

**REPORT OF THE POLICY AND RESOURCES MEETING HELD IN THE ASSEMBLY ROOMS, THORNE ON TUESDAY 13<sup>TH</sup> OCTOBER 2015 AT 7.00 PM.**

**Present:** Cllr. A. Brookes (Chair)

Cllrs. D.Barton, C.Blackham, J.Blackham, S.J.Durant, M.Hennessey, M.Houlbrook, A.Jones, J.Parker, R.Porter, J.E.Phillips, R.Turner, R.Walker and M.Williams.

Roger Harvey – Doncaster MBC Monitoring Officer, Phillip Beavers – Independent Officer for Doncaster MBC. 15 members of the Public present.

**2800. PRESENTATION TO GRAHAM PELLING**

A presentation of was made to Graham Pelling who had recently retired from the Council's employment. He was thanked for his lengthy service and his contribution to the Town.

**2801. APOLOGIES**

There were no apologies received.

**2802. DECLARATIONS OF INTEREST AND DISPENSATIONS**

Cllr S Durant in declared an interest in the planning items as she is on Planning Committee at Doncaster MBC.

**2803. MINUTES**

Consideration was given to signing the minutes of the Council meeting held on Tuesday 1<sup>st</sup> September 2015, pages 4256 – 4267. There was a minor amendment on page 4258, where Cllr. R. Walker remained in the room and did not leave as the minutes stated.

**RESOLVED: That subject to the amendment the minutes be signed.**

**2804. MATTERS RAISED BY THE PUBLIC**

The use of vehicles in the Cemetery was raised. It was advised that the Cemetery gates are now closed at all times.

The issue of comments submitted regarding the sale of the Winning Post was raised. The Clerk advised that all comments would be taken into consideration, and were covered in a consultation report. He advised her that the Council was advised against going to auction with the Winning Post and that it had been advertised on a National Website as it was considered that auction may attract the wrong kind of buyer.

A resident of the flats at the Winning Post asked when the Council was intending to speak to the residents of the Winning Post flats about the proposed sale and was in the Caretakers Flat when she received a letter from the Clerk. The Clerk responded by advising that he had spoken to Yorkshire Housing who have a relationship with their clients. The Clerk added that any issues with the Caretaker are confidential.

**RESOLVED: That the comments be noted.**

**2805. PLANNING APPLICATIONS**

**i) 15/02013/FUL**

Erection of 2 storey pitched roof extension to rear of semi-detached house at 160 Grampian Way, Thorne for Mr D. Gregory.

**Resolved: No observations**

**ii) 15/02134/FUL**

Proposed extension to dwelling including alterations to roof at 66 Alexandra Street, Thorne for Mr J. Smith

This application had been approved prior to the meeting

**iii) 15/02152/COU**

Change of use of amusement arcade (sui generis) to delicatessen (Class A1) at 9 The Green, Thorne for Mr K. Wilcock.

**Resolved: No observations**

**iv) 15/02252/OUTM**

Outline application for proposed employment development consisting of warehousing, distribution and light manufacturing units and associated service roads, parking areas, landscaping and pedestrian and cycle ways on approx. 74 ha of land (Approval being sought for access) on Land on the North East Side of Selby Road, Thorne for Mr D. Parkinson.

**RESOLVED: That this item be deferred to a future Council Meeting when further information is available regarding drainage and flooding**

**v) 15/02357/FUL**

Conversion of garage into integral family room with new pitched roof to replace existing flat roof and porch to front of semi-detached house at 71 Newfields Avenue, Moorends for Mr P. Robinson.

**Resolved: No observations**

**vi) 15/02286/FUL**

Erection of 5 detached houses, 2 detached garages and conversion of office building to detached house at Ex-DMBC Offices, Ellison Street, Thorne for Chipmunk Ltd.

**Resolved: That the development be welcomed.**

**2806. FINANCE**

Consideration was given to the financial report to the end of Month 5.

**RESOLVED: That the report be noted.**

**2807. ACCOUNTS PAYABLE**

Consideration was given to the Accounts Payable to the end of Month 5.

**RESOLVED: That the Accounts Payable be approved.**

**2808. WELFARE PAVILION**

The Clerk reported that on 9<sup>th</sup> April 2013 it was agreed to submit a grant application to the Sport England "Inspired Facilities" Fund to renovate the Moorends Welfare Sports Pavilion. An application was submitted and rejected 3 times. On each occasion the application was revised to attempt to address Sport England's reasons for rejection. Following the latest rejection a meeting was arranged with Sport England. A further application was submitted, and the Clerk said that he was pleased to report that a grant for £50,000 has been approved and the approval required a Council contribution of £10,000, together with the installation of a Sport England sign at £302. The Clerk said that the Council needed to consider:

- Formal grant acceptance
- A Council contribution
- Invitation of Tenders

It was reported that the scheme that was submitted sought to bring the facility up to a standard to make it fit for purpose. It included the following:

- Decoration and internal refurbishment, including shower rooms and toilets
- Internal alterations to create separate access to all changing rooms
- Conversion of redundant shower to additional changing room, to increase the number to 6
- Improved fire protection and new fire doors
- Extractor fans to reduce condensation
- Improvements to paved frontage area, including an improved ramp access
- Decoration of external doors and window openings
- Gutter repairs.

The total cost of this scheme was estimated at £60,000. Tenders had not been sought due to the uncertainty over the grant.

As it is 2½ years since the scheme was first developed there is a need to review the detail before tenders are sought, though the scheme must be largely in line with the scheme that was submitted for grant approval. For example, in the interim one of the shower rooms was retiled by Council staff as it was of inadequate standard, and additional works will be needed on the guttering. It was proposed that these detailed changes are delegated to the Clerk in consultation with the Chair and vice Chair of Planning and Amenities Committee.

The Clerk reported that there is a grant condition that works commence within 6 months of the approval which means that the works would be undertaken during the football and rugby season. He said that he was in discussions with the Architect as to whether the scheme can be phased to allow some of the changing rooms to be used during the construction period, and will liaise further with the clubs that use the building.

The Clerk said that a Council contribution of £10,000 can be accommodated within the current revenue budgets (see Finance report) and is essential to allow the grant to be drawn down. The scheme can be considered as Capital, but there is currently no Capital funding available. However, the contribution could be capitalised should a Capital Receipt be received. As the scheme is estimated at £60,000 a formal tender process would be required.

The Council asked the Clerk to formally write to the Welfare Ground Working Group to thank them for their contribution to the successful grant application.

**RESOLVED that:**

1. **The grant offer of £50,000 from Sport England be accepted**
2. **A Council contribution of £10,000 be agreed, with this sum being capitalised if a capital receipt is received**
3. **Tenders be invited for the scheme, and the Clerk be authorised to accept the lowest tender and proceed with the works providing this falls within budget**
4. **The Clerk review the scheme and agree minor amendments (in consultation with the Chair and vice Chair of Planning and Amenities) prior to Tenders being sought**

**2809. AUTO ENROLMENT**

On 27<sup>th</sup> January 2015 the Council considered a report on auto enrolment. There is now a need to consider what action to take to satisfy the new auto enrolment regulations.

The Clerk reminded Council that, the government has changed the law on workplace pensions. From a “staging date” (which for Thorne-Moorends Town Council is 1<sup>st</sup> February 2016) the Council will be legally required to automatically enrol certain staff into a pension scheme, and make contributions.

All employees will need to be advised of the Auto Enrolment process and their rights prior to the Staging Date, so there is a need to consider what pension arrangement will be available.

Historically the Council has offered employees the opportunity to join the South Yorkshire Pension Scheme (SYPS). Of the 12 current staff, 7 have joined.

Of the remaining 5, 4 will have been given the opportunity to join the Pension scheme, but have chosen not to. Of these 5, 2 would be auto enrolled, 1 would have a right to opt in, and 1 would have a right to join a pension scheme.

Anyone who is auto enrolled would have a right to withdraw from the scheme prior to making any payments.

It is possible for the Council to consider offering an alternative to SYPS for staff not currently eligible, and for new staff. The government have set up the National Employment Savings Trust (NEST) which can be used for this purpose.

The Council has been consistent in offering access to SYPS, and there is no reason for the change to Auto Enrolment to change this. Changes could be considered in the future when new staff are appointed.

**RESOLVED: That the South Yorkshire Pension Scheme be available to all staff for the Auto Enrolment process.**

#### **2810. PUBLIC CONTRACT REGULATIONS 2015 – Amendment to Council Standing Orders**

It was reported that the Government have introduced new regulations (Public Contract Regulations 2015) which requires consideration of changes to Standing Orders.

The 2015 Regulations are engaged when local councils in England are procuring public works, a public service or a public supply contract with an estimated value of **£25,000 or more**. It also applies to local councils in England and Wales where they are procuring a public works contract with an estimated value of £4,322,012 or more for a public service or a public supply contract with an estimated value of £172,514 or more. The procurement requirements in respect of contracts with an estimated value of £25,000 and above are designed to be light touch. The requirements in respect of the higher thresholds, which are likely to affect only a few councils, are lengthy and complex.

This Council currently use the NALC model Standing Orders, and NALC have suggested changes to Standing Orders numbers 18a(v), 18(c) and 18(f) as indicated in the paragraphs below:

#### **18. Financial controls and procurement**

a. The council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:

- i the keeping of accounting records and systems of internal controls;
- ii the assessment and management of financial risks faced by the council;
- iii the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
- iv the inspection and copying by councillors and local electors of the council's accounts and/or orders of payments; and
- v procurement policies for contracts of all levels (subject to standing order 18(c) below) and requirements under the Public Contract Regulations 2015.

b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.

**c. Financial regulations shall confirm that a proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £25,000 shall satisfy the requirements of the Public Contract Regulations 2015 and will be procured on**

**the basis of a formal tender as summarised in standing order 18(d) below. The council will advertise the contract opportunity on the Contract Finder website.**

d. Subject to additional requirements in the financial regulations of the council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:

i a specification for the goods, materials, services or the execution of works shall be drawn up;

ii an invitation to tender shall be drawn up to confirm (i) the council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;

iii the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;

iv tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;

v tenders shall be opened by the Proper Officer in the presence of at least two councillors after the deadline for submission of tenders has passed;

vi tenders are to be reported to and considered by the appropriate meeting of the council or a committee or sub-committee with delegated responsibility.

e. Neither the council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.

**f. Where the value of a contract is likely to exceed £172,514 (or other threshold specified by the Office of Government Commerce from time to time) the council must comply with the Public Contracts Regulations 2015 and where applicable, the Utilities Contracts Regulations 2006 (SI No. 6, as amended). If the 2006 Regulations apply to the contract the council must comply with EU procurement rules.**

These proposed changes will have little impact on the Council's activities.

**RESOLVED: That the amendments to paragraphs 18a(v), 18(c) and 18(f) in the Council's Standing Orders be agreed and that all Councillors would be reissued with the revised copy.**

#### **2811. NOTICE OF MOTION**

Cllr. S.Durant submitted the following motion for consideration:

“To include within the Standing Orders; to enforce compliance with the Council's Policy governing the appropriate use of Social Media ('the Policy') and to promote accountability for Councillors actions by committing the Town Clerk to report any and all complaints and alleged breaches to the Monitoring Officer at DMBC for determination. The Council makes this commitment upon its appreciation that any action by a Councillor, which leads to a complaint, could be seen as potentially bringing the Council into disrepute. This Council must be informed at the monthly meetings an update to the number of complaints received and actions to be taken”

It was said that the Clerk should be the official channel and that Councillors should stop putting comments on Council activity on Social Media.

A vote was taken on the proposed motion with 8 members against and 4 in favour.

**RESOLVED: That motion not be approved**

**2812. STANDING ORDER 1C - ADMISSION OF PUBLIC AND PRESS**

Consideration was given to the implementation of Standing Order 1C (exclusion of press and public) in view of the confidential nature of the business about to be transacted.

**RESOLVED: That Standing Order 1C be invoked due to consideration of a confidential matter.**

**Roger Harvey and Phillip Beavers remained in the meeting as they have an official role with the Council and the remaining public and press left the meeting.**

**2813. WINNING POST**

At the Council Meeting on 1<sup>st</sup> September 2015 a report was considered on the future of the Winning Post, whereby the following actions were agreed:

1. The Clerk be authorised to invite bids for the disposal of the Winning Post for consideration at a future Council meeting
2. A commercial agent be appointed to advise the Council and to undertake the building marketing.
3. The Clerk consults with current regular users of the building and report back to the Council.
4. The Staffing Issues be referred to the Staffing sub group for further consideration.
5. That consultation be carried out with the people of Thorne and Moorends as to the future of the Winning Post.

The Clerk said that this report covers the actions that he had taken on the above.

**Marketing**

A Doncaster based agent, Grice and Hunter, were appointed for building marketing and advice. A formal brochure was prepared and published on the agent's website on 10<sup>th</sup> September (which is linked to nationally available websites). Information regarding the marketing was also included on the Council's website, and in the Thorne Times. Copies of the brochure were also sent to 4 parties who had expressed an interest.

Proposals were requested in the form of sealed bids to be returned by 5<sup>th</sup> October 2015. 2 proposals were received. A report on these from the agent was circulated.

**User Consultation**

The Clerk reported that discussions had been held with all current users to consider the impact of the loss of this facility. Details of comments from all users was provided.

**Staffing**

The Clerk said that it would be premature to hold a Staffing sub group until a decision had been taken regarding the future of the site.

**Community Consultation**

An advert had been placed in the Thorne Times and on the Council website including background information about the building, and a questionnaire. The deadline for the return of questionnaires was 12<sup>th</sup> October and the results of the community consultation were reported at the meeting.

**Consideration**

The Clerk said that the background issues relating to the Winning Post were included in the report considered at the last meeting, but in addition the Council needed to consider the following to assist in making a decision:

1. The results of the community consultation
2. The views of current building users
3. The proposals received and whether they represent Best Value.
4. Should the building be sold should additional investment take place in other sites in Moorends

An issue was raised regarding the need for a Due Regard Statement which would allow the Council to properly consider equality issues as required by the Equalities Act 2010. Whilst many of these issues have been covered this would provide a methodology to demonstrate that these issues have been properly considered. It was agreed that it was sensible to prepare this document prior to taking a decision.

A request was made to extend the consultation period.

**RESOLVED: That the item be deferred for the preparation of a Due Regard Statement to consider equality issues as required by the Equalities Act 2010**

**End of Meeting**