

MINUTES of the **Finance, Staffing and Performance Management Committee** Meeting held on Thursday 19 April 2018 at 6:30 p.m. in the Shire House Suite, Shire House, Bodmin.

PRESENT: Vice Chairman, Councillor A M Kerridge, presiding; together with Councillors J A Bassett, P Brown, L L Frost, S H Kinsman, K J Phillips, P T Cooper and P L G Skea. Councillors J P Cooper and K W Stubbs were also present but did not vote, not being a member of this Committee.

IN ATTENDANCE: Mr S Facer (Town Clerk), Mrs A Banks (Responsible Finance Officer (RFO)) and Mrs B Briggs (Senior Admin Assistant).

CHAIRMAN'S ANNOUNCEMENTS AND APOLOGIES

There were no announcements and apologies were received from Councillors A J Coppin and J Gammon.

FSPM/2018/026 Declarations of Interest – Members to declare interests in respect of any item on the agenda

Councillor L L Frost declared an interest in the following items on the agenda:

- item FSPM/2018/034 – Walker Lines Gymnasium Trust
- item FSPM/2018/046 – Aged Debtors

FSPM/2018/027 Public Representation Session

There were no members of the public in attendance.

Councillor P T Cooper reported that he had been approached by members of the public wishing to seek clarification on reports itemised on the agenda as 'to report' as the lack of information copied out with the agenda and uploaded onto the Council's website results in a reduced ability for them to take part in the democratic process.

The Town Clerk responded that information is not always available in time for circulation with the agenda, as Officers can be waiting for information from third parties. Items are often itemised on the agenda to enable a report should information be available by the time of the meeting. The Town Clerk confirmed that it is not the Officers intention to not be able to provide information but that there are time constraints given the range of tasks being asked of a small team of staff who report to various committees each with their own outputs.

It was noted that all verbal reports given on the night will be recorded in the minutes which are available on the website once finalised, so the public can always see what has been discussed.

The importance of finalising the Town Council Aims & Objectives document was noted, as this would provide a steer for Officers in terms of prioritisation and focus the number of tasks currently being expected of them. This would allow them to dedicate time to the most important matters as well as allowing the public a better insight

into the Council's tasks.

The Chairman noted that there are two types of report, those for information and those relating to important decisions to be made. She suggested that all Councillors take note of the types of reports circulated and 'to follow' over the next round of meetings, and after this time this could be looked at, with Councillors discussing how this could work better if necessary.

FSPM/2018/028 Minutes of the Finance, Staffing and Performance Management Committee Meeting held on Thursday 15 February 2018

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

FSPM/2018/029 Any item of correspondence that the Chairman considers appropriate

There were no items of correspondence for consideration.

FSPM/2018/030 Narisa Hall Rental

The RFO reported that there had been two viewings to date, and that this information had only been received earlier in the day so could not have been reported on prior to the meeting.

FSPM/2018/031 Mount Folly Toilets

Councillor J A Bassett declared a Non-Registerable interest in this item and left the meeting at 18.42

The RFO reported that the building was sold on 22 September 2017 and that, as is standard practice, the electricity supply was maintained for the benefit of the buyer. She noted that, when the original enquiry information was passed to the purchaser's solicitor the electricity supplier was E-On. As the sale took some time to complete, the Councils electricity contract was changed to British Gas in November 2016. This change was not communicated to the purchaser.

The RFO confirmed that, as with all property sales, all utility bills including the electricity bill were paid in full.

The buyer now wishes to remove the electricity meter from the property and wish to claim the cost of this work from the Council. The cost of removing the meter is £244.50 plus VAT. They wish to claim this from the Council as they had investigated with E-On to remove the meter before completion and there was no cost for E-On to do this. However there is a charge from British Gas and the buyer has said that, had they been aware that the supply was with British Gas, they would have requested the Council disconnect the supply before completion.

The reason for the change in supply was queried, and the RFO confirmed that a review of all contracts is undertaken annually to

ensure the Council is getting the best possible deal. On this occasion, switching to British Gas provided a cost saving.

The RFO confirmed that it is not normal practice when selling a property to disconnect a supply, that the Council would not have agreed to remove the meter prior to completion, and that this is the stance that has been taken to date.

Following discussion, it was **AGREED** to **RECOMMEND** maintaining the current stance that BTC have followed standard practice and should not be liable for any costs.

Councillor J A Bassett returned to the meeting at 18.51.

FSPM/2018/032 **General Data Protection Regulations (GDPR)**

a) Email from CALC County Executive Officer

The e-mail from CALC was circulated with the agenda. The Town Clerk reported that the Council could delegate its data controller function in terms of investigating breaches or identified risks to the Risk Management Working Party (Chair and Vice Chair of the FSPM Committee together with the Chair of the Policy Committee).

The Town Clerk advised that this Working Party could be expanded to include the Data Protection Officer (DPO), and possibly another one or two members in order to account for sickness/absence. It was noted that, in consideration of breaches, it might be necessary to call meetings at fairly short notice.

The Town Clerk noted that this approach would require amendments to the Council's Risk Management Strategy, the Terms of Reference (TORs) for the FSPM and Policy Committees and would also require approval at the Adjourned Council meeting on 24 May 2018 to agree delegated authority to act on matters relating to any breach or identified risk. He advised that the Policy Committee could oversee implementation of Council policy. Alternatively, the Council could constitute a new committee or panel with amendments to Standing Orders to include a new set of TORs to reflect the scope of the panel work.

As there is a Risk Management Working Party (RMWP) meeting on 3 May The Town Clerk felt that it seemed prudent to refer this for consideration at that meeting in the first instance for a report and recommendation to the Adjourned meeting.

The Town Clerk noted that there would be a lot of Policy work in the future to work through and various policy and procedure notes to ensure compliance with GDPR.

If Members were minded to agree that route, the Town Clerk

advised that the Council would need to agree to delegate Data Controller functions to the Risk Management Working Party or other panel.

Following discussion, it was **AGREED** to **RECOMMEND** referring this matter to the RMWP on 3 May 2018, with a report to the Adjourned Council meeting on 24 May 2018.

b) Future delivery of agenda paperwork and document sharing

The Town Clerk reported that, given the advent of GDPR, Officers would be upgrading the current Dropbox subscription to Dropbox Business to ensure GDPR compliance. This would begin with a free trial for 30 days but would subsequently be an annual subscription fee of £360.00 (equating to £10.00 per user per month) or, if paid monthly rather than annually, then the fee would equate to £12.00 per user per month (£432.00 per annum).

The Town Clerk advised that a longer-term solution would be to explore Microsoft SharePoint, which is supported by the Council's IT providers Microtest and recommended by them as GDPR compliant and part of the Microsoft Office 365 package. Microtest is in the process of producing a quotation for this option but there would clearly need to be a period of transition and training. Additionally, Microtest has recommended a security audit of the Council's IT and Officers are awaiting further information on the nature and scope of that advice, and further information could be brought to a future meeting.

To ensure GDPR compliance and bearing in mind the works around a replacement server and the inevitable disruption that will bring and to afford the council the space it needs to explore the SharePoint option, the Town Clerk's recommendation was to upgrade to Dropbox Business for the annual sum of £360.00 once the free trial period has lapsed.

Following discussion, it was **AGREED** to **RECOMMEND** paying the annual subscription for Dropbox Business at a rate of £360.00.

FSPM/2018/033 **Mayor Choosing arrangements**

The Town Clerk advised that Mayor Choosing invitations have been sent out in consultation with the Mayor Elect and Deputy Mayor Elect and that the event would take place at 2.00 p.m. on Thursday 17 May in St. Petroc's Church, and that a rehearsal will be held at 4.00 p.m. in St. Petroc's Church on Wednesday 16 May. He noted that those taking an active role in proceedings would find it helpful to attend the rehearsal.

The Town Clerk then advised that he is in the process of producing

a scripted order of proceedings to assist the Mayor Elect and Deputy Mayor Elect with the running order on the day, and to assist those Members who are required to make speeches.

The Town Clerk offered a reminder that the Members required to make speeches are the proposers to the nominations who were Councillor Jeremy Cooper for the Mayor Elect and Councillor Joy Bassett for the Deputy Mayor Elect. The Seconder for each nomination is then required to say a few short words in support of the proposal, The seconders were Councillor J Bassett for the Mayor Elect and Councillor J Gibbs for the Deputy Mayor Elect.

The Town Clerk noted that there would also be a need to agree who would propose and second the appointments of the Town Sergeant and Town Crier but that those could be agreed at the rehearsal. It was noted that the Interim Town Sergeant was to be Mr P Wrixon and the Town Crier was to be Mr T Williams.

FSPM/2018/034 **Walker Lines Gymnasium Trust**

Councillor L L Frost reiterated his Non-Registerable interest in this item and left the meeting at 19.08.

The RFO reported that, following the last properties meeting on 5 April, Officers and members of the Properties Committee had met with the Trust and explained the suggested way forward. The Trust were very happy with this explanation and would now like to move forward with getting the overage clause amended in line with the suggestion.

To this end, the RFO reported that she had approached four companies and have obtained the following quotations for this legal work as follows:

- Cornwall Council – Fixed fee of £665.00 plus VAT or 6-8 hours at £95.00 per hour;
- Stephens and Scown LLP–Fixed Fee £2,400.00 plus VAT or 6-8 hours between £1,440.00–£1,920.00;

Following discussion, it was **AGREED** to **RECOMMEND** instructing Cornwall Council to proceed with this work at a cost of £665.00 plus VAT.

Councillor L L Frost returned to the meeting at 19.10.

FSPM/2018/035 **Parks and Open Spaces Review**

A report was circulated with the agenda.

The Town Clerk noted that the Parks and Open Spaces Manager (POSM) sent his apologies for the meeting but had confirmed that if there are any arising questions he could either respond to emails or meet with Councillors to discuss in further detail. If Councillors wished for further information or if there were a number of queries relating to the report, the Town Clerk advised that this item could be

put on the agenda for the next FSPM meeting on 21 June 2018.

The Chairman enquired as to whether Members felt it would be helpful to re-agenda the report, but it was felt that questions could be discussed in this meeting and fed back to the POSM as necessary.

The cost effectiveness of growing from seed rather than buying in plants was queried. It was noted that this matter had been discussed at the Properties Committee meeting on 5 April 2018, and that Council had agreed to continue with the current arrangements regarding the polytunnel, based on the reasons given in the POSM's report presented at that meeting.

The issue of hanging baskets was raised, and what the outcome had been in terms of buying in ready-made hanging baskets or buying in the plants. The Town Clerk noted that there was money in the budget for hanging baskets, and that the Parks Team already had baskets with a reservoir so he understood the intention to be the purchase of plants but that the POSM would be able to confirm this.

The Chairman enquired as to whether members were happy for the POSM to respond to these questions on his return from annual leave, and Members responded in the affirmative.

The issue of the siting of play equipment at Hillside Park was discussed and it was noted that this decision had been deferred due to the current situation with a proposed lease at Hillside Park, subject to contract, and the effect this may have on the possible location of new play equipment. The Chairman noted that this was not a matter included in the POSM's report and would need to be picked up at a future Properties Committee meeting.

The matter of the Cornwall Council owned flowerbeds by Bodmin and Wenford Railway Station was then raised, and it was noted that the Parks Team had been assisting volunteers with the clearance of these beds, and that some plants had also been provided to the volunteers.

The Chairman enquired as to whether there were any other questions to relay to the POSM.

Councillor J P Cooper raised the issue that a member of the public had contacted him to discuss the recent tree cutting in the Midway Road play area, and that he felt he had not been adequately consulted about the process. Councillor Cooper requested that the Council ensures members of the public are afforded the courtesy they deserve.

The Town Clerk confirmed that the Parks Team treat the public with courtesy, and it was noted that the POSM had sought to make contact with the member of the public in advance of the works. The Town Clerk and other Members did note however that the member of public had made it clear that they wanted no further contact or role in matters relating to this site so were surprised at these comments.

Councillor S H Kinsman wished to note her thanks to the POSM for taking the time to write up this report as it had proved very useful.

Councillor P T Cooper noted that, for future projects, it would be helpful to have guidelines of planned completion / target dates.

FSPM/2018/036 **Disposal of Iveco Truck**

The RFO noted that it had been agreed at the Full Council meeting on 18 January 2018 that the Iveco truck should be sold at auction. However, this has not been possible to date as the vehicle is unable to be transported to auction without an estimated delivery cost of £235.00. Investigation has been carried out in terms of the most cost effective way to dispose of the vehicle and the recommendation was to advertise the truck on eBay motors auction site, as this would offer a wider customer base than a traditional auction and the truck could be sold 'as seen'.

The RFO recommended that the truck be advertised on eBay motors and noted that it would be the purchaser's responsibility to collect the vehicle from the Council.

Following discussion it was **AGREED** to **RECOMMEND** that the Iveco Truck be advertised on eBay Motors for disposal, ensuring the advertisement states that it would be the purchaser's responsibility to collect the vehicle.

FSPM/2018/037 **Hire Charges Working Party – notes from meeting held 10 April 2018**

The notes from this meeting were circulated with the agenda.

The Chairman summarised the four recommendations coming out of that meeting which needed to be discussed and which related to the Council's parks and open spaces i.e. Mount Folly, Narisa Lawn, Priory Lawn and Priory Car Park:

1. The following hire charges would apply:
 - Bodmin community groups/charities and national charities - £30.00 per day;
 - Commercial organisations - £90.00 per day.
2. Ticketed events in Priory Car Park and wider areas of Priory Park – charges would apply:
 - Loss of car park income for operational charging days be applied;
 - Reinstatement costs of property;
 - All staff time to support any event.
3. A budget to support community events be considered by Council at the 2019/20 budget setting meeting – this budget could then be used to offset any cost levied to community events for staff time.

4. A Market rental valuation be obtained for the ice cream sales bay in Priory Car Park and a similar pitch at Fair Park to be aligned with any 'pop up' site charging structure.

Regarding the first recommendation, there was discussion around the charge of £30 for both Bodmin and national charities. It was felt by the working party that a simple structure would be pertinent and that a nominal fee of £30 was very reasonable. It was explained that costs associated with every event included staff time for admin processing, checks at the property before and after the event, litter picking as necessary in order to maintain cleanliness for the public and in some cases assistance with stewarding and being at an event to enable use of council property.

The Town Clerk and RFO informed that the Working Party was conscious that staff time during core hours to support events does take Officers away from their core tasks and duties and was 'in-kind' support not recorded as a monetary value. In order to reflect the Council's support and to achieve a fair and consistent approach, a budget allocation where staff time can be assigned would be useful. It was noted that staff accrue Toil for working outside of their core hours where no recharge mechanism to the event organiser exists (Christmas Lights as an example) but conversely staff time is spent in support of St. Piran's Day which takes place during normal working hours. To achieve parity across the board, recording staff time and costs to an agreed budget would be a fairer representation and could be evidenced to the community.

Following discussion, Members felt that Bodmin groups should be offered free hire of facilities, and that this should be monitored to assess participation and not to exclude other organisations from having access to facilities if take up by Bodmin groups was very high.

Following discussion, it was **AGREED** to **RECOMMEND** that Bodmin charities and community groups would be offered free of charge hire, with national charities being charged £30.00 and commercial organisations being charged £90.00.

It was further **AGREED** to **RECOMMEND** that the free of charge hire for Bodmin charities and community groups would be reviewed three months after implementation of this pricing structure to monitor take up.

Regarding the second recommendation, clarification was sought on how the costs would impact current annual events such as Alstock and the fireworks display. It was felt that the new charging structure was equitable and would likely result in a lower charge although noting that the removal of access to BTC property outside of core hours would be a change and require some discussions to ensure a smooth transition.

Following discussion, it was **AGREED** to **RECOMMEND** the recommendation by the working party to charge the following for ticketed events:

- Loss of car park income for operational charging days;
- Reinstatement costs of property;
- Staff time to support any event for all ticketed events.

Regarding the third recommendation, there was a discussion around whether the Members allowances, which are not currently taken by most Councillors, could be allocated at the end of each financial year to a central pot to assist with covering the expenses of community events.

Following discussion, it was **AGREED** to **RECOMMEND** that the third recommendation would be considered at the 2019/20 budget setting meeting, including the reallocation of Member expenses into a budget to assist with the costs of community events.

Regarding the fourth recommendation, it was **AGREED** to **RECOMMEND** that a market rental valuation be obtained for Priory Park ice cream bay and a similar pitch at Fair Park.

FSPM/2018/038 **Risk Management Update**

A copy of the BTC project risks for the FSPM Committee and Full Council was circulated with the agenda.

The RFO noted that there was another Risk Management Working Party meeting on 3 May 2018 and that there had been some items added to the latest version of the spreadsheet which required scoring at that meeting. She also noted that the Mayor had recommended a review of the scoring system and that, following the Adjourned Council meeting on 24 May, the RFO would explain the scoring system to the newly elected Risk Management Working party and talk through the current spreadsheet.

FSPM/2018/039 **Investment Report**

A report was circulated in advance of the meeting. The RFO noted that the figures had only been received that day, which was why she was unable to circulate the report further in advance.

The RFO reported that the Council had received £24,512.37 from the Wealth Strategic Solutions Service during the financial year to 31 March 2018.

The cost of this service was estimated at £7,300.00, giving a net profit on the £650,000.00 investment of £17,212.37, which is around 2.6%.

In 2016/17 the net amount of interest was £15,177.40 so the 2017/18 net profit represents an increase of £2,034.97.

The RFO also reported on the Money Market reserves, with interest received of £7,188.21 in the 2017/18 financial year, representing an increase of £4,842.89 from the 2016/17 figure of £2,345.32.

FSPM/2018/040 Year to date budget

A copy of the budget to 28 February 2018 was circulated with the agenda. The RFO noted that the adjustments were in line with those previously reported.

The RFO reported that she had been in contact with Merlin Cinemas regarding the fencing, as raised at a previous meeting. She had agreed with Merlin that they would take on the cost of the fencing directly from the end of April 2018. Currently they had been invoiced up to the end of March 2018.

FSPM/2018/041 External Audit

The Town Clerk reported that this audit effectively puts to rest matters relating to the Public Rooms. The Town Clerk noted that a detailed letter was sent by Grant Thornton to the objector and noted that, whilst a copy of this letter had been circulated to some in the community, it was not a letter that has been issued to the Council by the external auditor.

The RFO noted that this report is now up on the BTC website.

FSPM/2018/042 Internal Audit

A copy of the report was circulated with the agenda.

The RFO reported that the key information was on page two of the report, highlighted in bold text, where the auditor states that:

'Based on all areas reviewed to date a level of assurance has been obtained that suggests the controls in place covering the key financial systems are working effectively, record keeping is of a good standard and we could be able to complete the internal audit report element of the Annual Governance & Accountability return with no qualifications.'

The RFO noted that the recommendations and responses for discussion and consideration were on the attached document.

FSPM/2018/043 Schedule of Accounts – April 2018

The Schedule of Accounts for April 2018 was approved and passed for signing from payment ref 4300000565 to 4300000727 and cheque numbers 0000124143 to 0000124144 in the sum of £105,292.98.

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