

# TELSCOMBE TOWN COUNCIL



Minutes of the Meeting of **TELSCOMBE TOWN COUNCIL** held on **Wednesday 21<sup>st</sup> March 2018** in Telscombe Civic Centre at 7.30 pm.

**PRESENT:-** Cllrs T Armour, D Brindley *Deputy Mayor*, J Harris, A Mendoza, C Robinson, I Sharkey, A Smith & J Wilkins *Mayor*

**Also present:** Stella Newman, Town Clerk & RFO (*minutes*)

The Mayor, Cllr J Wilkins, welcomed our two new Councillors, Christine Robinson and Isobel Sharkey, who had recently been appointed at a by-election. Both Councillors had signed their Declaration of Acceptance of Office and therefore could now officially act as Councillors.

## **1318. PUBLIC QUESTION TIME**

A resident of East Saltdean conveyed his condolences to our former Mayor, John Livings, on the death of his wife Helen and congratulated our two new Councillors on their appointment. The resident advised that whilst canvassing for the recent by-election he had received several complaints about the A259 and wanted to know what the Council is doing about residents' concerns. Cllr A Smith advised that the possible Lower Hoddern Farm development had brought the problem to the fore as the development was on the proviso that the A259 problems be addressed. Cllr Smith went on to advise that he is Chairman of the Economic Board and is having a meeting with representatives from Brighton & Hove City Council, the local MP and various other Chief Executives regarding this on Friday; he is lobbying and trying to do what he can and is using his various positions as leverage. Rottingdean is the pinch point and he wants to look at a possible relief road. Cllr Smith advised that Telscombe Town Council could write a letter but did not think it would make a big difference and said he is grateful to the Focus Group. The resident said he did not agree with Cllr Smith's points and said a letter is not enough from Telscombe Town Council and more has to be done. Cllr Smith advised there is a limit as to what the Town Council can do, but they do lots of good things locally. The resident disagreed.

A member of the public queried the costs of the community flock. He said there is no update yet and he felt Telscombe Council should issue annual updates. Cllr Armour advised that the 2017 production is not over yet so it is difficult to give final figures. Cllr Smith advised that he had compiled a profit and loss spreadsheet which had been issued for previous years and when all the information is in, the new figures will be published. Normally we lose about 5% of the flock, but it has risen to 25%. The Council is therefore looking to introduce a Public Space Protection Order for the Tye to stop major losses. Cllr Smith also said the Tye is expensive and making a profit from the sheep keeps Council tax down.

The person then queried the wording on the Financial Regulations and asked why 14.3 said Council and 14.4 said full Council. The Town Clerk/RFO confirmed that Council did mean the Council as a whole otherwise it would have stated a Committee, but she will add the word 'full' to item 14.3. Regarding item 12 on the Risk Assessment, the person asked if customer surveys were carried out and he was advised yes they were. He finally queried the inclusion of the 2 lands plots on the South Coast Road owned by the Council on the Land Asset Register and the Town Clerk confirmed that they were included on the list to be signed by the Mayor.

# TELSCOMBE TOWN COUNCIL



## **1319. APOLOGIES FOR ABSENCE**

Apologies were received from Cllrs G Maskell, R Maskell, B Page and D Wright due to annual leave and Cllr A Loraine due to a bereavement in the family. These reasons for absence were accepted.

## **1320. TO RECEIVE MEMBERS DECLARATIONS OF INTEREST**

None.

## **1321. TO DISCUSS & APPROVE MINUTES OF THE MEETING HELD ON WEDNESDAY 17<sup>th</sup> JANUARY 2018**

It was proposed by Cllr A Smith, seconded by Cllr J Harris and unanimously **RESOLVED** that the minutes of the meeting on 20<sup>th</sup> December were a true record of the proceedings and were signed as correct by the Mayor, Cllr J Wilkins.

## **1322. MATTERS ARISING FROM THE MINUTES FOR NOTING**

Regarding minute 1314, p 2730, Cllr Robinson asked what the rate of pay was and the Town Clerk/RFO confirmed that it was the same rate of pay as received by the admin assistant employed by the Council.

## **1323. TO APPROVE MINUTES FROM THE FOLLOWING COMMITTEES:-**

### **(a) Amenities & Civic Centre – 20<sup>th</sup> November 2017**

Cllr D Brindley proposed that the minutes of the meeting on 20<sup>th</sup> November be accepted and the recommendations adopted, seconded by Cllr A Smith and **RESOLVED** that the minutes be accepted and recommendations adopted.

### **(b) Policy & Resources (non-confidential) – 4<sup>th</sup> January 2018**

Cllr D Brindley proposed that the non-confidential minutes of the meeting on 4<sup>th</sup> January be accepted and the recommendations adopted, seconded by Cllr T Armour and **RESOLVED** that the minutes be accepted and recommendations adopted.

### **(c) Planning & Highways – 18<sup>th</sup> December 2017, 29<sup>th</sup> January & 19<sup>th</sup> February 2018**

Cllr T Armour proposed that the minutes of the meeting on 18<sup>th</sup> December be accepted and the recommendations adopted, seconded by Cllr A Mendoza and **RESOLVED** that the minutes be accepted and recommendations adopted.

Cllr J Harris proposed that the minutes of the meetings on 29<sup>th</sup> January and 19<sup>th</sup> February be accepted and the recommendations adopted, seconded by Cllr D Brindley and **RESOLVED** that the minutes be accepted and recommendations adopted.

## **1324. TO APPROVE PAYMENTS & RECEIPTS FOR DECEMBER 2017**

Payments for December 2017 of £25,187.20 and receipts of £10,995.99 were proposed as correct by Cllr D Brindley, seconded by Cllr T Armour, unanimously **agreed** and signed as accurate by the Mayor.

# TELSCOMBE TOWN COUNCIL



## **1325. NOTIFICATION OF INCOME & EXPENDITURE TO 31<sup>ST</sup> DECEMBER 2017**

The figures at 30<sup>th</sup> December 2017 for all committees and earmarked reserves being expenditure of £199,958 and income of £305,069 were proposed as correct by Cllr T Armour, seconded by Cllr D Brindley and unanimously **agreed**.

## **1326. TO NOTE DECISION NOTICE FOLLOWING STANDARDS PANEL HEARING REGARDING FORMER CLLR DAVE NEAVE FAILING TO COMPLY WITH TELSCOMBE TOWN COUNCIL'S CODE OF CONDUCT**

It was noted that The Standards Panel had found that former councillor Dave Neave had failed to comply with 2 provisions of the Telscombe Town Council Code of Conduct and he was invited by the panel to write and apologise to the Council by the end of January 2018. The Standards Panel decision notice had been forwarded to Councillors and published on the Council's website as required by the Panel. A letter of apology was received from Dave Neave on 31<sup>st</sup> January 2018.

## **1327. TO APPROVE INSURANCE RENEWAL**

It was noted that last year Council had agreed to renew with Aviva via WPS brokers on a 3 year term and this was therefore year 2 of 3. There was a slight increase in the premium of £150 and it was proposed by Cllr A Smith, seconded by Cllr T Armour and unanimously **RESOLVED** to renew the insurance with Aviva at an annual premium of £3,219.89.

## **1328. TO APPROVE INCREASE IN IT SUPPORT CONTRACT**

The Council have had an IT support contract in place with Northstar IT since 2010 and there has been no increase in the contract sum since then. However, they are now proposing a discounted monthly increase of £25 as long term clients. It was agreed that they provide an invaluable and impeccable service and it was therefore proposed by Cllr A Smith, seconded by Cllr J Harris and unanimously **RESOLVED** to renew the contract with Northstar IT at a monthly cost of £175 plus VAT which is paid via direct debit.

## **1329. TO APPROVE FINANCIAL REGULATIONS AMENDMENTS**

The change of wording to reflect the fact that the Town Clerk is now also the RFO and that we now have no Deputy Town Clerk were agreed and it was also agreed to add the word 'full Council' rather than Council to item 14.3. These changes were proposed by Cllr A Smith, seconded by Cllr A Mendoza and unanimously **RESOLVED**.

## **1330. TO APPROVE GRASS VERGE CUTTING CONTRACT**

East Sussex County Council confirmed that they would contribute as normal for the 2018/19 financial year, but would reduce the contribution for the 2019/20 year onwards. The Planning & Highways Committee therefore obtained quotes for a one year contract for the normal amount of cuts based on ESCC's recommendation. The quotations were considered and the Committee's recommendation is to appoint Countrymans Contractors who provided the most competitive quotation. It was therefore proposed by Cllr D Brindley, seconded by Cllr A Smith and unanimously **RESOLVED** to appoint Countrymans Contractors for a year to undertake grass verge cutting in the sum of £10,800 plus VAT.

# TELSCOMBE TOWN COUNCIL



## **1331. TO APPROVE RISK ASSESSMENT & HEALTH AND SAFETY POLICIES**

The draft Risk Assessment and Health and Safety Policies which are reviewed annually, were taken to the recent Audit Sub-Committee, reviewed and agreed. Having looked through the documents, members were also in agreement. It was therefore proposed by Cllr D Brindley, seconded by Cllr J Harris and unanimously **RESOLVED** agree the Risk Assessment and it was also proposed by Cllr D Brindley, seconded by Cllr A Mendoza and unanimously **RESOLVED** to agree the Health & Safety Policy. These documents were signed by the Mayor, Cllr J Wilkins.

## **1332. TO APPROVE ASSET REGISTER**

The full draft Asset Register had been reviewed at the recent Audit Sub-Committee meeting and agreed. It was noted that purchases over the last year totalled £10,123 and disposals £9,674. The separate detailed Land & Buildings Asset list which includes the 2 plots on the South Coast Road had also been taken to the Committee and agreed. It was therefore proposed by Cllr A Smith, seconded by Cllr T Armour and unanimously **RESOLVED** to agree the Asset Register in the sum of £1,744,548 and the Land & Buildings Asset List and these documents were signed by the Mayor.

## **1333. TO REVIEW EFFECTIVENESS OF INTERNAL AUDIT**

Members noted that in accordance with the Accounts and Audit Regulations 2011, Telscombe Council is responsible for ensuring that its financial management is adequate and effective and that it has a sound system of internal control. It should facilitate the effective exercise of the Council's functions and include arrangements for the management of risk. The review of the effectiveness of the internal audit process should be undertaken annually. At the recent Audit Sub-Committee members considered the relevant questions and agreed answers as follows:-

- i. **Scope of internal audit** – the scope of the internal audit should have been discussed and agreed with the internal auditor to ensure it takes account of the Council's risk areas and wider internal control arrangements.*

An overall plan was discussed and agreed with the Town Clerk/RFO and Internal Auditor at his interim visit in November 2017. It covers all required aspects of internal audit. Cllrs also carry out certain aspects of audit by checking the bank reconciliations quarterly and 2 Cllrs signing cheques.
- ii. **Independence** – the internal auditor should be independent from the Council and unbiased.*

The internal auditor we appointed is one of a number of auditors on the recommended list from the Sussex Association of Local Councils and have specialist knowledge in Town Councils. Mulberry & Co are a totally independent external accountancy firm.
- iii. **Competence** – the internal auditor should have sufficient knowledge to be able to carry out the audit work.*

Mulberry & Co have sufficient knowledge to carry out the audit work as they are chartered certified accounts, registered auditors and chartered tax advisers.

# TELSCOMBE TOWN COUNCIL



## 1333. Contd. To Review Effectiveness Of Internal Audit

- iv. **Relationships** – *all relevant responsibilities of the Clerk, RFO and members are defined in relation to internal control and risk management (job descriptions).*  
The Clerk/RFO has been issued with a job description which clearly defines their relevant responsibilities with regard to internal control. The responsibilities are also clearly defined in Financial Regulations which are reviewed annually. Councillors undertake training as necessary. A full risk assessment has been carried out by the Town Clerk.
- v. **Audit Planning and reporting** – *members should be aware of when the internal audit(s) will take place, when reports will be issued and reporting is in accordance with the plan.*  
The appointment of the internal auditor is made by full Council in May annually. Internal audits take place twice yearly, the plan having been agreed by the Town Clerk/RFO at the internal auditor's initial visit. One is towards the end of the calendar year, and another at the end of the financial year. Their reports are presented to full Council at the next meeting following submission and also considered by the Audit Sub-Committee. Recommendations from the audit sub-committee are reported to full Council. The interim internal audit report undertaken in November 2017 was reported to Council on 17<sup>th</sup> January 2018. The external audit takes place at the end of the financial year and is reported to and agreed by full Council in May before submission.

Regarding the characteristics of the review the following questions were considered and answers agreed:-

- i) **Internal audit work is planned** – the plan of work has previously been mentioned and is based on risk assessment and designed to meet the Council's needs.
- ii) **Understanding the needs and objectives** – the annual audit plan demonstrates how the audit work will provide assurance for the Council's Annual Governance Statement.
- iii) **Can it be seen as a catalyst for change** – the internal audit supports the Council's work in delivering improved services to the community.
- iv) **Does it add value & assist in achieving objectives** – The Council follows up with action where necessary in response to internal auditor's recommendations which reduces risk and enhances our services.
- v) **Is it forward looking** – Yes the audit plan considers national changes, maintains awareness of new developments and identifies risks.
- vi) **Is it challenging** – the review identifies risks facing the Council and allows members to develop responses.
- vii) **Ensure right resources are available** – adequate budget is available to meet audit fees. The internal auditor is experienced, understands the Council and its legal obligations and has good communication with officers/staff.

Members were in agreement with the proposed answers put forward by the Audit Sub-Committee and it was proposed by Cllr A Mendoza, seconded by Cllr D Brindley and **RESOLVED** that the Council have fully reviewed the effectiveness of the internal audit process.

## 1334. TO REVIEW AND APPROVE MODEL PUBLICATION SCHEME

The Model Publication Scheme is due for its review. There were no changes and it was therefore proposed by Cllr T Armour, seconded by Cllr J Harris and unanimously **RESOLVED** that the Model Publication Scheme be adopted and reviewed in 3 years time.

# TELSCOMBE TOWN COUNCIL



## **1335. TO REVIEW AND APPROVE FILMING POLICY**

The Filming Policy is due for its review. There were no revisions to the existing Policy and it was therefore proposed by Cllr D Brindley, seconded by Cllr A Mendoza and unanimously **RESOLVED** that the Filming Policy be adopted and reviewed in 3 years time.

## **1336. TO REVIEW AND APPROVE COMPLAINTS POLICY**

The Complaints Policy is due for its review. There were minor revisions to bring it in line with the Sussex Association of Local Council's model policy as follows:-

- a) the addition of paragraphs 4, 5 and 10.
- b) the time for notifying the complainant of the outcome of a complaint had been reduced from 20 working days to 10 working days in paragraph 11.
- c) The Town Clerk's name had been updated.

The revisions were agreed and it was therefore proposed by Cllr A Mendoza, seconded by Cllr T Armour and unanimously **RESOLVED** that the Complaints Policy be adopted and reviewed in 3 years time.

## **1337. BUSINESS PLAN REVIEW**

Cllr Smith advised that the plan is colour coded for ease of identification. All work carried out is documented and for the main the plan is on target. He advised that updating of the plan has now been handed over to the Town Clerk.

## **1338. UPDATE ON GDPR – TO AGREE NEW COUNCILLOR EMAILS AND APPOINTMENT OF DATA PROTECTION OFFICER**

General Data Protection Regulations come into effect on 25<sup>th</sup> May 2018. The Report from the Clerk was noted and the need to appoint a Data Protection Officer by 25<sup>th</sup> May was discussed. The Clerk advised she had now received conflicting information as to whether the Town Clerk could be the Data Protection Officer or not. The Sussex Association of Local Council's recommendation is to appoint an external Officer as they need to have expert knowledge of data protection law and practices. The need to have certain things in place by 25<sup>th</sup> May was also noted and the following could be implemented now:-

- 1) Data clearance – this has been started in the office and it is recommended that all Council Members look at their Town Council documents and consider their disposal.
- 2) To clear outdated data off main computers – officers and Council Members.
- 3) Place a statement on the website advising that if anyone contacts the Council their data may be used and stored.
- 4) To implement agreements with those who can access our computers remotely, currently these are our IT company, Northstar.
- 5) For Council members not to forward Council emails on to individuals or individuals emails onto other Councillors/third parties without their express permission.
- 6) Councillors should have a business email.
- 7) To appoint a Data Protection Officer.

It was therefore unanimously **RESOLVED** that the previous 7 points be implemented; Councillor work emails should be set up and Cllr A Smith will work with the Town Clerk in this respect; the Town Clerk will take further advice regarding the DPO and if an external Officer is required, consideration be given to appointing Satswana at a cost of £500 per annum, but that it be brought back to the next meeting for confirmation.

# TELSCOMBE TOWN COUNCIL



## **1339. TO APPROVE PLAYGROUND REFURBISHMENT CONTRACT**

Following examination of the 3 playgrounds refurbishment requirements by a working party, Chris Bibb at LewesDC was engaged to assist with drawing up of a specification and the tendering process. Tenders were returned to LewesDC and opened at a formal meeting in January and were then presented to the working party. The working party considered the most favourable tender submitted by Playsafe Playgrounds should be accepted. It was noted that Chris Bibb will project manage the installation and any snagging issues for a year following completion. LewesDC lawyers have drawn up a contract for signature. The Town Clerk with the assistance of Chris Bibb has submitted an application for funding from the LewesDC CIL fund of £28,000 and is waiting to hear if the application has been successful. It was therefore proposed by Cllr J Harris, seconded by Cllr D Brindley and unanimously **RESOLVED** that Playsafe Playgrounds be appointed to carry out the work in the sum of £220,766.00.

## **1340. TO APPROVE VIREMENT OF FUNDS**

Approval to appoint a professional HR adviser had been agreed at the Policy & Resources Committee on 27<sup>th</sup> June 2017 and agreement to spend up to £5,000 to cover their work. However, there were not sufficient funds in the professional fees budget and a virement is therefore required. It was proposed by Cllr A Smith, seconded by Cllr D Brindley and unanimously **RESOLVED** that a virement take place of £5,000 from budget head 4000-101 wages to 4056-101 professional fees.

## **1341. TO APPROVE WORDING FOR PSPO FOR THE TYE**

Cllr Smith explained that a meeting with the MP, police, some LewesDC employees, Telscombe Councillors and the SDNP Ranger had taken place to discuss the problem of sheep worrying on the Tye. This was subsequently taken to the Policy & Resources meeting on 5<sup>th</sup> March when the possibility of a Public Space Protection Order was discussed and agreed. The order would be to restrict dog walking on the Tye to prevent sheep attacks and would last for 3 years. It can be enforced by the Police, a LewesDC officer or a member of staff if they are trained. The LewesDC lawyer had recommended using the wording from the Countryside and Rights of Way Act. Following discussion it was proposed by D Brindley, seconded by Cllr A Smith and unanimously **RESOLVED** to progress with a PSPO for the Tye with the following wording:- ‘A person is guilty of an offence if at any time, and without reasonable excuse, he or she takes, or allows to enter or remain, onto Telscombe Tye any dog which is not on a short lead and which is in the vicinity of sheep. For the purposes of this Order, ‘short lead’ means a lead of fixed length and of not more than 2 metres.’

## **1342. REPORTS FROM:-**

**County Councillor:-** Cllr Smith advised that County are having problems with funding due to cuts.

### **1342. Contd. Reports From:-**

**District Councillors:-** Cllr A Smith advised that the new recycling system is going well with a 97% success rate.

### **Representatives on Outside Bodies:-**

**Crime Stoppers** – Cllr Harris advised there is a meeting next week.

# TELSCOMBE TOWN COUNCIL



## 1342. Contd. Reports From:-

Lewes District Association of Local Councils – Cllr Armour advised that most things brought up at the meeting he attended have been covered at this meeting. The lack of PCSO's had been noted and apparently they will not be returning.

Neighbourhood Plan Meeting - Cllr Wilkins advised that unfortunately she could not attend the last meeting

**Deputy Mayor:-** Cllr Brindley had nothing to report.

**Mayor:-** Cllr Wilkins advised that her proposed tree planting scheme was progressing and that the ideal planting time is in the autumn so she hoped the new Mayor would continue with the scheme. She also advised that she had attended several events including Newhaven Mayor's quiz night, a visit to Hampton Court organised by the your Mayor of Seaford who is raising funds for a disabled swing and unfortunately the Seaford quiz was cancelled due to the poor weather. Cllr Wilkins then reminded everyone of the bingo on Friday and that volunteers were needed and also of her entertainment evening on 14<sup>th</sup> April. Finally she stated that the farm open days are over the bank holiday weekend in May and she will be attending the funeral of our past Mayor's wife, Helen Livings, who had done much for the local community.

## 1343. URGENT MATTERS AT THE DISCRETION OF THE CHAIRMAN FOR NOTING

None.

## 1344. EXCLUSION OF PRESS AND PUBLIC

It was unanimously **RESOLVED** to exclude the Press and Public from the meeting during consideration of the following items pursuant to section 1 (2) of the Public Bodies (Admission to Meetings) Act 1960, on the grounds that publicity would be prejudicial to the public interest by reasons of the confidential nature of the business to be transacted.

## 1345. TO RECEIVE CONFIDENTIAL MINUTES OF THE POLICY & RESOURCES COMMITTEE ON 4<sup>th</sup> JANUARY 2018

Cllr Smith gave a brief insight of the events contained in the confidential minutes to the 2 new Councillors. It was proposed by Cllr A Smith, seconded by Cllr J Harris and unanimously **RESOLVED** that the confidential minutes of the meeting on 4<sup>th</sup> January were a true record of the proceedings and were signed as correct by the Mayor, Cllr J Wilkins.

Signed.....  
Mayor