

**MINUTES** of the **Finance, Staffing and Performance Management Committee** Meeting held on Thursday 22 June 2017 at 6:30 p.m. in the Shire House Suite, Shire House, Bodmin.

**PRESENT:** Chairman, Councillor J Gammon, presiding; together with Councillors, J A Bassett, P T Cooper, A J Coppin, A M Kerridge, S H Kinsman (arrived 6.40pm during item FSPM/2017/52), K J Phillips, P L G Skea and K W Stubbs. Councillors, E M Ahearn, L L Frost, J R Gibbs, D A Henderson and L F Sanders were also present but did not vote, not being members of this Committee.

**IN ATTENDANCE:** Mr S Facer (Town Clerk), Mrs A Banks (Responsible Finance Officer) and Mrs T Stiles (Senior Administration Assistant)

### **CHAIRMAN'S ANNOUNCEMENTS AND APOLOGIES**

Councillor Gammon had no announcements and no apologies were received.

FSPM/2017/50 **Declarations of Interest – Members to declare interests in respect of any item on the agenda**

Councillor L L Frost declared a Non-Registerable Interest in Item FSPM/2017/52.

Councillors, J A Bassett, A J Coppin, A M Kerridge and P T Cooper declared a Non-Registerable Interest in Item FSPM/2017/66.

FSPM/2017/51 **Election of Vice Chairman**

Councillor A M Kerridge was elected as Vice Chairman of this Committee.

FSPM/2017/52 **Presentation from Mr Allan Foad and Mr Balu Madhvani regarding Walker Lines Gymnasium**

Mr Foad tabled copies of his presentation and talked the Committee through its contents, giving background for the benefit of newer Councillors to the Walker Lines Trust and its purchase of the gymnasium from the Town Council in 2013 for the sum of £40,000 plus VAT.

Mr Foad explained that the Trust was in talks with Sport England with the aim of securing a grant from their Community Asset Fund in order to progress planned refurbishment works. Mr Foad further explained that Sport England usually insist on a first charge which would necessitate moving Bodmin Town Council's overage clause to a second rank position.

Mr Madhvani thanked a number of the Councillors for attending an event at the Boxing Club earlier in the week and provided further information with regards to future plans for the gymnasium including working alongside the NHS looking at the National Health Initiative. Mr Madhvani stated that the Boxing Club and Rifle Club has been secured for the future and continues to grow. Mr Madhvani advised that the roof was the main issue at the current time as it was leaking in parts and that neighbours are happy with their proposals for the building and facilities. Cost estimates were around £100,000 to £150,000. Mr Madhvani hoped that Bodmin Town Council could offer further financial support to the Trust via such avenues as Section 106 monies from developments within the town.

Councillor Frost having listened to the presentation reiterated his Non-Registerable Interest and left the room for the discussion and any voting on this item.

Councillor Kerridge commented that the Trust has done a fantastic job securing a future for the Walker Lines site and queried in what circumstance Sport England would trigger the overage clause. Mr Foad responded to confirm that it would only be triggered in the event of the Trust going into liquidation.

Councillor Kerridge further queried whether the Trust anticipated fundraising over and above any potential Sport England grant. Mr Foad responded to advise the amount anticipated from Sport England would be around one quarter of the total needed, so fundraising avenues would need to be explored. Mr Madvhani commented that specific external works to the roof and cladding could be funded by a grant from Sport England, with the internal refurbishment works done in phases as and when additional monies were raised.

Responding to a query from Councillor Phillips with regard to the overage clause on a facility given a recreational valuation, the Town Clerk clarified that the building was valued once in 2008 (at £100,000) and again in 2010 (at £80,000) and that these were the open market valuation. As the asset was sold to the Walker Lines Trust at 50% of the market value plus VAT, overages were put in place on a diminishing over time basis of 20 years.

There followed a discussion around the allocation of Section 106 monies, with the Town Clerk clarifying that contributions arising from developments are usually allocated to specific sites where enhancement can be made. The Town Clerk advised that s106 contributions are determined by the local planning authority.

Responding to a question from Councillor Ahearn, the Town Clerk confirmed that in the eventuality of the Trust going into liquidation the amount returned from the disposal of the asset would be 50% of the current market value which would include any appreciation.

Responding to a comment from Councillor Phillips on the use of the public purse for the benefit of the town, the Responsible Finance Officer advised that the auditors' remit is one of being financially minded and that the Council only has certain powers that monies can be gifted under, to stay within the boundaries of the law. The RFO further advised that there are different ways that the Council can look at how they invest in capital projects and would welcome a further meeting with the Walker Lines Trust to discuss a way forward.

The Town Clerk thanked Mr Foad and Mr Madvhani for presenting to the Committee and commented that it was very helpful for the Members to be fully apprised of the facts. The Chair, Councillor Gammon, confirmed that the Town Council would convene a further meeting with the Walker Lines Trust in the near future to see how they could work together to achieve the best outcome.

#### FSPM/2017/53 **Public Representation Session**

Mr Peter Old was in attendance and wished to make representations with regard to a perceived lack of consistency in the Town Council's approach to disposal of assets, specifically relating to the sale of the Public Rooms with no overage clause in place and no flying freehold for the Museum.

Councillor P Cooper voiced the same concerns and felt that the market had not been tested adequately with regards to the flying freehold and that possibly a lower value was achieved for the sale than could have been achieved.

The Chairman confirmed that the Public Rooms had been out on the open market, with a sale agreed and contracts exchanged, and as such the Council should now move forwards.

The Town Clerk stated that all of the offers received, which included the offer / bid from the Public Rooms Trust, was for the freehold interest without the flying freehold. The Town Clerk advised that whilst the property was marketed with the flying freehold, Miller Commercial were advised that the Council would be open to consider any offer being put forward and that any enquiries should be made aware of this position. From the bids received by the Council it would indicate that the flying freehold was not a barrier to any offers being made and received as all offers were for the freehold interest. The RFO confirmed that the auditor was consulted on the market valuation and bids submitted and their view was that through this process the highest offer would be reflective of the market value of the property.

Responding to a question from Councillor Phillips as to whether it raises an issue of consistency with the Council's policy, the Town Clerk clarified that the Walker Lines Gymnasium never went on the open market, as productive talks were held with the Walker Lines Trust which led to a sale. The Public Rooms did go on the open market and the Bodmin Public Rooms Trust submitted a bid for the freehold interest without a flying freehold.

The Chairman thanked Mr Old for his attendance and for his continued community work in Lanivet parish.

#### FSPM/2017/54 **Terms of Reference**

The Town Clerk reported that the Council is currently operating slightly outside of its own Standing Orders as there are 4 Chairs of 5 Standing Committees and in Standing Orders the Finance, Staffing & Performance Management (FSPM) Committee is constituted by the 5 Chairman of the Standing Committees, the Mayor as Ex-Officio and 3 other Members. Currently the FSPM Committee has 4 Chairmen of Standing Committees, as one Councillor is Chairman of 2 Standing Committees, with 4 other Members making up the remaining membership.

The Town Clerk advised that a revised copy of Standing Orders would be tabled at the Full Council meeting on 20 July.

This information was noted.

Councillor P Cooper asked whether there was a requirement for Members to undergo Risk Management training, and the Town Clerk confirmed that it was a requirement and that training was being arranged for the near future.

Councillor P Cooper queried what Key Performance Indicators had been set by the Council, as per the final point of the Terms of Reference. The Town Clerk apologised and advised that this dated back to Best Value Service Reviews when the Council was a Best Value Council. The Town Clerk further confirmed that KPIs were set centrally by government and in some cases were not very effective as one of the KPIs was cost per burial which differ across the country given a range of factors. The RFO stated that the Strategic Aims and Objectives meeting to be held in August would be key to setting SMART objectives.

In response to a query from Councillor P Cooper, the Town Clerk confirmed that a Council Appeals Committee was formulated as and when a need arose, and a set number of Councillors would be appointed and excluded to should any appeal arise (usually a staffing matter) to ensure a fair process is followed.

FSPM/2017/55 **Minutes of the Finance, Staffing and Performance Management Committee Meeting held on Thursday 20 April 2017**

These Minutes had been before Council and were acknowledged as a true record.

**Matters arising:**

**Page 2 – Bodmin May Fair 2017** – The Town Clerk reported that the May Fair had gone well and that the invoice had been paid in advance.

FSPM/2017/56 **Correspondence:**

- a) **Any item of correspondence that the Chairman considers appropriate** – there were no items of correspondence for consideration.

FSPM/2017/57 **Budget and Accounts – RFO to report**

The RFO apologised to Committee for the fact that the completed Budget and Accounts were not yet available, and confirmed that this was due to staffing issues compounded by the undertaking of Year End.

She confirmed that the Budget meetings (a.m. and p.m.) arranged for 5 July 2017 could cover any questions arising from her report, which would be circulated by email as soon as possible.

FSPM/2017/58 **To consider and agree the Annual Governance Statement 2016/17 – RFO to report**

The RFO circulated the Annual Governance Statement 2016/17.

The document was reviewed on a page-by-page basis with the RFO talking Members through the document and answering questions. The RFO confirmed that the document must be approved in two parts and that it has been signed off by the auditors.

Following discussion, it was **AGREED** to **RECOMMEND** to the Special Council Meeting to be held immediately following this meeting that the Annual Governance Statement for the year ending 31 March 2017 be adopted.

FSPM/2017/59 **To receive the Draft Accounting Statements for the Year Ending 31 March 2017 – RFO to report**

The RFO circulated the Draft Accounting Statements for the year ending 31 March 2017.

The document was reviewed on a page-by-page basis with the RFO identifying significant variances and key points.

The RFO highlighted a significant increase in staffing costs due to the new rules on auto-enrolment into the Local Government Pension Scheme.

The Town Clerk confirmed that it had been agreed at the last budget meeting to keep the Public Works Loan Board loan on an annual review basis i.e. as part of the budget setting process and the RFO reminded Members of the stringent early repayment penalties currently in place on PWLB loans.

The RFO confirmed that auditors recommend local councils retain between 3 to 12 months of expenditure as contingency to cover running costs should there be any unforeseen issues and that Bodmin Town Council was currently positioned slightly over the middle of that band. The Town Clerk reiterated that the Council would need to shape future expenditure as part of its Strategic Aims and Objectives – for example addressing the need for a new cemetery as a matter of urgency as identification, acquisition and planning issues can take a number of years to progress.

Councillor Phillips queried the Council's staffing costs, when compared to other towns in the County. The Chairman and Councillor Kerridge both responded to advise that Bodmin Town Council did extremely well out of the 1974 local government reorganisation and was transferred a large property portfolio and has delivered public toilets since the early 1990s. Other local (parish and town) councils in the County are now looking to take on additional responsibility and service provision as part of devolution from Cornwall Council and are now starting to precept for these services and the additional staff required to operate them.

The RFO circulated the document detailing the Transfers to and from Reserves for the financial year ending 31 March 2017, along with earmarked reserves for consideration as at 31 March 2017.

Following discussion, it was **AGREED** to **RECOMMEND** to the Special Council Meeting to be held immediately following this meeting, that the Transfers to and from Reserves for the year end 31 March 2017 be adopted.

It was further **AGREED** to **RECOMMEND** to the Special Council Meeting to be held immediately following this meeting that the Draft Accounting Statements for the year ending 31 March 2017 be adopted.

FSPM/2017/60 **Councillor Business Cards – The Mayor, Councillor S H Kinsman to report**

The Mayor reported that there was a level of interest in Councillors having their own business cards and provided a quote from a printer for £29.99 plus VAT for 100 cards.

Following discussion, and with the RFO's suggestion that any costs could be reclaimed from individual's Member's Allowance, it was **AGREED** to develop a proof with the Council's logo, Councillor name and agreed Councillor contact details. The Mayor advised that she would liaise with Executive Assistant or Senior Admin Assistant.

FSPM/2017/61 **Public Toilet Cleaning Contract Tender – RFO to report**

The report from the Projects Assistant (ME) detailing the cleaning contract options for the Council's public conveniences was circulated with the Agenda. The RFO reported that the current contract was due to expire on 20 August 2017 and as such the FS&PM Committee Members present would have to make a

decision on awarding a new contract in order to ensure continuity of service.

The RFO also confirmed that a report on the management of the Council's public conveniences is due to be brought to the next Properties Committee meeting although that would be quite a complex bit of work given the number of variable options and costs.

Following discussion, it was **AGREED to RECOMMEND** that CORMAC Solutions are awarded the toilet cleaning contract on a one year rolling basis.

FSPM/2017/62 **Risk Management Update:--**

The RFO tabled the report detailing the corporate and project risks for review by the Committee, and reported that the Accounts Technician previously responsible for preparing the report (CA) was now on maternity leave. To ensure that the Risk Management report is updated in readiness for Committee Senior Officers will be diarised to complete relevant sections to include any project updates.

The RFO confirmed that dates for Risk Management meetings would be diarised now that the full Committee structure is in place.

The Town Clerk reported that the new CCTV system is fully operational, with 12 cameras covering the town from Priory Meadow to Fair Park, and confirmed that a press release was being organised in consultation with CFRS. The Town Clerk advised that Councillors are welcome to visit the CFRS Centre at Tolvaddon to see the system in operation and that this could be organised. Councillors interested in this visit were asked to let the Executive Assistant know that they would like to attend so that a mutually convenient time / date could be organised.

Responding to a request from Councillor P Cooper, the RFO explained the scoring system applied to the Risk Management report for the benefit of newer Members and will incorporate a key into the document going forward.

FSPM/2017/63 **To consider and, if appropriate, pass for payment the Schedule of Accounts for June 2017**

The Schedule of Accounts for June 2017 was approved and passed for signing from cheque no. 124041 to 124059 in the sum of £53,290.86.

Due to the confidential nature of the next business, it was **RESOLVED** to go into Committee. Please see separate page.