

TELSCOMBE TOWN COUNCIL



Minutes of a meeting of the **POLICY & RESOURCES COMMITTEE** held on **Monday 9th September 2019** in Telscombe Civic Centre at 7.30 pm.

Present: Cllrs C Cheta, C Clarkson *Chairman*, C Gallagher, J Harris, D Judd, L Mills, L O'Connor, C Robinson & I Sharkey *Mayor*

Also Present: Stella Newman, Town Clerk & RFO (*minutes*)
Approx 7 members of the public

1296. PUBLIC QUESTION TIME

A member of the public advised that loose gravel from a camp site in Telscombe Village was being spread onto the road into Telscombe Village by vehicular movement which was causing a slip hazard. He had reported it to ESCC who advised that this area was not their responsibility and was under the remit of Telscombe Town Council. The Town Clerk referred to photos under agenda item 13 and the gravel could clearly be seen and it was believed this is the official roadway maintained by ESCC. The office staff will report it to them.

Another member of the public asked what evidence the Council had that one of its ewes which had a hernia had been treated by a vet. The Council said as Stud Farm manage the flock on our behalf and instruct the vet directly, paperwork goes to the farm and as previously advised by the vet, they would not divulge information to us without the Farm's permission. Cllr Judd asked if we could request a letter from Stud Farm giving authority for the vet to let us have information on any query regarding the flock's treatment.

A member of the public advised that there is metal fencing laying on the Tye and the remnants of mesh from hay bales has become embedded in the grass. Cllr Gallagher confirmed she had seen the decayed bales and mesh on a recent walk on the Tye with Cllr Robinson. The member of the public said he would remove the embedded mesh if the Council wanted him to and it was suggested that Stud Farm be contacted regarding removal of the metal fencing and some wooden posts that had been installed without permission. Cllr O'Connor agreed to contact the farm to arrange a meeting.

A member of the public stated that people will volunteer to help on the Tye, but will not clear up what Stud Farm has put there.

A member of the public asked if the relationship with the Farm had deteriorated since Mr Armour lost his Council seat. Cllr O'Connor advised that he had a meeting with Stud Farm along with Cllr Judd and the Town Clerk. The Council were hopeful things would progress amicably and are doing their best, but could not say if the relationship had deteriorated.

Another member of the public asked if the trailer at the bottom of the Tye is to be removed and they were advised that it had been agreed that it would be removed when scrub is cut on the west side of the Tye in September.

1297. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies were received from Cllr Page due to annual leave and this reason for absence was **agreed** by the Committee. Cllr Brindley was not present but had not sent apologies.

TELSCOMBE TOWN COUNCIL



1298. TO RECEIVE MEMBERS' DECLARATIONS OF INTEREST IN RELATION TO MATTERS ON THE AGENDA

Cllr Judd declared an interest in agenda item number 14 as he has undertaken HR work for the company in question.

1299. TO APPROVE & SIGN MINUTES OF THE MEETING HELD ON MONDAY 22nd JULY 2019

The minutes of the meeting were proposed by Cllr J Harris, seconded by Cllr C Robinson and unanimously **RESOLVED** that they were a true record of the proceedings and were signed as correct by the Chairman, Cllr Clarkson.

1300. TO NOTE ACTION LIST

The Clerk updated the meeting as follows:-

Min 1291, p 3013, Update on seating for Telscombe Tye – the benches are due to be delivered shortly and installation has been arranged for £100 in total, so total expenditure is within the agreed £500.

Min 1292, p 3013, Grant Payment to Citizens Advice – the agreed payment of £3,490 has been sent.

1301. TO NOTE INCOME AND EXPENDITURE TO 31st JULY 2019

The Committee's income and expenditure figures to the 31st July 2019, of £52,824 expenditure and £130,468 income were unanimously **agreed**.

1302. TO AGREE BANK RECONCILIATION TO 30th JUNE 2019

The Town Clerk/RFO confirmed that the first quarter's bank reconciliations for the 2019/20 financial year up to 30th June had been checked by Cllr Smith on 28th August. Cllr Smith had found the reconciliations to be in order and had signed the bank reconciliation, corresponding bank statements and supporting documentation as correct. The signed bank reconciliation was attached to the agenda for members to check and it was proposed by Cllr Sharkey, seconded by Cllr Cheta and unanimously **RECOMMENDED** that the bank reconciliation showing total bank and cash balances of £426,591.95 was accepted as correct.

1303. TO AGREE REGULAR PAYMENTS IN ACCORDANCE WITH FINANCIAL REGULATIONS

In accordance with Financial Regulations 5.6 and 5.7 a list of due payments which arise on a regular basis as a result of a continuing contract, statutory duty or obligation (such as payroll) should be drawn up and authorised. A list had been circulated and it was proposed by Cllr O'Connor, seconded by Cllr Mills and **RECOMMENDED** to agree the payments schedule and that it be signed by two account signatories.

TELSCOMBE TOWN COUNCIL



1304. TELSCOMBE TYE COMMONS COMMUNITY GROUP UPDATE

Cllr Robinson asked the Chairman if one of the Community Group's members, C Evans, could give an update to which he agreed.

Ms Evans gave an update regarding past draft plans and advised that we need to make a decision to create a proper plan which will be implemented. She advised that she has had management plan training and experience in wildlife etc and would be willing to assist.

Cllr Robinson asked if the Committee would agree to allow the group to draft a Management Plan as it needs to be taken forward. There was discussion regarding the availability of a professional to draw up a plan and ultimately it was unanimously **RECOMMENDED** that Ms Evans draft a plan based on previous drafts.

1305. TO CONSIDER DRAFT CLIMATE CHANGE STATEMENT

Cllr O'Connor advised that he had drawn up the statement which was general, but incorporated the management of the Civic Centre. Cllr Robinson asked if the wording 'with immediate effect' could be added after the wording 'and resolves' at the end of the statement. It was therefore proposed by Cllr O'Connor, seconded by Cllr Sharkey and unanimously **RECOMMENDED** to agree the Statement with the addition of the wording 'with immediate effect' and take it to the next Council meeting for adoption.

1306. TO CONSIDER DRAFT FINANCIAL REGULATIONS

The annual review of our Financial Regulations was due. NALC had sent through an updated model for use. There were only minor alterations, mainly due to the change in the Euro Exchange rate regarding the EU procurement and Public Contract Regulations 2015 thresholds in item 11.1. b & c. For figures that could be set by each individual Council, the RFO had left them as previously agreed by Telscombe Town Council. figures previously It was proposed by Cllr Gallagher, seconded by Cllr Harris and **RECOMMENDED** that the draft Financial Regulations be agreed and taken to the next Council meeting for adoption.

1307. TO CONSIDER DRAFT CODE OF CONDUCT

The Code of Conduct was due for its 3 year review. NALC had issued a new model for use in 2018. The draft model was considered and it was proposed by Cllr Cheta, seconded by Cllr Robinson and **RECOMMENDED** that the draft Code of Conduct be agreed and taken to the next Council meeting for adoption.

1308. TO CONSIDER ESTIMATE FOR TYE TRACK SURFACE WORKS

Cllr O'Connor suggested that the surfaces north and south of the cattle grid are not repaired with tarmac, but the existing tarmac is broken up and the area levelled off with MOT if required making it a 'track' surface which is in keeping with the remainder of the tracks on the Tye. It was noted that the area leading up to the cattle grid from the Village is the responsibility of the Council and should be paid for by the Council. The area on the other south side of the cattle grid, although on the Tye, is a registered byway which is defined under Section 48(4) of the Countryside and Rights of Way (CROW) Act 2000 as a public right of way on foot, horseback or in a vehicle other than a mechanically propelled vehicle and therefore does not include public use in a motor vehicle. Having contacted ESCC Rights of Way regarding maintenance of this area they confirmed that:-

TELSCOMBE TOWN COUNCIL



1308. Contd. To Consider Estimate For Tye Track Surface Works

'where a route of this kind is also used for private vehicle access, it is usually the owners of the properties who benefit from such access who take responsibility for maintenance of the surface, which is not unreasonable bearing in mind that it is usually the vehicular use which causes the most wear and damage. If the property owner/s want to carry out significant works to the surface of the path, then they do need the Highway Authority's consent before starting work and in some cases may be eligible to apply for a small financial contribution.'

Following discussion it was proposed by Cllr Cheta, seconded by Cllr Judd and unanimously **RECOMMENDED** that estimates are obtained for surface works for the existing tarmac to be broken up and levelled as proposed by Cllr O'Connor for both areas before and after the cattle grid and they be brought back to the next meeting for a decision to be made. Also the owners of the 2 properties that use the access should be advised of the intentions of the Council for the area it is responsible for north of the cattle grid and the property owners should be forwarded the advices from ESCC as noted above and the costing once known for the area beyond the cattle grid on the south side at the start of the byway which the Council are not responsible for.

1309. TO CONSIDER ESTIMATES FOR TYE GRASS CUTTING

It was noted that despite the Town Clerk sending out a specification to 4 companies, only one had responded with a price. It was felt that as the Council know the window for cutting the Tye as laid out in the HLS agreement, estimates should be sought from companies earlier as it was believed they may have to draw up their schedules of work earlier in the year. As the work needs to be carried out, it was proposed by Cllr Gallagher, seconded by Cllr O'Connor and **RECOMMENDED** by the majority that Countrymans Contractors be instructed to carry out topping of the red areas on the map for £600 plus VAT and cutting, rowing and bailing of the blue areas on the map for £1,600 plus VAT, removal of the bales for £400 plus VAT and an additional green waster charge of £38.16 per tonne with a green waste receipt of tonnage to be supplied to confirm the actual cost.

Cllr Judd took no part in this agenda item and did not vote.

1310. TO NOTE HLS GRANT PAYMENTS RECEIVED AND RATIFY RETURN OF OVERPAYMENT

On 18th June we received the final Tye HLS grant payment for 2017 of £2,181 and on 18th July we received a payment for 2018 of £9,292.90. These figures were noted by the Committee.

We subsequently received a letter from the Rural Payments Agency advising that there had been an overpayment on the final 2017 payment of £434.73 which needed immediate re-payment to avoid interest being applied and also an adjustment had been made for the 2018 payment and a reduction applied of £146.20.

Payment was therefore made by the Town Clerk/RFO in accordance with Financial Regulation 5.5 a) *'The Clerk/RFO shall have delegated authority to authorise the payment of items only in the following circumstances:*

- a) *If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled Meeting of Council, where the Clerk/RFO certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of Council'*

TELSCOMBE TOWN COUNCIL



1310. Contd. To Note HLS Grant Payments Received and Ratify Return of Overpayment

It was proposed by Cllr Gallagher, seconded by Cllr Cheta and **RECOMMENDED** that the payment of £434.73 to the Rural Payments Agency be ratified.

1311. URGENT MATTERS AT THE DISCRETION OF THE CHAIRMAN FOR NOTING OR INCLUSION ON A FUTURE AGENDA

Cllr Robinson asked that a proposal be taken to the next Council meeting that the 6 barren ewes from the Community Flock should go to an animal sanctuary which was seconded by Cllr L Mills and unanimously agreed. Cllr Robinson also proposed that an independent witness from the Council be present when the Council's flock is sold and that the farm be contacted to find out how many lambs and ewes we have for sale.

1312. EXCLUSION OF PRESS AND PUBLIC

It was unanimously **RESOLVED** to exclude the Press and Public from the remainder of the meeting during consideration of items pursuant to section 1 (2) of the Public Bodies (Admission to Meetings) Act 1960, by reasons of the confidential nature of the business to be transacted.

1313. TO APPROVE AND SIGN CONFIDENTIAL MINUTES OF THE EMPLOYMENT SUB-COMMITTEE MEETINGS HELD ON 22nd JULY AND 2nd AUGUST 2019

In the absence of the Sub-Committee Chairman, Cllr O'Connor requested that the minutes of the Employment Sub-Committee meetings on 22nd July and 2nd August 2019 be accepted and the recommendations contained therein be adopted, seconded by Cllr Gallagher and unanimously **RESOLVED** that the minutes be accepted and recommendations adopted. These were signed by the Sub-Committee Vice Chairman, Cllr Judd.

There being no further business, the meeting closed at 8.53pm.

Signed
Cllr C Clarkson, Chairman

Date for next meeting of the Committee – 11th November 2019