

TELSCOMBE TOWN COUNCIL



Minutes of a meeting of **TELSCOMBE TOWN COUNCIL** held on **Wednesday 20th May 2020** at 7.30pm by remote transmission.

PRESENT:- Cllrs D Brindley, C Cheta, C Clarkson, C Gallagher, J Harris, G Hill, D Judd, L Mills, L O'Connor, B Page, C Robinson, I Sharkey *Mayor* and A Smith

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

The Mayor welcomed everyone present.

1627. PUBLIC QUESTION TIME

There were no members of the public present.

1628. APOLOGIES FOR ABSENCE

All Councillors were present at the meeting.

1629. TO RECEIVE MEMBERS DECLARATIONS OF INTEREST IN RELATION TO MATTERS ON THE AGENDA

None.

1630. TO APPROVE MINUTES OF THE MEETING HELD ON WEDNESDAY 18th MARCH 2020

It was proposed by Cllr O'Connor, seconded by Cllr Gallagher and unanimously **RESOLVED** that the minutes of the meeting on 18th March 2020 were correct and were signed by the Mayor, Cllr Sharkey.

1630.a TO RECEIVE MINUTES FROM THE FOLLOWING COMMITTEES:-

(a) Planning & Highways – 24th February 2020

Cllr Brindley proposed that the minutes of the meeting on 24th February 2020 be accepted and the recommendations be adopted, seconded by Cllr Mills and **RESOLVED** that the minutes be accepted and recommendations adopted.

(b) Policy & Resources – 9th March 2020

Cllr Clarkson proposed that the minutes of the meeting on 9th March 2020 be accepted and the recommendations be adopted, seconded by Cllr Cheta and **RESOLVED** that the minutes be accepted and recommendations adopted.

(c) Amenities & Civic Centre – 27th January 2020

Cllr Gallagher proposed that the minutes of the meeting on 27th January 2020 be accepted and the recommendations be adopted, seconded by Cllr Mills and **RESOLVED** that the minutes be accepted and recommendations adopted.

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1631. TO NOTE ACTION LIST

Min 1615, p 3158, Climate Change Working Group. It was noted that Peacehaven Town Council have not yet confirmed if they want to work with us jointly on this. It was agreed that if they do not want to, we should progress on our own. **Action** – to check with Cllr Seabrook at PeacehavenTC if they want to work jointly with us on this matter.

1632. TO APPROVE PAYMENTS AND RECEIPTS FOR FEBRUARY AND MARCH 2020

Payments for February of £25,061.12 and receipts of £6,908.25 and payments for March of £32,814.93 and receipts of £3,618.89 were proposed as correct by Cllr Page, seconded by Cllr Brindley, unanimously **agreed** and signed as accurate by the Mayor, Cllr Sharkey.

1633. NOTIFICATION OF INCOME AND EXPENDITURE TO 31ST MARCH 2020

Cllr Page advised that the Town Clerk/RFO's explanations in her report accompanying the printouts were very helpful. The actual year to date figures to 31st March 2020 being £276,297 expenditure and £312,172 income were unanimously **agreed**.

1634. TO APPROVE COUNCIL'S BALANCE SHEET FOR THE YEAR ENDING 31ST MARCH 2020

The balance sheet represents the financial position of the Council as at 31st March 2020 and reflects its income and expenditure throughout the year. The total cash balances at 31st March were £392,536 made up of a general reserve of £90,784 and earmarked reserves of £301,752. It was proposed by Cllr O'Connor, seconded by Cllr Judd and unanimously **RESOLVED** that the balance sheet be approved and it was signed by the Mayor, Cllr Sharkey.

1635. TO CONSIDER INTERNAL AUDITOR'S FINAL REPORT FOR YEAR ENDED 31ST MARCH 2020

It was noted that the final internal audit had been undertaken remotely due to the current situation regarding Covid-19. The auditor had requested a great deal of documents for checking including the completed Annual Governance & Accountability return and final accounts. They had also checked that required documents and information were contained on our website. Cllr Cheta advised that he was very happy with the report as there were no recommendations for actions to be taken. It was unanimously **RESOLVED** that the report be agreed.

1636. TO APPOINT INTERNAL AUDITOR FOR 2020/21 FINANCIAL YEAR

Although details had been obtained from alternative internal auditors, it was proposed by Cllr Robinson, seconded by Cllr O'Connor and unanimously **RESOLVED** to appoint Mulberry & Co as internal auditor for a further year as it had not been possible to meet and discuss proposed audit plans with alternative auditors due to the current situation regarding Covid-19.

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1637. TO CONSIDER ANNUAL INTERNAL AUDIT REPORT 2019/20 ON THE ANNUAL GOVERNANCE & ACCOUNTABILITY RETURN (AGAR)

It was noted that as part of the AGAR, the internal auditor has to complete an Annual Internal Audit Report confirming that the audit was carried out in accordance with our needs and planned coverage and that on the basis of their findings in the areas examined, whether in all significant respects, the control objections were being achieved throughout the financial year to a standard adequate to meet our needs. The internal control objectives had all been agreed by the internal auditor and their report was in turn unanimously **agreed**.

1638. TO REVIEW THE EFFECTIVENESS OF THE SYSTEM OF INTERNAL CONTROL

The effectiveness of the system of internal control was reviewed as per the table below and it was proposed by Cllr Gallagher, seconded by Cllr Brindley and unanimously **RESOLVED** that the effectiveness was adequate.

| System of Internal Control | Effectiveness |
|--|---|
| 1. We have put in place arrangements for effective financial management during the year, and for the preparation of the accounting statements. | The accounting statements have been prepared in the way prescribed by best practice and in accordance with the Accounts & Audit Regulations. |
| 2. We maintained an adequate system of internal control including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness. | The internal auditor has checked the Council's internal control system including Standing Orders and Financial Regulations and confirmed they are fit for purpose. Financial transactions are regularly reported to Committees & Council. |
| 3. We took all reasonable steps to assure ourselves that there are not matters of actual or potential non-compliance with laws, regulations and Proper Practices that could have a significant financial effect on the ability of this authority to conduct its business or manage its finances. | Financial transactions have been undertaken in accordance with proper practices and there were no matters of actual or potential non-compliance with laws and/or regulations which could have a significant financial effect on the ability of TTC. |
| 4. We provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulations. | For the 2018/19 financial year accounts, TTC gave all persons interested the opportunity to inspect and ask questions about its accounts in accordance with the Accounts and Audit Regulations and timescales. |
| 5. We carried out an assessment of the risks facing this authority and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required. | TTC reviewed its risk management and insurance and the internal auditor has confirmed that the control objective of "This authority assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these" has been met. |

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1638. To Review the Effectiveness of the System of Internal Control (Contd)

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| 6. We maintained throughout the year an adequate and effective system of internal audit of the accounting records and control systems. | Mulberry & Co, chartered accountants, were appointed as the internal auditors. An audit plan is agreed annually, they carry out 2 inspections annually and their reports are taken to Council. |
| 7. We took appropriate action on all matters raised in reports from internal and external audit. | TTC responds to Internal and External auditor comments and takes appropriate action. |
| 8. We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on this authority and, where appropriate, have included them in the accounting statements. | Officers are not aware of any transactions which require disclosure. |
| 9. (For local councils only) Trust funds including charitable. In our capacity as the sole managing trustee we discharged our accountability responsibilities for the fund(s)/assets, including financial reporting and, if required, independent examination or audit. | Not applicable. |

1639. TO APPROVE COUNCIL'S ANNUAL GOVERNANCE STATEMENT ON THE ANNUAL GOVERNANCE & ACCOUNTABILITY RETURN FOR YEAR TO 31st MARCH 2020

Councils in England with a turnover of £6.5m or less must complete an Annual Governance & Accountability Return (AGAR) in accordance with proper practices. It summarises their activities at the end of each financial year. The document is then sent to External Auditors for certification. There is a public inspection period known as the 'period for the exercise of public rights' which normally must include the first 10 working days of July. Due to The Accounts and Audit (Coronavirus) (Amendment) Regulations 2020 this requirement has been removed and the public inspection period must be on or before 1st September 2020. However, the external auditors, Littlejohns, recommend that 'if smaller authorities are able to keep to the regular reporting timetable as much as is possible and practical by making use of their ability to hold virtual meetings, they are very much encouraged to do so.' As we will be able to approve the AGAR at this virtual meeting, it was agreed to keep to the suggested timetable for the period of exercise of public rights being 15th June to 24th July.

The Annual Governance Statement for 2019/20 which is Section 1 of the Return was considered and it was proposed by Cllr O'Connor, seconded by Cllr Brindley and unanimously **RESOLVED** that it be approved and was signed by the Mayor, Cllr Sharkey, and the Town Clerk, Stella Newman.

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1640. TO APPROVE COUNCIL'S ACCOUNTING STATEMENT ON THE ANNUAL GOVERNANCE & ACCOUNTABILITY RETURN TO 31st MARCH 2020

The Accounting Statements, Section 2 of the Return, were considered, along with the supporting documentation provided by the Town Clerk/RFO. It was proposed by Cllr Page, seconded by Cllr Robinson and unanimously **RESOLVED** to approve the Accounting Statements.

1641. TO AGREE BANK MANDATE/SIGNATORIES TO COUNCIL'S BANK ACCOUNT

The Town Clerk/RFO advised that even though the Council has online banking, it would be beneficial to have another signatory bringing the total to 5 Councillors. It was proposed by Cllr Brindley, seconded by Cllr Mills and unanimously **RESOLVED** to add Cllr Robinson as a signatory to the Council's bank account. All other signatories are to remain the same being Cllrs Brindley, Mills, Page, Smith and Stella Newman, Town Clerk/RFO.

1642. TO AGREE BANK MANDATE/SIGNATORIES TO MAYOR'S CHARITY FUND BANK ACCOUNT

It was noted that there are only 2 signatories to the Mayor's charity fund bank account which can prove very limiting if anyone is ill or away. It was proposed by Cllr Mills, seconded by Cllr Smith and unanimously **RESOLVED** to add Cllrs Brindley and Robinson as signatories to the Mayor's charity fund account. The other signatories are to remain unchanged being Cllr Page and Stella Newman, Town Clerk/RFO.

1643. TO RATIFY PAYMENT OF INVOICE FOR MAY 2019 ELECTION

The Town Clerk advised that to avoid any penalties for late payment, the invoice from Lewes District Council had been approved by 2 Councillor signatories and paid. Although a detailed breakdown had not been received, it was in line with the cost for a bye election held in both wards in March 2018. It was proposed by Cllr Brindley, seconded by Cllr Mills and unanimously **RESOLVED** to ratify payment of the invoice from Lewes District Council for the May 2019 election in the sum of £9,020 plus VAT, total £10,824.00.

1644. TO AGREE THAT THE COUNCIL MEETS THE CONDITIONS OF ELIGIBILITY TO EXERCISE THE GENERAL POWER OF COMPETENCE

In the Internal Auditor's Interim Report dated November 2019, he suggested that as we qualify for the General Power of Competence (GPC) that we adopt it. The GPC was introduced by the Localism Act 2011 and came into effect in February 2012. It gives eligible Councils the power to do anything an individual may do, unless specifically prohibited. An eligible Council is one that has resolved to adopt the GPC, has at least two thirds of its members declared elected and has a Clerk that holds an appropriate qualification. It was noted that all current Councillors were elected in May 2019 and that the Town Clerk obtained her CiLCA in April 2009 and undertook the required GPC training in May 2012 which meets the requirement. This was discussed at the Audit Sub-Committee meeting in March 2020 and it was recommended that it be taken to Council to resolve to adopt. It was therefore proposed by Cllr O'Connor, seconded by Cllr Cheta and unanimously **RESOLVED** to adopt the General Power of Competence.

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1645. TO APPROVE GRANT PAYMENT TO CITIZENS ADVICE

Cllr Sharkey advised she had attended a Trustees meeting today and the Citizens Advice have seen an increase in clients during the Covid-19 pandemic. Due to operatives working from home they have also had to buy more equipment, but unfortunately seen a cut in grants from other Councils. A budget allowance to include just under a 5% increase over last year had been set by ourselves and it was proposed by Cllr Smith, seconded by Cllr Brindley and unanimously **RESOLVED** to release a grant payment to the Citizens Advice of £3,660.

1646. TO ADOPT ADDENDUM TO STANDING ORDERS

On 4th April 2020 the Government brought the Local Authorities (Coronavirus) (Flexibility of Local Authority Meetings) (England) Regulations 2020 into force to allow local authorities to conduct meetings remotely and remove the necessity to hold an Annual Council meeting in May. In view of this an amendment is required to our Standing Orders and rather than change the core document, the Town Clerk drew up an addendum. The draft document was agreed at the recent Policy & Resources Committee and recommended for adoption by Council. It was therefore proposed by Cllr Cheta, seconded by Cllr Judd and unanimously **RESOLVED** to adopt the Addendum to Standing Orders which will remain in force until 7th May 2021.

1647. TO ADOPT MAYOR'S POLICY & HANDBOOK

The Mayor's Policy was due its 3 year review and at the same time the Town Clerk had drawn up a Mayor's Handbook to provide further information and clarity for the Mayor. The Policy had not been altered and both documents were considered at the recent Policy & Resources meeting and recommended that they be taken to full Council for adoption.

Following discussion regarding Item 'O' in the Handbook, it was proposed by Cllr O'Connor, seconded by Cllr Page and unanimously **RESOLVED** to adopt the Mayor's Policy and Handbook, but that Item 'O' in the handbook has the last sentence removed which started 'In the first instance.' These documents will be reviewed in 3 years.

1648. TO ADOPT COMMITTEE TERMS OF REFERENCE AND SCHEME OF DELEGATION

The Committee Terms of Reference and Scheme of Delegation were due their annual review. The draft document had been agreed at the recent Policy & Resources meeting and recommended that it be adopted by full Council.

It was proposed by Cllr Brindley, seconded by Cllr Smith and unanimously **RESOLVED** to adopt the Committee Terms of Reference and Scheme of Delegation. To be reviewed annually.

1649. UPDATE ON THE NEIGHBOURHOOD DEVELOPMENT PLAN

The Steering Group's Chairman, Cllr Gallagher, advised that a workshop was held on 23rd April with advisors, consultants and Councillors to consider concepts for the redevelopment of the Meridian Centre site which was only a part of the overall plan. A report from that workshop and an update from Cllr Gallagher had been circulated and were noted.

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1650. UPDATE ON CLIFFTOP FENCING

The Town Clerk advised that although it was agreed at our Council meeting in December 2019 for her to sign the Memorandum of Agreement from Lewes District Council (LDC) so that fencing works could commence, LDC had subsequently experienced problems with Mitchells & Butlers, the other landowners involved. LDC have now confirmed that Mitchells & Butlers have not signed the Agreement and LDC's preferred contractor has subsequently withdrawn. LDC have therefore decided they will now leave the matter with the respective landowners to resolve being ourselves and Mitchell & Butlers. The worst area where the cliff top has actually eroded past the current fencing line is on our land. LDC have confirmed they will leave the heras fencing in place until a new fence is erected.

There was discussion regarding the best way forward and it was felt that it would be better to form a working group to progress this matter and to see if LDC could put a charge on Mitchell & Butler's property, The Smugglers. It was proposed by Cllr Smith, seconded by Cllr O'Connor and unanimously **RESOLVED** to form a working group consisting of Cllrs O'Connor, Robinson, Smith and the Town Clerk to progress this matter.

1651. TO CONSIDER DEVOLUTION OF LAND FROM LEWES DISTRICT COUNCIL

Cllr Robinson advised she is on the Devolution Committee at Lewes District Council (LDC). Cllr O'Keefe at Lewes is in charge of Devolution and was going to contact local Town Clerks, but then the pandemic occurred. Cllr Smith updated Councillors on Special Expenses implemented by LDC and that this meant that the cost of each open space would be charged through Council Tax only to residents of the Town/Parish in which the open space was located. Following discussion, it was proposed by Cllr Robinson, seconded by Cllr Gallagher and unanimously **RESOLVED** to contact LDC with a view to possibly devolving the Telscombe Cliffs playing fields.

1652. TO CONSIDER USING COUNCIL GRANT FUND AND/OR MAYOR'S CHARITY FUND TO ASSIST COVID-19 SUPPORT CHARITIES

There was debate regarding which charity to support and where the funds would come from. The Mayor, Cllr Sharkey, advised she was happy to donate £1,000 from her remaining Mayor's allowance. It was therefore proposed by Cllr Clarkson, seconded by Cllr Sharkey and **RESOLVED** that a payment of £1,000 from the Mayor's remaining allowance for the 2019/20 financial year be made as a donation from the Mayor to the Seahaven Foodbank organised by SCDA in Newhaven.

1653. REPORTS FROM:-

District Councillors: Cllr Robinson advised that LDC staff are working extremely hard and have continued with refuse collections. Cllr O'Connor thanked all LDC staff for what they have done and advised that they have supported foodbanks.

County Councillor: Cllr Smith advised that the Highways Steward had arranged for surfacing works at the junction of Arundel Road and Ambleside Avenue. He also highlighted the current East Sussex Fire & Rescue Service consultation.

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1653. Reports From (Contd)

Representatives on external bodies:-

Telscombe Cliffs Primary School – Cllr Judd advised that the school have appointed an Interim Executive Board so he and Cllr Sharkey are no longer required as school governors.

1653. URGENT MATTERS AT THE DISCRETION OF THE CHAIRMAN FOR NOTING OR INCLUSION ON A FUTURE AGENDA

Cllr Harris advised that a small cover in the pavement outside the Toyota Garage is missing and there is an open hole that people could fall down. **Action** – to report this.

Cllr O’Connor advised that a resident had complained about sheep mustering pens still being on the Tye and that they thought there were more than 252 sheep grazing. **Action** – the Town Clerk to ask Stuart Nicholls at Savills to deal with this.

Signed.....
Mayor, Cllr I Sharkey

Next Council Meeting on 15th July 2020