECONDED: Councillor Jeff Beck

RESOLVED: To refer the application for funding to the next meeting of the Grants Sub-Committee and advise the trustees of the Town Council's criteria for grant applications.

Councillors Martha Vickers, Julian Swift-Hook, Elizabeth O'Keeffe voted against the proposal.

65. UNREASONABLE, PERSISTENT OR ABUSIVE COMPLAINANTS

PROPOSED: Councillor Tony Stretton

SECONDED: Councillor Sarah Greenall

RESOLVED: To adopt the policy for dealing with unreasonable, persistent or abusive complainants as set out in Appendix 11. To keep the policy under review and to report back to this committee whenever this policy is used.

66. KEY PERFORMANCE INDICATORS

Members agreed that this was worthwhile and that each Committee should consider setting its own KPI's.

PROPOSED: Councillor Julian Swift-Hook

SECONDED: Councillor Anthony Pick

RESOLVED: To adopt the Key Performance Indicators as set out in Appendix 12b, and to report quarterly to this committee.

67. EXCLUSION OF THE PRESS AND PUBLIC

PROPOSED: Councillor Adrian Edwards

SECONDED: Councillor Anthony Pick

RESOLVED: That under Section 1, Paragraph 2 of The Public Bodies (Admission to Meetings) Act 1960 the press and public be excluded from the meeting for the following items of business because publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.

Item 20 was taken first, and Russell Downing and Ross Drake of Newbury BID were invited to stay for the presentation. The item was held in private because financial details of the BID's Christmas Lights contract were discussed.

68. CHRISTMAS LIGHTS

Russell Downing Managing Director and Ross Drake the Chair of Newbury BID gave a presentation to the members of the Council, requesting a contribution from the Council of £18,000 per annum for the next 3 years towards their Christmas lights events.

PROPOSED: Councillor Tony Stretton

SECONDED: Councillor Elizabeth O'Keeffe

RESOLVED: That the £12,000 budgeted as a contribution towards the BID's Christmas lights events remains unchanged.

69. PROPOSAL TO EXTEND THE MEETING BEYOND 10PM

PROPOSED: Anthony Pick

SECONDED: David Goff

RESOLVED: That the meeting can continue past 10pm in accordance with Standing Order 22.2.

70. REPORT FROM STAFF SUB-COMMITTEE

The updated information for the meeting of the Staff Sub-Committee held on Tuesday 14 March 2017 was received and noted by the Committee.

71. COUNCIL ASSETS

The Committee noted a pre-application report from West Berkshire District Council and the report from the CEO proposing a better use/value for part of the Council's lands at Roebut's Close. It was agreed that this was a worthwhile proposal and that the Council should proceed as outlined in the report.

PROPOSED: Councillor Julian Swift-Hook

SECONDED: Councillor Tony Stretton

RESOLVED: That the Committee authorises the Chief Executive Officer to engage a qualified agent to apply for outline planning permission for two dwellings on the open space land owned by the Council at Roebut's close.

THERE BEING NO FURTHER BUSINESS, THE CHAIRPERSON DECLARED THE MEETING CLOSED AT 21.58PM.

CHAIRPERSON