

FINANCE AND MANAGEMENT COMMITTEE

Minutes of Finance and Management Committee held in Council Chamber, Municipal Offices, Nant Hall Road, Prestatyn on Wednesday 29th June 2011 at 6.15pm – 9.35pm

PRESENT

Councillors: J. Thompson-Hill (Chairman), A. Sampson, M. Eckersley, A. Horobin, P. Duffy, M. German. I. German, P. Newell, G. Jones, J. Davies, P. Curtis, L. Muraca, G. Percival, S. Edwards.

IN ATTENDANCE

Mr N. Acott –Town Clerk/Financial Officer, Mrs L. Hewitt - Committee Support Assistant, Mr T. Brown – Internal Auditor.

APOLOGIES

Councillors: G. Frobisher, S. Frobisher, A. Pennington, G. Green.

28 CHAIRMAN'S APPOINTMENT 2011/12

Nominations were invited for position of Chairman for ensuing Municipal Year. It was proposed by Cllr P. Curtis seconded by Cllr L. Muraca that Cllr J. Thompson-Hill be appointed. No other nominations were received.

RESOLVED That Cllr J. Thompson-Hill be appointed Chairman of Finance and Management Committee 2011/12.

29 URGENT ITEMS

The Chairman gave notice of two urgent items for consideration later in proceedings:
a) Oriel Scala Artists Cooperative – Creative Communities Project b) Civic Regalia.

30 VICE CHAIRMAN'S APPOINTMENT 2011/12

Nominations were invited for position of Vice Chairman for ensuing Municipal Year. It was proposed by Cllr J. Davies seconded by Cllr P. Curtis that Cllr G. Percival be appointed. No other nominations were received.

RESOLVED That Cllr G. Percival be appointed Vice Chairman of Finance and Management Committee 2011/12.

31 ORDER OF BUSINESS

A request was made by Cllr M. German to change order of tonight's business and consider item 6 Member Officer Protocols during exclusion of public and press. The Chairman spoke privately to the Member concerned and informed Committee that there would be no change to agenda and this was accepted.

32 PAID ACCOUNTS

Details of Paid Accounts had been circulated with agenda. Committee enquired about cycle training and was informed most of cost would be reimbursed by grant aid. Cllrs S. Edwards and A. Horobin referred to One Voice Wales associated payments and subsequent cancellation of training events with costs to be refunded to Council. The payments with bus shelter cleansing were discussed and reference made to a manufactured product that would help improve appearance of opaque polycarbonate panels.

Other financial queries related to costs and service arrangements for fire alarm checks, staff eye tests, installation /removal of High Street banners, public benches, internet services at community centres, travel payments and car sharing, office maintenance, cholesterol strips, insurance, street party, art project and holiday leisure payments.

Action points arising from discussions included need to review Council's Health and Improvement programme and clarification of internet services at Seabank Drive Community Centre.

RESOLVED That Paid Accounts for March, April and May 2011 be accepted.

33 FINANCIAL STATEMENTS 2010/11

Details of financial statement had been circulated with agenda. The Town Clerk/Financial Officer highlighted overall income, expenditure together with other financial information necessary for completion of Annual Return.

The Chairman referred to accounts and stated that all spending had been kept within budget and balance sheet showed a healthy level of reserves. Discussion ensued on Council's grant aid payments to local organisations. There was also suggestions for independent survey of Council Office building following commencement of neighbouring retail park development. Committee was informed that Stadium developments had undertaken a factual survey of building prior to commencement and any subsequent property damage issues would involve Council's insurers.

Committee further discussed the level of Council's commitments, statement of reserves, future plans and financial reserves.

RESOLVED

- 1) That Financial Statements 2010/11 be accepted.
- 2) That Community Health Improvement programme be agendered for discussion at a future meeting.

34 NOTICE OF AUDIT

The Town Clerk/Financial Officer reported that notification had been received by UHY Hacker Young that deadline for completion of External Audit Returns was 31st July 2011.

35 INTERNAL AUDITOR'S REPORT 2010/11

Mr T. Brown, Internal Auditor was invited to present his report that had been circulated to Members with agenda. Mr Brown highlighted a number of areas that had been checked including the separate Mayoral accounts. He expressed his pleasure in receiving full cooperation of all Staff who had displayed professionalism, pride in their work and high degree of accuracy.

The Council's risk register had identified lack of cover in event of Town Clerk/Financial Officers unforeseen absence and although some attempts had been made to address this issue it was still a matter of concern. The Town Clerk/Financial Officer reminded Committee that additional work was required in respect of Staff cover and this would be subject of further discussions.

RESOLVED

- 1) That Committee accept Internal Auditor's Report dated 14th June 2011.
- 2) That all Staff be thanked for their work and Mr T. Brown, Independent Internal Auditor be thanked for his report.

36 ANNUAL RETURN 2011/12

The Chairman drew Members attention to the Annual Return circulated with agenda the content of which had been compiled from information contained in Council's financial statements. It was presented in format required by Welsh Assembly Government, appointed external auditor and also required Council to complete Annual Governance Statement.

The Town Clerk/Financial Officer responded to questions about balance variances and referred to his Notes to Annual Return. In respect of staffing costs it was noted that there was little change from last year.

Members then reviewed Statements of Account etc..

RESOLVED

- 1) That Chairman be authorised to sign Accounts for Audit 2010/11.
- 2) That Annual Return 2010/11 be accepted as follows:

SECTION 1 – STATEMENT OF ACCOUNTS

No.		
1 - 14	Accept	

SECTION 2 – ANNUAL GOVERNANCE STATEMENT

No.		
1-8	Yes	Item 4 Public Notice period at time of consideration

SECTION 4 – ANNUAL INTERNAL AUDIT REPORT

No.		
A-J	Yes	Independent Internal Auditor Report accepted
K	Not applicable	

INTERMEDIATE AND SUPPLEMENTARY ASSURANCE AND INFORMATION REQUESTS**STATEMENT OF ACCOUNTS**

No.		
1-4	Yes	Item 1 to be completed after next Full Council

FUTURE PLANS

No.		
5	Yes	

INTERNAL CONTROLS

No.		
6, 7, 8	Yes	

COMPLIANCE WITH LAWS, REGULATIONS AND CODES OF PRACTISE

No.		
9, 11, 12, 13	Yes	No changes to Standing Orders and Financial Regulations
10	No	

ELECTORS RIGHTS

No.		
14	Yes.	One member of public was refused access on grounds of intimidation and harassment of Councillors and Staff. Ongoing Police complaint and investigation

ASSESSMENT OF RISKS

No.		
15, 16, 17	Yes.	

INTERNAL AUDIT

No.		
18, 19, 20	Yes.	
21	No	Internal Auditor is not requested to undertake tasks that may compromise independence

AUDITOR'S REPORT

No.		
22, 23	Yes.	

EVENTS DURING/AFTER YEARS END

No.		
24, 25	Yes.	Ongoing public liability insurance claim
26	Yes	
27	No	Long term funding agreement with Denbighshire County Council for building Scala Cinema and Arts Facility

(Mr T. Brown, Internal Auditor retired from meeting after this item).

Cllr J. Thompson-Hill introduced this item and referred to previous Staff/Member consultation processes. He explained the majority of larger Councils had adopted such protocols to assist in clarifying roles, responsibilities and expectations.

Cllr M. German sought deferment of this item as he felt additional work was required and document could be extended to include relations with the general public. Cllr P. Duffy vociferously requested a separate meeting with Chairman and Town Clerk/Financial Officer to discuss a serious matter related to protocols and this was agreed would take place at a later date.

The Chairman brought Committee to order and sought proposals. Reference was made to Section 5.2 of the document and recommendation for a small panel/group to deal with all personnel matters but for time being this would effectively remain Grievance and Disciplinary Panel.

RESOLVED That Committee adopt Protocols on Member/Officer Relations.

An earlier amended proposition to Defer this item was declared LOST. A recorded vote had been requested for the amendment.

FOR	AGAINST	ABSTAIN
Cllrs P. Duffy, I. German, M. German, P. Newell (4)	Cllrs M. Eckersley, J. Davies, G. Percival, G. Jones, L. Muraca, A. Sampson, J. Thompson-Hill (7)	Cllrs P. Curtis, A. Horobin, S. Edwards (3)

38 SCHOOL SWIMMING 2010/11

Details of schools seeking financial support towards swimming lessons had been circulated with agenda.

RESOLVED That Committee approve grant awards for school swimming lessons:

Ysgol Penmorfa	807
Ysgol y Llys	481
Ysgol Melyd	302
Bodnant Infants	202
Bodnant Juniors	1005
Ysgol Clawdd Offa	<u>403</u>
	<u>3200</u>

Financial/Legal Implications: As per budget provision 2010/11. Local Government Act 1972 S137.

39 TOWN EVENTS

Details of financial assistance applications for town events had been circulated with agenda.

a) Prestatyn and District Business Association (PDBA)

Committee welcomed application but expressed concerns about lack of audited accounts and lack of consultation over recent meetings with Council's nominated representatives. In response to Members question a previous Town Council grant to PDBA for Radio Safety Link was reported as being held in their account pending completion of new retail park development.

RESOLVED

- 1) That PDBA representatives be invited to attend future meeting.
- 2) That PDBA be requested to submit last audited accounts prior to further consideration of funding application.

b) Prestatyn Flower Show

Committee referred to ongoing success of this annual event that involved extensive community participation.

RESOLVED That Prestatyn Flower Show be awarded £800.

Financial/Legal Implications: As per budget provisions. S. 137 Local Government Act 1972.

c) Oriel Scala Artists Cooperative – Creative Communities Project

Committee received copy of application from this new group at tonight's meeting. Councillors were informed of involvement of many local groups/organisations and individuals etc. who had helped in creating a major wall hanging depicting social/cultural life in Prestatyn and Meliden.

RESOLVED That Oriel Scala Artists Cooperative – Creative Communities Project be awarded £300.

Financial/Legal Implications: To be contained in budget provisions S. 144/5 Local Government Act 1972.

d) Prestatyn Carnival Association 2010/11

Several Councillors spoke about success of Prestatyn Carnival and its contribution to the Town's vibrant summer events calendar.

RESOLVED That Prestatyn Carnival Association be awarded £1650.

Financial/Legal Implications: As per budget provisions. S. 137 Local Government Act 1972.

(Cllr J. Thompson-Hill declared interest and retired from Council Chambers during this item. Cllr G. Percival, Vice Chairman presided)

40 CIVIC REGALIA

The Chairman referred to quotation received from Vaughtons Ltd for specialist repair of Mayoral Chain and pendant and sought Committee's instruction. It was reported that repairs were the result of general wear and tear over many years and would not be covered by insurance.

RESOLVED That quotation from Vaughton's Ltd in sum of £1,195 be accepted.

Financial/Legal Implications: To be contained within contingency fund. Local Government Act 1972.

41 EXCLUSION OF PUBLIC AND PRESS

RESOLVED That Public and Press be excluded in accordance with Local Government Act 1972 Schedule 12A Parts 1, 7, 12 during following items: Staff Records and Information Requests/Public Accounts.

42 STAFF RECORDS 2010

Details of Staff records including holidays, sickness and training days were circulated at meeting. Members expressed their satisfaction and congratulated Staff on their good/healthy record.

RESOLVED That information be received.

43 STANDING ORDERS

RESOLVED That Standing Order No1 be waived and meeting extended by thirty-five minutes.

44 INFORMATION REQUESTS/PUBLIC ACCOUNTS PM 214

The Town Clerk/Financial Officer circulated his paper detailing large number of requests, actions taken and legislative requirements. It was evident from the large volumes of correspondence in various guises from one person was unprecedented and this was affecting Council's day to day operations. There was also an overriding duty of care to protect Councillors and Staff from intimidation and harassment.

Recent activity involving video internet posts attacking Councillors together with video/photographs of contractors at work without permission was causing distress to several parties. Several Councillors also referred to having suffered personal e.mail attacks recently from named source. Additionally Staff member had received several disparaging and disturbing correspondences in recent months.

Councillors were urged to log all incidents and to contact North Wales Police if they felt intimidated, harassed, threatened or distressed about any further contact from this person.

RESOLVED UNANIMOUSLY

- 1) That Chairman and Town Clerk/Financial Officer be authorised to issue Freedom of Information notice for vexatious complaints or similar refusal notice as prescribed by legislation.
- 2) That Committee seek banning order for named individual from Council Offices and Council Chambers.
- 3) That North Wales Police be invited to attend future meeting to discuss personal protection issues.
- 4) That Committee review personal safety of its employees and obligations to Councillors to provide a safe working environment.

(Cllrs A. Horobin and P. Newell retired during discussion part of this item due to lateness).

Chairman_____

FINANCE AND MANAGEMENT COMMITTEE

Minutes of Finance and Management Committee held in Council Chamber, Municipal Offices, Nant Hall Road, Prestatyn on Wednesday 21st September 2011 at 6.45pm – 9.20pm

PRESENT

Councillors: J. Thompson-Hill (Chairman), A. Sampson, M. Eckersley, A. Horobin, M. German. I. German, P. Newell, G. Jones, L. Muraca, S. Edwards, G. Green.

IN ATTENDANCE

Mr N. Acott – Town Clerk/Financial Officer, Mrs L. Hewitt - Committee Support Assistant, Ms S. Edwards – Community Health Improvement Officer, Mr T. Brown – Internal Auditor.

APOLOGIES

Councillors: G. Frobisher, S. Frobisher, A. Pennington, P. Duffy, J. Davies, P. Curtis, G. Percival.

93 URGENT ITEM

The Chairman gave notice of an urgent item involving the ongoing service review of Llys Nant Activity Centre, Prestatyn that would be discussed later in tonight's proceedings.

94 PAID ACCOUNTS

Details of paid accounts and quarterly budget statement circulated with agenda. Committee queried a variety of expenditure including cost of Ty Pendre Community Building electricity and suggested payment meter, and/or timing devices should be considered. Other explanations were sought for paid accounts in relation to drain clearance of PTC office, British Cycling insurance, support for school swimming, repairs to Mayoral Chain, maintenance of pathway and lighting repairs at Seabank Drive Community Centre, cost of light fittings at Ty Pendre Community Building, photocopying charges and computer maintenance support.

Members highlighted proposed works at Prestatyn Bus Station and indicated it would be necessary to speak to maintenance contractors about impact of changes on present cleaning operations. Committee was also reminded that Expressions of Interest had recently been called for a range of Council services as majority of contracts expire in March 2012.

RESOLVED That Schedule of Paid Accounts and Quarterly Budget Statement be accepted.

95 FUNDERS FAYRE – DVSC PM 23(c)

Committee was reminded of history concerning this item and of Denbighshire Voluntary Services Council (DVSC) commitment to holding Funders Fayre in Prestatyn.

RESOLVED That a grant of £150 be awarded to DVSC towards cost of hosting this event.

96 NOTICE OF MOTION – RECORDINGS

Notice of Motion submitted by Cllrs G. Jones and M. Eckersley was considered that ‘called for the introduction of recorded town council meetings’.

Committee discussed notice and referred to Welsh translation of proceedings, security and data protection implications, cost, standing orders etc. Members were also reminded that a transcript of proceedings was made by Committee Support Assistant.

RESOLVED That Town Clerk/Financial Officer investigate practicalities/legalities/costs and other implications arising from introduction of audio recording.

97 MAYORAL ALLOWANCES AND EXPENSES

Cllr P. Duffy had requested consideration of this item but was unfortunately not able to attend tonight’s meeting.

RESOLVED That item be Deferred until next Full Council.

98 SERVICE REVIEW OF DAY CARE ARRANGEMENTS IN NORTH OF COUNTY BY DENBIGHSHIRE COUNTY COUNCIL

Following a number of approaches from Councillors and concerned residents earlier this week the Town Clerk/Financial Officer had approached Denbighshire County Council to seek information on above matter. The County had provided a copy press release (copy circulated at meeting) and read by Chairman:-

‘Denbighshire County Council are reviewing the current day care arrangements in respect of day care for older people in the north of the county. Once we receive the report we will consider its contents and develop some options going forward on the basis of it. These will be subject to the normal scrutiny processes involving elected members.

Over the last three years DCC Adult Services has been supporting older people to remain at home and be as independent as possible for as long as they are able to do this. This approach has been supported by the development of Extra Care facilities in Rhyl and Prestatyn along with the soon to be opened unit in Ruthin. In addition our focus on reablement means that people are able to live in their own homes for longer with domiciliary support. As well as responding to what our service users tell us about their wish to remain independent this approach is also consistent with the Authority’s need in keeping with other public services to be more efficient and cost effective. The day care review is therefore being carried out against the backdrop of the maintenance of independence agenda and the need to ensure that all of our services are delivered in an efficient and effective way’.

Cllr G. Green, Joint County/Town Councillor had queried why the service review only related to North of the County but had not yet received a detailed response from Denbighshire. Cllr P. Newell had spoken to staff and service users who thought facility would be closed and were very fearful about future outcome. Cllr M. Eckersley referred to needs of day care service users and requirement to provide mental and physical stimulation of elderly. Cllr S. Edwards gave outline details of benefit to one individual service user that could be repeated many times over and highlighted the value of one day per week respite care provided for family carers. Cllr A. Horobin gave a moving personal account of service from a carer's perspective. Cllr I. German described any proposed closure as utterly disgraceful. Cllr M. German talked about the bigger story and the devastating impact of widespread public service cuts.

RESOLVED

- 1) That Denbighshire County Council, Social Services be invited to attend future meeting at earliest opportunity.
- 2) That Denbighshire County Council be informed of Council's objection to present service review process and express its dismay at lack of early consultation about issue.

99 COMFORT BREAK – FIVE MINUTES

100 EXCLUSION OF PUBLIC AND PRESS

RESOLVED That Public and Press be excluded in accordance with Local Government Act 1972 Schedule 12A Parts 2, 8, 9, 12, 14 during the following items: Insurance Claim/Prestatyn Artwork/Information Requests/Staffing.

101 PRESTATYN ARTWORK INSURANCE CLAIM PM 154/10

Council's insurers had recently advised that they had repudiated claim and file was closed without liability.

RESOLVED That information be received.

102 PRESTATYN ARTWORK

Committee was informed of correspondence from Michelle Rendell, Project Supervisor, Denbighshire County Council detailing potential delays to project arising from highway works as a result of major retail park development in Lower High Street, Prestatyn.

Members were informed of potential financial risks, contractual obligations and given alternative suggestions to consider to help minimise risk to this grant aided project. A number of Councillors also put forward ideas and sites for further consideration.

RESOLVED

- 1) That Arts Council for Wales be informed of ongoing delays due to major retail park development and seek extension for grant aid timescale.
- 2) That Chairman and Town Clerk/Financial Officer be authorised to negotiate with artist regarding timescales, storage arrangements etc.

Financial/Legal Implications: As reported.

103 INFORMATION REQUESTS/PUBLIC ACCOUNTS PM 44 &60

The Town Clerk/Financial Officer circulated his report detailing a number of items and ongoing legal issues arising from unprecedented demands for Freedom of Information requests etc. He also referred to External Auditor fees in respect of audit challenge work, and volume of work arising from Public Service Ombudsman in Wales activity. Members deplored use of malicious communications via You Tube and personal attacks on individual Councillors and Staff.

RESOLVED

- 1) That report be received.
- 2) That Councillors should be encouraged to attempt corporate resolution of any internal dispute before engaging with outside bodies.

104 COUNCIL CHARGING POLICY

Committee was informed that most legislation permits Council to make a reasonable charge for services e.g. photocopying and copy records. Historically the amounts involved were comparatively minor and time/costs involved were was not significant. However recent demands and approaches had shown that it would be prudent to review charges.

RESOLVED That Committee recommend adoption of following charges:

Annual Minute Book	25.00
Account for Audit Statement	7.50
Notice Board Items	No Charge
	(Non profitable/charitable events only)
Photocopies	0.25 per copy
Health Checks (Cholesterol)	2.00
Ty Pendre Community Building	5.00per hour for non profitable/ charitable organisations

(Cllr A Sampson voted against proposals in respect of Ty Pendre Community Building)

105 STANDING ORDERS

RESOLVED That Standing Order No 1 be waived and meeting extended by fifteen minutes.

(Cllr A. Horobin retired).

106 STAFFING SECONDMENT

Town Clerk/Financial Officer reported upon changes to Community Health Improvement Officers secondment to WINNERS/GP referral programme. The changed arrangement would result in reduction to six hours WINNERS/GP referral and three hours Cardiac Rehabilitation. The Officer subject of secondment had personally sought these changes and was in complete agreement with new agreement. Consequently there would be opportunity for this Officer to develop Council's Community Health Improvement programme and to seek additional grant aid towards newly identified community/environmental projects.

RESOLVED That Committee supports change to secondment arrangements.

Financial/Legal Implications: As reported. No change to conditions of permanent Town Council employment and employee rights.

107 COMMUNITY HEALTH IMPROVEMENT PROGRAMME

The Chairman welcomed Sue Edwards, CHI Officer and invited her to address the meeting. Sue had circulated a detailed programme of current and proposed work activity with agenda and spoke about each subject area answering Members questions on service delivery.

Committee was informed that Sue Edwards (23 hours) and Debbie Hughes (16 hours) delivered a comprehensive health improvement programme that encompassed cycling, green gym, walking, holiday activity programme, young conservationists and encouragement of social groups to help them become independent e.g. You'll Never Walk Alone and Social Ballroom.

Future plans involved local community based environmental projects on allotments, 'green initiatives' and groundshare schemes. There were also exploratory talks to promote activities for elderly via Denbighshire County Council grant aid funding scheme. The former Choices health check programme would soon be rebranded to Healthy Living and it was envisaged that better use could be made of Council's ground floor accommodation to include 'Healthy Living Centre' approach with regular health promotion days/themes.

RESOLVED UNANIMOUSLY That Sue and Debbie be thanked for their report and excellent Community Health Improvement activities.

Chairman_____

FINANCE AND MANAGEMENT COMMITTEE

Minutes of Finance and Management Committee held in Council Chamber, Municipal Offices, Nant Hall Road, Prestatyn on Wednesday 18th January 2012 at 7.05pm – 9.40pm

PRESENT

Councillors: J. Thompson-Hill (Chairman), A. Sampson, M. Eckersley, P. Duffy, M. German, I. German, P. Newell, J. Davies, L. Muraca, G. Percival, S. Edwards, S. Frobisher, G. Green, G. Frobisher.

IN ATTENDANCE

Mr N. Acott –Town Clerk/Financial Officer, Mrs L. Hewitt - Committee Support Assistant, Mr T. Brown – Internal Auditor.
Local residents.

APOLOGIES

Councillors: A. Pennington, G. Jones, P. Curtis, A. Horobin.

172 COUNCIL BUSINESS

The Chairman received a request to change order of proceedings to enable consideration of Bryn Newydd Bowling Club at commencement of meeting.

173 BRYN NEWYDD BOWLING CLUB PM 143

Committee was reminded of long standing plans of Club to provide new facilities and letter from Chairman of Club together with supporting papers, plans and finances circulated with agenda. Total project cost was fifty-five thousand pounds and to date a figure of forty thousand pounds had been raised.

Several Members spoke in support of the application and highlighted the efforts in recruiting youngsters, participation in holiday playschemes, services for disabled and recent development including potential as bowling coach training centre. Further supporting correspondence indicated that the Club House was built in 1928 and is also a popular venue for Neighbourhood Watch, hosting monthly whist drives and is fully integrated with the local community.

Councillors discussed forms of financial assistance e.g. grants, loans, fundraising and also impact upon Council's finances.

RESOLVED UNANIMOUSLY

- 1) That Committee award grant of fifteen thousand pounds towards construction cost of Bryn Newydd Bowling Club.

Financial Implications: Financial provision 2011/12 and 2012/13 subject to approval of Town Development Committee estimates.

Legal Implications: S. 137/144 Local Government Act 1972.

- 2) That details of grants awarded to local clubs for similar projects over last ten years be circulated.

(Cllrs S. Edwards and M. German declared interest and retired from Council Chambers during this item. Cllr I. German declared interest but took no part in discussion or voting).

174 PAID ACCOUNTS

Details of paid accounts and quarterly budget statements circulated with agenda. Committee queried payments for advertising, cleansing of bus shelters due to closure of bus station although temporary services being provided at Kings Avenue, painting and running costs associated with Ty Pendre, High Street tree lighting repairs, and cost of vandalism at skatepark.

RESOLVED

- 1) That Paid Accounts for September, October, November and December be accepted.
- 2) That Quarterly Budget Statement be accepted.
- 3) That cost of running Ty Pendre Community Building be agendered for discussion of future meeting.

175 ACCOUNT AND AUDIT REGULATING

Notification had been received from UHY Hacker Young, External Auditor confirming a change in legislation affecting completion of audit process. From 2012 Council's Annual Returns will need to be completed by June rather than September.

Several Town and Community Councils had expressed concerns about changing timetable and potential difficulty in compliance because of closeness to Annual General Meetings.

176 NOTICE OF CONCLUSION OF AUDIT 2010/11

Notification had been received from UHY Hacker Young confirming Completion of Audit and Statement of Assurance for 2010/11 had been posted.

177 FINANCIAL ESTIMATES 2012/13

The Chairman introduced this item and referred to financial estimates and budget commentary for each Committee circulated with agenda. He referred to Council's foresight in establishing election holdings fund that would prevent distortion of accounts during election year 2012. It was also evident that continuing prudence in Council spending and successful grant aid bids had contributed to maintenance of healthy balances.

Each Committee's spending plans were reviewed, income levels assessed, and proposals to allocate balances to Town Development Committee projects considered. The impact of reduced County financial provision for non-statutory services e.g. playgrounds and open spaces was raised. There was also discussion on need to support local events and activities especially those arising from Queen's Diamond Jubilee and Olympics 2012.

An earlier proposal for Council Tax Option 1 was declared LOST.

RESOLVED

- 1) That Financial Estimates 2012/13 be accepted subject to following amendments:
B6. Eisteddfod Increase provision from £1,000 to £5,000.
B18. Pop In Centre – delete separate line entry of £3,700.
- 2) That recommended Council Tax Precept for 2012/13 be £350,505 (Band D equivalent £46.84 – no change)
- 3) That Cllr S. Edwards forward contact details of Llandrillo training scheme to Town Clerk's office.
- 4) That Mr W. Morecambe, Rhyl Adventure Playgrounds Association be invited to attend future meeting.
- 5) That press release be issued after Full Council highlighting four years of zero percentage increase in council tax figure.

(Cllr J. Davies and A. Sampson declared interest during discussion of Wales in Bloom and took no part in this individual budget line discussion or voting.

Cllrs S. Edwards and J. Davies declared interest during discussion of Pop In Centre and took no part in this individual budget line discussion or voting.

Cllrs P. Newell, G. Frobisher and M. Eckersley retired from meeting after this item).

178 STANDING ORDERS

RESOLVED That Standing Order No 1 be waived and meeting extended by thirty minutes.

179 TOP CENTRAL CAR PARK 2012

Committee considered renewal of car park rental for 2012 to enable continuation of free parking.

RESOLVED That Council renew its twelve month car park rental agreement.

Financial Implications: £2,000 pa contained as per financial provision.

Legal Implications: Property owned by Parochial Church Council. Road Traffic Act 1984. Council responsible for routine maintenance.

180 FENCING ON Y MORFA, PRESTATYN

A letter was received from Group Manager, Denbighshire County Council seeking financial contribution to fencing recently installed on Y Morfa. The fencing was located behind goalposts and had been provided following complaints by adjoining residents about stray footballs.

Committee indicated that Town Council should have been formally consulted prior to construction, sale of County land to adjoining property developer and removal of poplar trees.

RESOLVED No further action.

181 POP IN CENTRE, PRESTATYN PM 120

Outline plans of two projects and set of accounts 2010 had been circulated with agenda. The proposals included assistance with maintaining Ty Pendre Community Gardens and continuation of Pop In Centre opening on Saturdays 10-00am-8.00pm. Financial assistance was being sought by the Pop In Centre in sum of seven hundred pounds and three thousand seven hundred pounds respectively.

Committee raised a number of questions and sought clarification on naming of group, reasons for holding funds of other bodies and number of staff and volunteers. The effect of the Pop In Centre activity on neighbouring residents was also raised as there had been complaints about noise, bikes on pavements and smoking outside entrance.

Discussion took place on level of service and possibility of entering a six month trial agreement in respect of Ty Pendre monthly gardening project. Members were informed such activity would assist Prestatyn Horticultural Society and Royal British Legion whose members were struggling to maintain their voluntary gardening activities. The present appointed commercial contractor provided a base level of service at this site and it was a condition of contract that they assist community volunteers groups working in the gardens..

RESOLVED

- 1) That no action be taken in respect of funding Ty Pendre Community Garden project.
- 2) That further information be sought about Pop In Centre opening hours and proposed Saturday activities.

(Cllr J. Davies and S. Edwards declared interest and retired from Council Chambers during this item).

182 AUDIO RECORDING OF COUNCIL MEETINGS PM 96

The Town Clerk/Financial Officers report had been circulated with agenda. It highlighted practicalities, legalities, costs and research into this subject.

Committee discussed findings and referred to advantages and disadvantages of audio recordings. The problems caused by multiple records, differing retention periods and access to records was also debated. The Chairman provided information on County Council record procedures.

RESOLVED

- 1) That no further action be taken in respect of audio recordings.
- 2) That all handwritten notes of meetings be subject of disposal following acceptance of Council minutes.

183 EXCLUSION OF PUBLIC AND PRESS

RESOLVED That Public and Press be excluded in accordance with Local Government Act 1972 Schedule 12A Parts 12 and 1 during following items: Insurance Claims and Staff Issues.

184 STANDING ORDERS

RESOLVED That Standing Order No 1 be waived and meeting extended by ten minutes.

185 INSURANCE CLAIM

The Town Clerk/Financial Officer gave details of a public liability insurance claim following accident in front of Council offices. The claim had been repudiated by Council's insurer following evidence received.

186 STAFFING ISSUES

The Chairman urged all Committee Chairs to visit Council Offices occasionally e.g. before or after Committee meetings to assist monitoring of services and communications.

Chairman_____

FINANCE AND MANAGEMENT COMMITTEE

Minutes of Finance and Management Committee held in Council Chamber, Municipal Offices, Nant Hall Road, Prestatyn on Wednesday 28th March 2012 at 7.35pm – 9.00pm

PRESENT

Councillors: G. Percival (Vice Chairman), A. Sampson, P. Duffy, S. Frobisher, M. German, I. German, P. Newell, J. Davies, L. Muraca, S. Edwards, G. Jones.

IN ATTENDANCE

Mr N. Acott –Town Clerk/Financial Officer, Mrs L. Hewitt - Committee Support Assistant, Mr T. Brown – Internal Auditor.

APOLOGIES

Councillors: A. Pennington, A. Horobin, M. Eckersley, G. Frobisher, J. Thompson-Hill.

225 PAID ACCOUNTS

Details of paid accounts circulated with agenda and at tonight's meeting for March payments and quarterly budget statements. Members queried payments relating to festive lighting and were informed contract was awarded following competitive tender exercise.

The Town Clerk/Financial Officer explained that March figures and quarterly budget statements would normally be considered at next meeting but due to audit changes it was necessary to consider them at tonight's meeting. The timescales for new audit process were extremely challenging and earlier attempts by Town/Community Councils to change the timetable had been unsuccessful.

Committee then reviewed annual budget statement.

RESOLVED

- 1) That paid accounts for January, February, March be accepted (703329 payment amended to read Denbighshire County Council – flags)
- 2) That Quarterly and Annual Budget Statement be accepted.

226 NOTICE OF AUDIT 2011/12

Notification had been received from external auditors UHY Hacker Young that date of audit would be 31st May 2012.

RESOLVED That Notification be received.

227 INTERNAL AUDITOR 2012/13

The Chairman read a letter from Mr T. Brown, Internal Auditor offering his continued independent audit services for Council work at existing rates.

RESOLVED That Mr T. Brown be appointed Internal Auditor 2012/13 and thanked for past service.

Financial/Legal Implications: £1,000 as per budget provision. Local Government Act 1972 Section 107. Account and Audit Regulations 2004.

(Mr T. Brown declared interest and retired prior to commencement of this item to attend another meeting).

228 NOTIFICATIONS FROM OTHER COMMITTEES

Details of notifications of spending commitments approved by other Committees had been circulated with agenda. The Town Clerk/Financial Officer explained that several items required funding over two year periods, and in one case a virement of underspend from 2011/12 was required. The notifications also impacted upon year end accounts.

In response to Members' query about National Eisteddfod it was explained that approval of financial estimates does not automatically mean spending approval and that external bodies such as Eisteddfod would need to apply for funding during the current financial year.

RESOLVED That Notifications Schedule from Other Committees be accepted.

229 SCHOOL SWIMMING 2011/12

Details of school swimming activities had been circulated with agenda and Committee informed of additional information received to date.

RESOLVED That Local Schools be awarded financial support for provision of swimming:

	£
Penmorfa School	796
Bodnant Community School	1206
Ysgol Melyd	252
Ysgol y Llys	447
Ysgol Clawdd Offa	<u>403</u>
	<u>3104</u>

Financial/Legal Implications: Figure contained within financial provision 2011/12. Local Government Act 1972 Section 137.

230 CLWYD PENSION FUND

The Town Clerk/Financial Officer had circulated report with agenda detailing a number of discretionary functions that required a formal Council policy. He explained that in the majority of cases and in line with similar size Town Councils there was a tendency to judge each application for early retirement upon its merits. Key elements such as benefits to the authority, financial and operational matters and circumstances of employee were all relevant factors.

Clwyd Pension Scheme is a local authority pension scheme established under national guidelines and adopted by Principal Councils of Denbighshire, Flintshire, Wrexham and Conwy. Town/Community Councils are admitted bodies to the scheme.

RESOLVED That Committee accept report and recommendations of further consultation with Staff on discretionary pension functions.

Financial/Legal Implications: Employer contribution rates set by actuary and contained within budget provisions 2012/13. Any additional employer payments would require further consideration. All employees must have relevant pension provision or approved alternative arrangement. Local Government Act 1972 Section 112

231 EXCLUSION OF PUBLIC AND PRESS

RESOLVED That Public and Press be excluded in accordance with Local Government Act 1972 Schedule 12A Parts 1, 12, 14 during the following items: Holiday Cover/Sickness Records/Public Service Ombudsman etc.

232 HOLIDAY COVER

The Town Clerk/Financial Officer's report had been circulated with agenda. He explained background to situation, current arrangements and use of casual employee Rachel Seaman on ad hoc basis over several years. The arrangement had worked well for both parties and had proved financially beneficial and more effective than use of temporary agency staff.

It was proposed that following completion of professional exams by Rachael last year a degree of workplace upskilling would be possible over next twelve months.

RESOLVED That Miss R. Seaman be appointed casual employee on temporary fixed term twelve month contract basis on Scale SCP 10 pro rata twelve hours.

Financial/Legal Implications: £4,499 as per report. Figure contained within budget provisions 2012/13. Twelve month fixed term contract. Local Government Act 1972 Schedule 112.

233 PERSONNEL SICKNESS RECORDS 2011/12

Details of personnel sickness records had been circulated with agenda and Committee updated on situation to date.

RESOLVED That report be received and Staff informed of appreciation and continuing desire to promote healthy workplace environment.

234 PUBLIC SERVICE OMBUDSMAN FOR WALES (PSOW)/INFORMATION COMMISSIONER (ICO)/DENBIGHSHIRE COUNTY STANDARDS COMMITTEE.

Details of correspondence from each of the above regulatory bodies had been circulated with agenda. The Chairman explained that the large volume of complaints to each body over last couple of years was cause for concern. It was acknowledged bulk of complaints were generated by one individual and a number of Councillor v Councillor complaints involved only a couple of Councillors.

The Town Clerk/Financial Officer outlined actions he had taken to date and that he was contemplating several other measures to manage current unsatisfactory situation. Earlier attempts to internally resolve Councillor v Councillor complaints had not proved successful due to unfortunate behaviour of small minority of individual Councillors. Poor legislation that permitted multiple complaints and various appeal processes at no cost or consequence to originating complainant had also exacerbated problems.

Several Councillors gave examples of complaints investigated by regulatory bodies and referred to anguish caused when there was clearly no substance to complaints. One Member cited thirteen different officials from same public office who had all investigated complaints resulting in no action.

Some Councillors indicated they had decided not to seek re-election as a direct consequence of unfounded complaints and harassment even following a successful criminal prosecution of individual for posting of malicious communications. It was unfortunate that dedicated Councillors had reluctantly taken this decision in order to protect their health and sanity. There was also concern about continuing inappropriate behaviour of some individuals and apparent failure of public bodies to offer a degree of protection for elected Councillors and Staff from harassment in public office.

The Town Clerk/Financial Officer also expressed his concerns about Council's position in being able to demonstrate its duty of care to Councillors and Staff in light of conflicting legislation and duties.

The Chairman summed up discussion and hoped forthcoming Council elections would bring fresh ideas, and return to healthy debate without personal attacks against individual Councillors.

RESOLVED

- 1) That correspondences be received.
- 2) That Town Clerk/Financial Officer be authorised to respond to relevant bodies.
- 3) That further consideration be given to adoption of internal resolution procedure for Town Councillors.

Chairman _____