



Yeovil Town Council

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Policy, Resources and Finance Committee

The Meeting... **Policy, Resources and Finance Committee**

The Time... **7.00pm**

The Date... **Tuesday 29 July 2008**

The Place... **Town House, 19 Union Street, Yeovil**

The Committee will be discussing all the items listed overleaf

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QUALITY
TOWN
COUNCIL

Alan Tawse

Alan Tawse
Town Clerk

21 July 2008

Please contact Alan Tawse at the Town House for more information about this meeting

To All Members of the Policy, Resources & Finance
Committee:

Philip Chandler (Ex-officio)

Clive Davis

Bridget Dollard

Tony Fife

Dave Gooding

John Grana

Dave Greene

Steve Hawker

Andrew Kendall

Tony Lock (Chairman)

Pat Martin (Vice-Chairman)

Tom Parsley

Wes Read (Ex-officio)

David Recardo

Alan Smith

A G E N D A

Public Comment (15 Minutes)

1. **MINUTES**

To confirm as a correct record the Minutes of the previous meeting held on 27 May 2008.

2. **APOLOGIES FOR ABSENCE**

3. **DECLARATIONS OF INTEREST**

4. **CORRESPONDENCE**

PAGES

5. **APPLICATIONS FOR GRANT AID**

(Circulated separately)

6. **CAPITAL FUND**

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7. **ALLOTMENT EQUIPMENT**

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8. **ALLOTMENT RENTS**

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9. **MONMOUTH HALL CAR PARK**

12 - 14

10. **FINAL ACCOUNTS 2007/08**

(Report circulated separately)

11. **ANNUAL GOVERNANCE STATEMENT**

(Report circulated separately)

12. **OUTSIDE BODIES**

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13. **YEOVIL TWINNING ASSOCIATION**

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14. **FINANCIAL STATEMENT - APRIL/MAY 2008**

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Public Comment (15 Minutes)

EXCLUSION OF PRESS AND PUBLIC

The Committee will be requested to pass a resolution excluding the press and public from the remainder of the meeting in accordance with Section 1(2) of the Public Bodies (Admission to Meetings) Act 1960 on the grounds that publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.

15. WAR MEMORIAL

(Confidential report to be circulated to Members only).

16. STAFFING ISSUE

(Confidential report to be circulated to Members only).

6. **CAPITAL FUND**

A copy of the updated Capital Fund statement is attached at page 5. The sum of £6,095 is available for allocation to new capital schemes.

Future Sources of Funding

Potential sources of funding include the proceeds arising from the sale of surplus land at the former Goldcroft Allotment Site. As explained below, it is anticipated that funds will be available from this source within the coming months.

As previously reported, outline planning permission has been granted by the Planning Authority for general housing development on this site with a 35% affordable housing element.

The draft S.106 agreement has been checked by the Town Council's Solicitor, in consultation with the Town Clerk and the Chairman of the Committee and, following a meeting with the Solicitor to the District Council, various comments on this document and on a number of related matters were forwarded to the Solicitor of the District Council for consideration.

Following further discussions and negotiations, a final agreement has now been drawn up and approved by both Authorities. A contaminated land survey has been undertaken ahead of the site being marketed in accordance with the terms of the agreement, and this has not identified any problems that would prevent its development along the lines proposed.

The site has now been revalued in line with this agreement and, following a recent decision by the District Council not to exercise an option to purchase the land at the revised open market value; Humberts have been instructed to market the land with a view to its unencumbered disposal on the open market. The land has recently been advertised and expressions of interest will be reported to Members in due course.

Another potential source of funding is the former ski and activity centre should the Town Council decide to dispose of the freehold as part of the redevelopment proposals.

Alder King have been instructed to market this site on behalf of the Town Council and, following a meeting between the appointed representatives of the Town Council and Alder King, arrangements were made for a revised draft development brief to be produced and submitted to the July meeting of the Town Council for consideration. The final brief was adopted at that meeting and the site will be marketed following a meeting later this month at which the final advertising arrangements will be discussed and agreed.

Other Sources

Any funding beyond these sources will need to be in the form of a loan from the Public Works Loan Board (PWLB), applications for which are considered on their individual merits and subject to funding availability.

Existing and Future Commitments

The Capital Fund includes the £2,500 commitment towards the estimated costs of completing the removal/replanting of diseased hedge at Preston Park – as agreed

during the last cycle of meetings. The Fund also includes the £9,000 grant awarded last year by the Big Lottery to the Town Council under the Breathing Places programme, which is being used to help rejuvenate Ninesprings wooded valley in Yeovil Country Park.

As previously reported, at the request of the District Council and with the support of the Big Lottery, completion of the project has been delayed until November 2008 to enable tree planting works to be undertaken during the forthcoming autumn.

Impending commitments on the Capital Fund include pledged contributions towards the upgrading of the play area at Yew Tree Recreation Ground (£80,000) and the provision of replacement public toilets in the Town Centre (£100,000).

Having regard to the anticipated timing of these two projects, the Town Council's contributions are unlikely to be required to be paid until late November 2008 at the earliest.

The Town Council has agreed that these contributions be met from the anticipated capital receipt arising from the disposal of the former Goldcroft Allotment site and, that should this be delayed beyond the required payment dates, approval in principle be given to the contributions being met instead by a loan from the Public Works Loan Board (PWLB) – the amount and duration of which to be considered by the Policy, Resources and Finance Committee and determined by the Town Council.

The Committee is **RECOMMENDED** to

- (1) note the current position concerning the Capital Fund;
- (2) note the further developments regarding the impending disposal of the former Goldcroft Allotment site and the marketing of the former Ski and Activity Centre.

(Alan Tawse, Town Clerk – 01935 382424)

CAPITAL FUND (as at 29 July 2008)

Balance of Capital Fund as at 31 March 2007		£17,479
Plus Capital Receipts:		
Breathing Places Project - Big Lottery Grant		<u>£9,000</u>
Sub-total		£26,479
Less Capital Expenditure:		
Yew Tree Park - Interim Play Area Upgrade	<u>£3,000</u>	
Sub total		<u>£3,000</u>
New Balance of Capital Fund		£23,479
Less Commitments:		
Yeovil Country Park - contribution to signage	£180	
Sunningdale Doorstep Green (Phase 3)	£5,704	
Preston Park - Removal/Replanting of Diseased Hedge	£2,500	
Yeovil Country Park - Breathing Places Project	<u>£9,000</u>	
Total		<u>£17,384</u>
New Balance (unallocated)		£6,095
Notes		
1 YTC Sunningdale Doorstep Green contribution totals £20,820 as follows: Phase 1 - £6,860 (£3,360 to be met from capital and the remaining £3,500 to be met from the reimbursement for the feasibility study costs) (Phase 1 commitment includes £11,580 contribution from SSDC) Phase 2 - £6,980 - to be met as a capital contribution from revenue (2004/05) Phase 3 - £6,980 - to be met as a capital contribution from revenue (2005/06)		
2 All future Cemetery capital improvements to be met from revenue contributions to capital by the Joint Burial Committee		
3 Glenthorne Avenue Traffic Calming Scheme contribution of £9,000 set aside in the General Fund.		
4 Essential play area repair work beyond routine maintenance budgets to be charged to capital (subject to matching contributions from SSDC)		
5 Contribution to interim play area upgrade at Yew Tree Park subject to matching contribution from SSDC		
6 Breathing Places Project to be completed by November 2008		
7 Capital commitments totalling £180,000 (£80,000 towards the upgrade of Yew Tree Park Play Area and £100,000 towards replacement public toilets in Yeovil Town Centre) agreed. Costs involved to be met from proceeds of sale of former allotment land at Goldcroft or, if sale delayed, from PWLB loan.		

7. ALLOTMENT EQUIPMENT

Introduction

The Grounds and General Maintenance Committee have been considering alternative ways of enabling allotment tenants to continue having the opportunity to help maintain their sites, in light of advice received from the District Council's Health and Safety Adviser regarding the use of Town Council provided equipment.

A copy of a report to the March meeting of that Committee is attached at pages 8 to 9, which sets out the issues and a practical proposal to resolve the matter whilst protecting the Town Council's interests.

The Committee noted the matter and was supportive of the proposals. However, before making a final recommendation, the Committee agreed to seek the views of the Allotment Tenants Working Group on the matter. They also expressed the view that it would be prudent to retain and store the existing equipment whilst the success of the new initiative was trialled for a season.

Recent Developments

The Allotments Tenants Working Group has now met and considered the proposals, and no objections have been raised. However, they have indicated that should the allotment equipment be disposed of, the allotment tenants collectively would like to receive the equipment as a donation and would also be grateful for storage space.

These views were reported to the last meeting of the Grounds and General Maintenance Committee at which a discussion took place regarding the feasibility of allowing the allotment tenants to purchase the eight items of allotment equipment should the Town Council decide to dispose of them. The Committee continued to be supportive of giving allotment tenants the option to hire equipment from local hire companies to ensure fair distribution of resources and ease problems in transporting the relevant equipment to the allotment sites.

The Committee subsequently **RESOLVED**

- (1) *that the matters be noted;*
- (2) *that the initiative to allow allotment tenants to hire equipment directly from reputable tool and equipment hire suppliers in the Yeovil area be supported and that the matter be referred to the Policy Resources and Finance Committee; and*
- (3) *that a recommendation be forwarded to Policy Resources and Finance Committee that the allotment equipment (with the exception of the shredder purchased in 2006) be disposed of to the allotment tenants within the next twelve months.*

Issues and Implications

The proposal to allow tenants to hire appropriate equipment direct from reputable tool and equipment suppliers in the Yeovil area, and for the costs involved (up to a set limit) to be reimbursed by the Town Council represents a practical and workable solution to an issue that the Town Council needs to address.

Tenants already have access to a proportion of the Allotment Maintenance budget which was top-sliced a number of years ago (and allocated on the basis of the

number of let plots per site) to enable a more pro-active approach to be taken by interested tenants. To achieve this objective, the Non-Corporate Allotment Maintenance budget was established, and for the current year £3,300 has been allocated.

This initiative has been highly successful and, should the proposed scheme be approved, it is proposed that this money be made available to meet the costs of the hire of the equipment, with tenants having to arrange any hiring direct with the supplier and producing original receipts to the Town Council. As part of an audit trail, these will be checked by the Town Council with the supplier before the costs are reimbursed.

The suggestion that the current allotment equipment (with the exception of the shredder purchased in 2006) be disposed of to the allotment tenants within the next twelve months could mean that the Town Council would receive less than best consideration for the equipment, which is contrary to Standing Orders with Respect to Contracts, which expects the highest bid received (if payment is to be received by the Council) to be accepted except in special circumstances.

As previously reported to the Grounds and General Maintenance Committee, it had been anticipated that the equipment would be sold to the highest bidder following expressions of interest, with the proceeds being added to the Non-Corporate Allotment Maintenance budget in 2008/09.

If such a move were to be contemplated, the equipment could be independently valued to ensure that it was not sold below market value. However, this would incur a further cost to the Town Council which may not be recoverable.

In any event, should Members wish to proceed with a disposal along these lines, it would need to be made on a strictly without prejudice basis with the equipment being sold as seen and for the purchaser to be responsible for its future use, maintenance and storage.

The Committee is **RECOMMENDED** to:

- (1) note the developments in this matter;
- (2) consider the principle of adopting a new scheme enabling allotment tenants to hire appropriate equipment from reputable suppliers in the Yeovil area for the sole purpose of carrying out maintenance work on the Town Council's Allotment Sites – the costs of which to be met from the Non-Corporate Allotment Maintenance Budget;
- (3) if this proposal is supported, to await an further report to the next meeting setting out the detail of how the new arrangements would work in practice; and
- (4) to note the views of the Allotment Tenants Working Group and the Grounds and General Maintenance Committee on the disposal of the existing equipment and, to decide whether an exception should be made to Standing Orders with Respect to Contracts, to allow the equipment to be disposed of to existing tenants without seeking expressions of interest from potential bidders.

(Alan Tawse, Town Clerk – 01935 382424)

(EXTRACT FROM AGENDA - GROUNDS AND GENERAL MAINTENANCE COMMITTEE MEETING - 3 MARCH 2008)

7. ALLOTMENT EQUIPMENT

Current Arrangements

The Town Council currently holds nine items of equipment which have been purchased from the relevant site's share of the Non-Corporate Allotment Maintenance budget. The equipment for each site is:

Site	Purchase Date	Equipment	Stored
Goar Knap	24 June 2003	Strimmer	Goar Knap compound
Goar Knap	30 September 2002	Shredder	Goar Knap compound
Goar Knap	18 August 2006	Shredder	Goar Knap compound
Larkhill	12 November 2003	Brushcutter	Goar Knap compound
Monksdale	24 March 2003	Rotovator	Goar Knap compound
Rustywell	03 December 2001	Atco Shredder	Goar Knap compound
Sunningdale	19 March 2003	Sprayer	Ships Container
Sunningdale	18 June 2002	Brushcutter	Ships Container
Sunningdale	14 February 2002	Cultivator	Ships Container

The tenants of the relevant site are able to use the equipment. Safety equipment is provided, however no formal training is given as there is no capacity to do so.

In researching relevant terms and conditions of use of the equipment, advice has been sought from the District Council's Health and Safety Adviser. His advice is as follows:

If the Town Council owns the equipment they have a duty under Health and Safety law to ensure the machinery is maintained, repaired as necessary and safe to use. The users should also be trained and competent to use the equipment and be aware of the limit of any repairs or adjustments the operator can undertake. This is applicable regardless of whether the equipment being free to use or a fee is charged.

Whilst the current arrangements have enabled tenants to carry out a range of maintenance works, the recent advice received from the Health and Safety Adviser requires a new approach to be taken.

One way of continuing to provide financial support towards this initiative would be to use the funding available to tenants for them to hire the same equipment direct from reputable tool and equipment hire suppliers in the Yeovil area.

The obligation would then be placed on the hiring organisation to ensure that the equipment was maintained correctly, and that training/safety equipment was provided to hirers on each occasion.

Such an approach would avoid the Town Council having to purchase such equipment – with the attendant capital costs and depreciation and, in the case of heavier equipment, would facilitate its delivery/collection by the supplier to and from the relevant allotment sites.

Assuming this alternative approach is supported, it is proposed that a hire equipment specification be drawn up by officers in consultation with the Allotment Tenants Working Group.

It is proposed that the existing equipment – the majority of which is over four years old – be sold following invitations of expressions of interest – with the proceeds being added to the Non-Corporate Allotment Maintenance budget in 2008/09. Given the recent purchase of the shredder used at Goar Knap, it is proposed that this particular piece of equipment be retained for use by the Council's Maintenance Operative.

Discussions on the proposals have taken place with the Secretary of the Allotment Tenants Working Group, who has expressed his willingness to seek the views of the Working Group on the matter. A verbal update on their views will be given at the meeting.

The Committee is **RECOMMENDED** to note the developments in this matter and consider the best way forward.

(Sally Bing – Assistant Town Clerk 01935 382424)

8. ALLOTMENT RENTS

In line with a decision of the Town Council, the Grounds and General Maintenance Committee has carried out an annual review of allotment rents.

The last review was undertaken in 2007, when it was agreed to set the annual rent charge at 14p per m² (from 1 October 2008) and to carry out future reviews on an annual basis.

By law, tenants need to be given 12 months notice of any increase in rent and all tenants were given sufficient notice of this increase which comes into effect on 1 October 2008.

Turning to the 2009 review, a survey of various local authorities in the Somerset and surrounding areas has recently been carried out, which has shown that the majority of authorities are planning an increase of either 1p or 2p per m².

As the money raised from allotment rents is used to help meet the cost of maintaining allotments, it is considered to be in the tenants' interests that a realistic level of income is generated - to ensure that the costs of carrying out this work may continue to be met.

At present, the income raised each year from allotment rents (£7,000) equates to 27% of the overall costs (£26,274) of maintaining allotments across the Town.

Bearing all these factors in mind and following on from the gradual rental increases introduced over the past four years, it was suggested that consideration be given to an increase of 1p per m² with effect from 1 October 2009. If agreed, this would bring the charge to 15p per m². On a typical plot, this would have the effect of increasing the annual rent by £1.43 (3p per week). However, the Grounds and General Maintenance Committee felt that it could not support this proposal, the reasons for which are set out in the attached minute extract.

The views of the independent Allotment Tenants Steering Group have been sought on the matter and, upon receipt, will be reported to Members.

The Committee is **RECOMMENDED** to consider the views of the Grounds and General Maintenance Committee, and to express its views on the matter to full Council for a final decision to be made.

(Alan Tawse, Town Clerk – 01935 382424)

(EXTRACT FROM MINUTES - GROUNDS AND GENERAL MAINTENANCE COMMITTEE MEETING - 7 JULY 2008)

7/104 ALLOTMENT RENT REVIEW

The Committee considered the report by the Assistant Town Clerk (agenda item 9 refers). Jon Trevett pointed out to the Committee that the report stated that allotment rents already provided an offset income of £7,000 against the overall cost of £26,274 of maintaining allotments across the town. He said that the Town Council was already benefiting from increased income due to the existing 100% capacity on all allotment sites and felt that no allotment rent increase was warranted. Jon stated that there were no tangible benefits to tenants to justify the allotment rent increase. Discussion took place regarding the maintenance of sites and the Assistant Town Clerk confirmed the breakdown of the overall cost of provision of the eleven allotment sites as outlined in the report. It was accepted that irrespective of whether or not an allotment rent increase was introduced from October 2009, the cost of carrying out the existing level of maintenance of the allotment plots would undoubtedly increase. It was also pointed out that a small increase in allotment rents each year may reduce the need for a larger increase in a future year.

RESOLVED

- (1) that the matters be noted; and
- (2) that an increase in allotment rents in October 2009 be not supported and that this matter be referred to the Allotment Tenants Working Group for their comments for the attention of the Policy Resources and Finance Committee; and
- (3) that in accordance with the delegation scheme the proposal to amend the agreed charges be referred to the Policy Resources and Finance Committee for comment and to full Council for approval.

9. MONMOUTH HALL CAR PARK

At the last meeting of the Committee, members were advised of an approach received from the District Council, which was seeking the Town Council's views on the possible disposal of the freehold of a storage unit located to the rear of Monmouth Hall Car Park to the present leaseholders – the Boys Brigade 1st Yeovil Company. A copy of the report to that meeting is attached at pages 13 to 14.

The Committee agreed that, to protect the Town Council's interests, no objection be raised to the disposal of the storage unit, subject to the three allocated car parking spaces being excluded from the sale.

The District Council subsequently considered the matter and agreed to grant the Boys Brigade a 99-year lease of the property on a full-repairing basis at a peppercorn rent. However, in doing so, the District Council intends passing on to the leaseholders the £100 annual access charge (to be included in a separate licence) which the District Council currently pays the Town Council by way of a contribution towards the maintenance of the car park, the crossing of which is required for vehicular access to the premises. In line with District Council policy, this fee is recharged to its tenants.

The Boys Brigade has expressed its concern at this additional charge and has asked the District and the Town Council to consider whether this additional charge could be waived.

In response, the District Council has suggested that they draft a new licence (at no cost to the Town Council) that supersedes any historic agreements and which:

- excludes the car parking spaces and releases them back to Yeovil Town Council; and
- only covers access to and from the store, with or without a vehicle at a peppercorn rent.

Such an arrangement would effectively give the Town Council full control of the three car parking spaces in perpetuity thereby representing a benefit to the Town Council in terms of the potential short and long-term use of the car park. Any future proposal to use these spaces would require the Town Council's express permission.

Whilst this proposed solution would effectively come at an annual cost to the Town Council of £100 for the duration of the lease, Members may feel that, in the circumstances, this is justified given the ongoing contribution that the Boys Brigade currently make - at no charge to the Town Council – in respect of the Annual Civic Service, when their band is engaged to lead the civic parade to and from St John's Church.

The Committee is **RECOMMENDED** to note and consider the matter.

(Alan Tawse, Town Clerk – 01935 382424)

(EXTRACT FROM AGENDA - POLICY, RESOURCES AND FINANCE COMMITTEE MEETING - 27 MAY 2008)

7. **MONMOUTH HALL**

The District Council is seeking the Town Council's views on the possible disposal of the freehold of a storage unit located to the rear of the Monmouth Hall Car Park.

The plan (attached at page 14) highlights the location of the unit, which is currently leased to the Boy's Brigade - who have approached the District Council requesting that consideration be given to the sale of the premises.

The freehold of the car park was transferred to the Town Council by the District Council in 1992 along with the Hall itself. However, the District Council retained the ownership of the storage unit and, by way of covenant, maintained a vehicular right of access over the car park for the tenants of the unit along with the allocation of three parking spaces for use by the tenants.

Whilst there would appear to be no reason to oppose the disposal of the unit, the transfer of the freehold possession of the three parking spaces would result in a permanent loss of control over the use of this part of the car park, and could restrict options for the future redevelopment of the Hall.

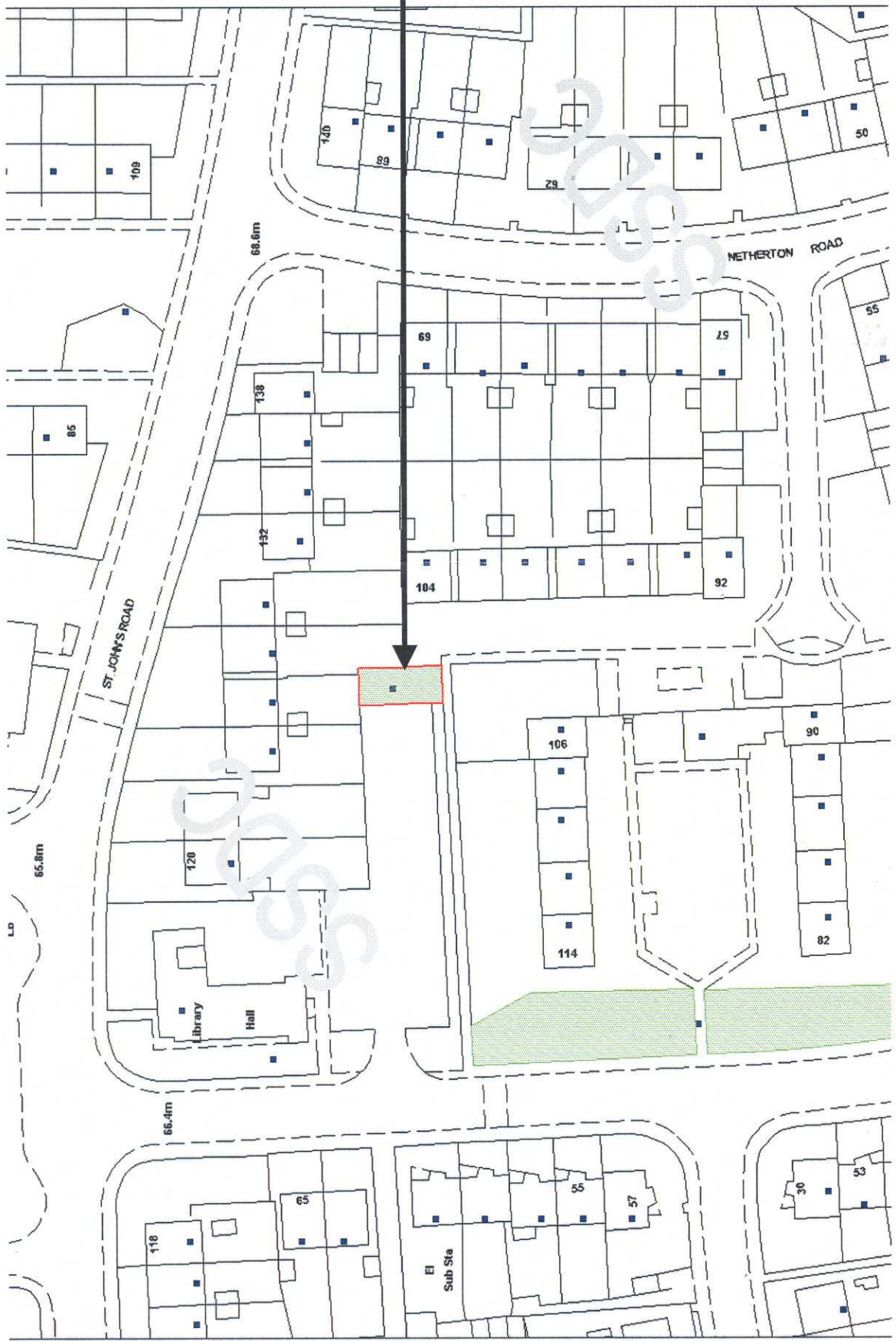
Further enquiries have revealed that the Boys Brigade are not seeking to purchase these parking spaces, but to carry on with the present access arrangements – which are covered by a separate licence.

To protect the Town Council's interests, it is **RECOMMENDED** that no objection be raised to the disposal of the storage unit, subject to the three allocated car parking spaces being excluded from the sale.

(Alan Tawse, Town Clerk – 01935 382424)

Monmouth Road Store

Monmouth
Road Store,
Yeovil



12. OUTSIDE BODIES

At the June meeting of the Town Council, it was agreed that the Policy, Resources and Finance Committee considers the policy for the future appointment of the Member representative on the Yeovil Vision Project Management Board, and that the recommendations of the Committee be referred onto Town Council for consideration and determination in respect of the appointment in future years.

Up until June of this year, the Town Council has appointed a named Member representative (and substitute) to serve on the Board. In June, the Town Council agreed to appoint the current Chairman of the Policy, Resources and Finance Committee to take on this responsibility for the remainder of the 2008/09 Municipal Year.

Members will be aware that some of the appointments to outside bodies on which the Town Council is represented are made on an ex-officio basis ie by virtue of the office-holder. Should this arrangement be supported in respect of this particular appointment, whoever is elected Chairman of the Policy, Resources and Finance Committee would be automatically appointed to serve on the Board.

The Committee is **RECOMMENDED** to consider the matter and to express its views to the forthcoming meeting of the Town Council on how the Member representative (and substitute) should be determined in future years.

(Alan Tawse, Town Clerk – 01935 382424)

13. **YEOVIL TWINNING ASSOCIATION**

A letter has been received from the Secretary of the Yeovil Twinning Association requesting an early meeting between elected members and the Chairman, Treasurer and Secretary of the Association to discuss their financial position.

The letter points out that the Association have only enough funds remaining to continue functioning for about two years.

Committee is **RECOMMENDED** to note and consider the above-outlined request.

(Alan Tawse, Town Clerk – 01935 382424)