

## **BRAUNSTONE TOWN COUNCIL**

### **MINUTES OF POLICY & RESOURCES COMMITTEE**

**THURSDAY 1st NOVEMBER 2018 AT 7.30PM**

**PRESENT:** Councillor Nick Brown (Chair), Councillor Amanda Hack (Vice-Chair) and Councillors Anthea Ambrose, Shabbir Aslam, Parminder Basra, Sharon Betts (substituting for Councillor Phil Moitt), Sam Maxwell, Gary Sanders, Darshan Singh, Robert Waterton and Bill Wright.

**Officers in Attendance:** Darren Tilley, Executive Officer & Town Clerk.

There were no members of the public present at the meeting.

#### **34. Apologies**

An apology for absence was received from Councillor Phil Moitt.

#### **35. Disclosures of Interest**

There were no disclosures of any Disclosable Pecuniary or Non-Pecuniary Interests by members.

#### **36. Public Participation**

In accordance with Standing Order 3.6, members of the public may attend the meeting for the purpose of making representations, giving evidence or answering questions in respect of any item of business included on the agenda.

There were no members of the public at the meeting.

#### **37. Minutes of the Meeting held 23rd August 2018**

The Minutes of the Meeting held on 23rd August 2018 were circulated (item 4 on the agenda).

**RESOLVED** that the Minutes of the meeting held on 23rd August 2018 be approved and signed by the Chairperson as a correct record.

#### **38. Shakespeare Park - Improvement & Development**

The Committee considered progress with funding, the borrowing application, timescales for awarding the contract for the works and arrangements for the future management of the facility (item 5 on the agenda).

#### **RESOLVED**

1. that the approach set out in the report, in respect of progressing the Sport England – Community Assets Fund be endorsed;
2. that an application be submitted to the Football Foundation Football facilities grant scheme;

3. that the application for funding from the Aviva Community Fund and from Section 106 funds, be noted and endorsed;
4. that the position with potential borrowing options be received and noted;
5. that the proposed arrangements for the Shakespeare Park Pavilion Management Committee, as set out at Appendix 1, be approved for consultation and discussion with the Sports Clubs and through the Shakespeare Park Improvement Project Working Group;
6. that the proposed Lease arrangements for Shakespeare Park Pavilion Management Committee, Shakespeare Park Bowls Club and Braunstone Juniors Football Club, as set out at Appendix 2, be approved for consultation and discussion with the Sports Clubs and through the Shakespeare Park Improvement Project Working Group; and
7. that the revised timescales for the project, attached at Appendix 3, be adopted.

#### *Reasons for Decision*

1. *To ensure that the details required by Sport England in order to progress the Community Assets Fund application would be prepared and submitted.*
2. *To enable access to a funding stream, that supports the development of football opportunities.*
3. *To enable funding options to be assessed and sought to ensure the long term financial stability and sustainability of the project.*
4. *To ensure that updated information was considered and consulted upon where appropriate and provided ahead of the budget setting process.*
5. *To ensure that the long term management arrangements of the Pavilion would be sustainable and maximise revenue opportunities, outline proposals needed to be considered by the Clubs and if approved more detailed work on the legal text undertaken.*
6. *To ensure that the Sports Clubs had the certainty of longer term tenure in order to expand sporting provision, outline proposals needed to be considered by the Clubs and if approved more detailed work on the legal text undertaken.*
7. *To provide a guide for the progression of the project, which could be amended accordingly as appropriate.*

### **39. Expansion of GP Service at Thorpe Astley**

The Committee considered proposals from Kingsway Surgery for an extension to the services provided at Thorpe Astley Community Centre, including timescales and revision to the Occupation Licence Agreement (item 6 on the agenda).

#### **RESOLVED**

1. that the proposal by Kingsway Surgery to expand NHS Primary Care Services, including a General Practitioner Service, from the Thorpe Astley Community Centre, by using a third room, the Small Meeting Room at the end of the corridor, as highlighted in blue on the plan at Appendix 1, be accepted;

2. that delegated authority be given to the Executive Officer & Town Clerk, in consultation with the Leader and Deputy Leader of the Council:
  - a) to seek the consent of the Landlord, Blaby District Council, to the proposed changes to the building and seek any necessary approvals under the lease agreement (including a sublease, additional or amended Occupation Licence Agreement), to agree the charges to be levied, and to facilitate statutory approvals such as planning and building regulations; and
  - b) to finalise arrangements with Kingsway Surgery and Blaby District Council, such as detailed changes, designs and timescales; and
3. that the proposed amendment to the Occupational Licence Agreement, attached at Appendix 2, be approved and that delegated authority be given to the Executive Officer & Town Clerk to agree to changes to the opening hours and service charge, with Kingsway Surgery and to enter into further agreements in respect of staffing and premises support services.

*Reasons for Decision*

1. *To facilitate the expansion of Primary Care, including General Practitioner Services, at Thorpe Astley Community Centre to ensure ongoing sustainability of the service for the benefit of the community.*
2. *To ensure that the necessary and appropriate agreements were in place to ensure the effective running of services and their co-location at Thorpe Astley Community Centre.*
3. *To clarify that it was the Town Council's intention to grant a Licence which provided Kingsway Surgery exclusive use of the Consultant Room and Treatment Room (including annexe room) at Thorpe Astley Community Centre.*

**40. Legal Transfer of Open Spaces, Thorpe Astley**

The Committee received an update on the current position with the legal transfer of Parks and Open Spaces at Thorpe Astley from the developers to the Town Council (item 7 on the agenda).

**RESOLVED**

1. that the progress to land registration stage on the transfer of open spaces from Barratt Homes be noted;
2. that the legal transfer of Open Spaces from David Wilson Homes Limited, as shown in red on the Plan attached at Appendix 1 and detailed in the Land Registry Transfer of part of registered title(s) attached at Appendix 2, be completed and that IT BE RECOMMENDED TO COUNCIL that the Common Seal be applied to the transfer documentation;
3. that where parcels of land were initially offered by David Wilson Homes Limited and subsequently maintained and managed by the Town Council, but not included in the final legal transfer map and documentation set out in 2 above, the Town Council cease to manage

- and maintain such land and inform David Wilson Homes Limited accordingly;
4. that should David Wilson Homes Limited seek to subsequently transfer additional open space and should Braunstone Town Council be interested in adopting, then this would be subject to:
    - a) David Wilson Homes Limited picking up the cost of the Town Council's legal fees in full and providing a mutually agreeable commuted sum;
    - b) the land being transferred in a condition agreeable to Braunstone Town Council; and
    - c) the transfer of responsibility for management and maintenance taking place once the legal transfer had been completed and confirmed by HM Land Registry; and
  5. that an update report on progress with Thorpe Astley Culvert be submitted to the Committee on 14th February 2019.

#### *Reasons for Decision*

1. *To recognise that significant progress had been made with the transfers being finalised and sealed with Barrett Homes and lodged with the Land Registry.*
2. *To enable the transfer to be completed and for the Town Council to become the legal owner of the public open space.*
3. *There was no evidence that David Wilson Homes would be in a position to transfer this land, nor was there any indication that other land originally identified would be transferred to Braunstone Town Council in the future.*
4. *To ensure that the Town Council nor the Town Council's Solicitor picked up additional legal costs due to the failure of David Wilson Homes to properly identify the open space for transfer and produce the necessary legal documentation. To ensure the Town Council was able to meet the initial costs of maintaining additional open space, particularly give the restraints on the Council's finances.*
5. *To keep a watch on progress with implementing the Town Council's desire to complete the transfer of Thorpe Astley Park, a significant asset that should be owned by the Town Council, without further delays and additional cost.*

#### **41. Medium Term Priorities and Financial Planning**

The Committee received a report setting out the context for the Council's medium term priorities and financial planning (item 8 on the agenda).

#### **RESOLVED THAT IT BE RECOMMENDED TO COUNCIL**

1. that the current projections based on known financial pressures identified in the report be noted;
2. that the Council's Mission Statement and the Objectives for each Service Area be used as the basis for calculating the annual budget and any external funding sought;
3. that the Council's General Reserves be used to invest in infrastructure and assets and in the development and remodelling of services, including the Town Council's operations; and

4. that it be confirmed that £18,000 be used from the Council's Commuted Sums Reserve in 2019/20 to offset the loss of Council Tax Support Grant and avoid significant increases in the precept in two consecutive years.

*Reasons for Decision*

1. *To provide a foundation for preparing budget estimates for 2019/2020 and beyond.*
2. *To ensure the Council focusses its activity and spending given the future financial uncertainties.*
3. *To ensure the highest possible standards within the resources available in the future.*
4. *Following the withdrawal of Council Tax Support Grant, to use reserves to protect services, while continuing to phase the equivalent in precept increases over a period of 3 years to avoid any adverse impact consecutive large precept increases would have on residents.*

**42. Revenue Savings Projects 2019/2020**

The Committee considered savings to meet projected increases in expenditure and to enable continuous improvement (item 9 on the agenda).

**RESOLVED**

1. that progress be noted with the implementation the capital investment projects which generate revenue savings, as detailed at Appendix 1 of the report; and
2. that the recommended savings as detailed in the table under Revenue Savings in the report be included in the budget preparations for 2019/2020.

*Reasons for Decision*

1. *To note that those which had been implemented had produced predicted savings and that there was a plan in place for the implementation of the other projects identified.*
2. *To enable the 2019/2020 Financial Strategy ongoing savings to be delivered.*

**43. Park & Open Spaces Winter Works Programme 2018/2019**

The Committee considered items for inclusion on the Winter Works Programme for 2018/2019 for the Councils Parks, Open Spaces and Grounds (item 10 on the agenda).

Issues concerning dog fouling on the Council's Parks and Open Spaces was raised and the Committee felt that a campaign, involving Blaby District Council, to raise awareness and tackle the issue should be explored.

## **RESOLVED**

1. that the Winter Works Programme 2018/2019, attached at Appendix 1, be approved; subject to the inclusion of clearing and tidying the pond at Franklin Park Community Orchard; and
2. that Merrileys area of Mossdale Meadows and Long Spinney and Fox Spinney be the chosen park/open spaces to be maintained in the Winter Works Programme 2018/2019.

### *Reasons for Decision*

1. *To ensure that parks and open spaces in Braunstone Town would be maintained to high level. To ensure that the pond did not become overgrown and unsafe.*
2. *Each of these areas required extensive work to the existing trees and fences for both safety and maintenance reasons.*

#### **44. Public and Products Liability Insurance**

The Committee determined the level of public and products liability cover required to ensure it reflected the levels of risk in the context of the services the Council provided (item 11 on the agenda).

**RESOLVED** that the Council obtain Public and Products Liability Insurance cover for 2018/2019 at £10 million.

### *Reason for Decision*

*To ensure that the level of public liability cover adequately reflected the levels of risk in the context of the services the Council provided.*

#### **45. Local Government Pension Scheme - Braunstone Town Council Discretionary Policies**

The Committee determined Braunstone Town Council's policy for two new discretionary policies for pre 2014 pension scheme leavers and considered whether to review or re-affirm discretionary policies for post 2014 members (item 12 on the agenda).

## **RESOLVED**

1. that it be noted that employer discretion would no longer be needed for release of deferred pension for pre 2014 members of the Local Government Pension Scheme (except ill health);
2. that the two new Local Government Pension Scheme Discretionary policies for pre 2014 leavers, attached at Appendix 1, be approved and adopted; and
3. that the Local Government Pension Scheme discretionary policies for post 2014 members, attached at Appendix 2, and the discretionary policies adopted in 2010, attached at Appendix 3, be re-affirmed.

### *Reasons for Decision*

1. *Recent amendments to the Local Government Pension Scheme regulations allows deferred leavers age 55-59 to draw their pension with a reduction without employer consent.*
2. *The Council would only consider ill health as a reason to wave the reduction in deferred benefits where a former member elects for voluntary early retirement and this was covered by a separate scheme.*
3. *The existing discretionary policies had been reviewed and were considered fit for purpose in the context of the current regulations.*

#### **46. Memorials on Parks & Open Spaces**

The Committee considered whether the Council would allow memorials in memory of individual residents, for example plaques and benches, on its parks and open spaces (item 13 on the agenda).

**RESOLVED** that a report be submitted to a future meeting summarising the approach taken in other areas to allowing memorials in memory of individual residents on parks and open spaces, and if appropriate, including recommendations on a potential scheme.

### *Reason for Decision*

*To explore options available, including charging and lease agreements to cover maintenance costs and liabilities arising from memorials such as plaques and benches.*

#### **47. Review of Complaints Procedure**

The Committee reviewed the current Complaints Procedure after three years of operation in order to determine whether it was fit for purpose (item 14 on the agenda).

**RESOLVED** that the existing Corporate Complaints Procedure, attached at Appendix 1, be reaffirmed and that the next review be in 2021.

### *Reason for Decision*

*The Procedure by including all complaints, whether minor or major, simple or complex, and providing for the informal stage and formal stage to deal with these as appropriate results in complaints being resolved and/or closed effectively.*

#### **48. Review of Consultation**

The Committee reviewed whether the Town Council's current approach to consultation was enabling residents to engage and share their views in a timely and meaningful way and whether the use of the Council's resources on consultation represented good value (item 15 on the agenda).

## RESOLVED

1. that the Annual Survey be discontinued;
2. that regular smaller online surveys be undertaken to ascertain satisfaction and feedback in specific areas, such surveys may include (but not limited to) questions following an event or satisfaction with new or changed services; and
3. that responses to these surveys be entered into an annual draw, on the same basis as the prize draw for the Annual Survey.

### *Reasons for Decision*

1. *With the exception of one year, the response rate to these surveys had been particularly low to the extent that the statistics generated could not be relied upon in the policy and decision making process.*
2. *To raise awareness of Council activities and seek feedback in a timely manner, while ensuring that the surveys were short and focussed and not too onerous in order to encourage responses.*
3. *To provide an incentive for residents, customers and hirers to respond to the surveys.*

## 49. **External Audit 2017/2018**

The Committee received a report concerning the outcome of the External Audit in respect of the accounts and governance arrangements for the year ended 31st March 2018 and considered the Council's response (item 16 on the agenda).

## RESOLVED

1. that the reports of the external auditor, PKF Littlejohn LLP (Appendix 1 and 2), be received and noted and published alongside the Responsible Financial Officer's explanation and clarification (Appendix 3) of the variance in the submitted figures between 2016/17 and 2017/18 in box 3 of section 2 of the Annual Governance and Accountability Return (Appendix 4); and
2. that based on the external auditor's final report recommendations, the revised outturn figures, as detailed in the table under the section "Annual Governance and Accountability Return" in the report, be used as the 2017/2018 (prior year comparatives) when submitting the Annual Governance and Accountability Return for the year ending on 31st March 2019.

### *Reasons for Decision*

1. *To ensure that there was transparency between the outturn figures approved by the Council, Internal Auditor and External Auditor in 2016/17 and approved by the Council and Internal Auditor in 2017/18, including the variance information provided to the External Auditor for review, noting that the accounts were prepared on an income and expenditure basis.*
2. *To ensure that the Annual Governance and Accountability Return for*

*2018/19 would be in compliance with the outcome of the audit process for 2017/18, while noting that the balance at the start of 2016/2017 and at the end of 2017/2018 would not be affected by the changes required by the External Auditor.*

**50. Corporate Credit Card**

The Committee considered and approved changes to the account signatories and corporate credit card holders (item 17 on the agenda).

**RESOLVED**

1. that the following amendments be made to the accounts signatories for the Council's Corporate Credit Card: Mr I. Laughton to be replaced by Mr. D. Tilley;
2. that the following amendments be made to the Credit Card holders:
  - a) Mr. I. Laughton and Miss J. Leech be removed, and
  - b) Mrs. L. Assi and Mrs. K. Cusack be added.

*Reasons for Decision*

1. *The Responsible Financial Officer was responsible to the Council for ensuring that the Council's Financial Processes were efficient and effective and the Corporate Credit Card account needed to be managed by the current Responsible Financial Officer.*
2. *To ensure that the issuing of a corporate credit card to staff was in accordance with the current post holders and the roles and duties of the relevant posts.*

**51. Financial Comparisons**

The Committee received Financial Comparisons for the period 1st April 2018 to 30th September 2018 (item 18 on the agenda).

**RESOLVED** that projected income for the Community Centres be considered as part of the 2019/2020 budget preparations.

*Reason for Decision*

*Projected income for the Community Centres was down for the first half of the year against the budget projections and should that trend continue, budget estimates for 2019/20 would need to be reviewed.*

**52. End of Quarter Financial Position – Cashbook and Reserves**

The Committee received a summary of the Council's Cash and Reserves for the period 1st April 2018 to 30th September 2018 (item 19 on the agenda).

**RESOLVED** that the end of quarter financial position be noted.

*Reason for Decision*

*There were no issues of concern with management of the Council's*

*Finances.*

**53. Approval of Accounts**

The Committee considered payments from 15th August 2018 until 23rd October 2018 (item 20 on the agenda).

**RESOLVED** that the list of Approved Expenditure Transactions for the Period 15th August 2018 until 23rd October be approved.

*Reason for Decision*

*To authorise payments in accordance with the Accounts & Audit Regulations and the Council's Financial Regulations.*

**54. Transfer of the Management Arrangements of Braunstone Town Library**

**RESOLVED** that in view of the special / confidential nature of the business to be transacted, it was in the public interest that the press/public be temporary excluded and they be instructed to withdraw (Standing Orders 3.5 and 3.7 apply). *Reason for exception – Legal Advice.*

The Committee received for consideration and approval details of the arrangements to transfer the management of Braunstone Town Library from Leicestershire County Council to Braunstone Town Council, including associated legal agreements and staffing transfers (item 21 on the agenda).

The Committee received a Supplementary Report providing an update on progress with the proposed Grant Agreement, following a response being received from Leicestershire County Council (filed with the confidential items on the agenda).

**RESOLVED**

1. that the Grant Agreement proposed by Leicestershire County Council be rejected;
2. that the proposed amendments to the Grant Agreement and associated schedules for Braunstone Town Library, as set out at Appendix 1 of the report, be approved;
3. that the proposed Licence to Occupy Agreement for Braunstone Town Library, as set out at Appendix 2 of the report, be approved;
4. that in the event that Leicestershire County Council accepted the proposed amendments to the Grant Agreement and associated schedules (Appendix 1 and referred to in resolution 2 above), or accepted the original offer to transfer the service while retaining direct responsibility for premises costs, and confirmed the Licence to Occupy Agreement (Appendix 2); delegated authority be given to the Executive Officer & Town Clerk, in consultation with the Leader of the Council:
  - a) to submit the documents to the Council's Solicitor for review, as detailed in the report,
  - b) to agree any proposed changes recommended by the Solicitor's review with Leicestershire County Council in order that the

agreements could be finalised, approved and implemented, and  
c) to approve a timetable for the management of Braunstone Town Library to be transferred from Leicestershire County Council to Braunstone Town Council.

#### *Reasons for Decision*

1. *The Grant Agreement proposed by Leicestershire County Council prevented the Town Council using its existing corporate governance, decision making and management structures. The County Council would need to approve the form and content of the Town Council's policies in effect giving them a veto over those policies, subjecting the Council's Management, professional advisors and elected members to decisions of County Officers. The accounting requirements would create disproportionate additional bureaucracy and processes, which would result in extra accounting processes, threatening the efficiency and effectiveness of the Town Council's proposals.*
2. *To ensure improvement to the Library Service, recognising the Town Council's legal obligations and policies reached a similar standard as a local authority to those of the County Council and that the County Council had an absolute obligation under the lease to meet premises costs, irrespective of the grant payments, ensuring that the Town Council avoided significant costs, liabilities and commitments.*
3. *The Licence to Occupy approach was preferred by the Town Council and legal advice confirmed that such an agreement would not undermine or supersede the current Lease.*
4. *To ensure that practical arrangements concerning the transfer could be implemented without undue delay and that the legal agreements were both sound and adhered to the requirements of the existing Lease Agreement.*

#### **55. Renewal of Parks Tractor Lease**

**RESOLVED** that in view of the special / confidential nature of the business to be transacted, it is in the public interest that the press/public be temporarily excluded and they be instructed to withdraw (Standing Orders 3.5 and 3.7 apply). *Reason for exception – Commercial Interests.*

The Committee considered specification, lease arrangements and tenders for the renewal of the Parks Tractor Lease in 2019 (item 22 on the agenda).

#### **RESOLVED**

1. that the requirements for tender, attached at Appendix 1, and the tender specification and lease arrangements for the renewal of the Parks Tractor Lease from 2019 for a period of 5 years, attached at Appendix 2, be endorsed;
2. that the tender bids from companies c) and d) be rejected
3. that the tender bids from companies a) and b) be given detailed consideration and consultation with the ground staff on the suitability of each of the vehicles for the work that would be required to be undertaken;
4. that arrangements be made for a) and b) to provide a practical

- demonstration of the vehicles they propose to provide, if required; and
5. that delegated authority be given to the Executive Officer & Town Clerk to make the final decision on which tender contract was accepted.

*Reasons for Decision*

1. *To ensure that the tractor and hedge cutter equipment met the specifications required for the parks and open spaces service and would be adequate. A five year lease was adequate given the equipment would not be extensively used to the point that a replacement would be required by the fourth year.*
2. *The bids tendered by companies c) and d) were the two highest received.*
3. *To ensure that each tender and proposed vehicle met the specifications required by the Town Council and to compare the two types of vehicles proposed.*
4. *To ensure that the ground staff had the opportunity to operate the proposed vehicles before a lease was agreed, if this was required.*
5. *To ensure that all considerations with regard to specification and costs had been met.*

**56. Termination of the Meeting**

The meeting closed at 9.15pm.

NOTE:

CRIME & DISORDER ACT 1998 (SECTION 17) – The Council has an obligation to consider Crime & Disorder implications of all its activities and to do all that it can to prevent Crime and Disorder in its area.

EQUALITIES ACT 2010

Braunstone Town Council has a duty in carrying out its functions to have due regard to:-

- eliminate unlawful discrimination, harassment and victimisation;
- advance equality of opportunity between different groups; and;
- foster good relations between different groups

To ensure that no person receives less favourable treatment on the basis of race, disability, sex, gender re-assignment, sexual orientation, age, religion or belief, marriage or civil partnership, pregnancy or maternity.

These issues were considered in connection with each of the above decisions. Unless otherwise stated under each item of this report, there were no implications.

SIGNED: \_\_\_\_\_

DATE: \_\_\_\_\_