



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 30 September 2008**

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

The Committee will be discussing all the items listed overleaf

If you need this information in large print, Braille, audio or another language, please ring 01935 382424



Alan Tawse

Alan Tawse
Town Clerk

23 September 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

1. **MINUTES**

To confirm as a correct record the Minutes of the previous meeting held on 29 July 2008.

2. **APOLOGIES FOR ABSENCE**

3. **DECLARATIONS OF INTEREST**

4. **CORRESPONDENCE**

PAGES

5. **APPLICATIONS FOR GRANT AID**

6. **CAPITAL FUND**

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11. **FINANCIAL STATEMENT - JUNE/JULY 2008**

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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.

12. **STAFFING ISSUES**

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(Confidential report circulated to Members only).

**Policy, Resources and Finance Committee Meeting – 30 September 2008
Summary of Grant Applications Received**

Name of Applicant	Amount sought	Purpose of Grant sought	Last Grant by Town Council/Comments	Page Nos
Yeovil Football and Athletic Club Ltd	£1,000	Towards cost of medical and training equipment for community project scheme	New Applicant (Deferred from previous meetings) See Pages 11 and 12	
South Somerset Mind	£5,000	Towards new kitchen in centre	New Applicant	

- Unallocated revenue budget in 2008/2009 **£17,718**
- Unallocated Capital Funds **£6,095**
(Excluding other agenda items)

In the interest of economy the supporting papers for the above grant applications have been circulated to members of the committee only. Additional copies are available on request.

6. **CAPITAL FUND**

A copy of the updated Capital Fund statement is attached at page 4. 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 February 2009 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 30 September 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 MAINTENANCE

Following on from the July meeting of the Grounds and General Maintenance Committee, the Policy, Resources and Finance Committee and the Town Council have considered the implications of the advice given by the District Council's Health and Safety Officer on this matter. The relevant minute extract setting out the decision of the Town Council is set out in italics below:

7/103 Allotment Equipment

Council considered the recommendations of the Policy, Resources and Finance Committee on this matter (Minute 7/103 refers).

The Town Clerk informed Members that, following the meeting of the Policy, Resources and Finance Committee, he had consulted South Somerset District Council who had confirmed that they had sufficient capacity to take on the additional maintenance work that would arise in the event that the Town Council supported the recommendations of that Committee.

The Chairman of the Policy, Resources and Finance Committee indicated that should the recommendations be adopted, the tenant representatives on the allotment sites concerned would be consulted to ensure that future maintenance works were carried out to an appropriate specification.

During the ensuing discussion, reference was made to the need to clearly define within any adopted policy the areas which tenants were responsible for maintaining (their individual let plots) and the other areas on allotment sites which the Town Council was responsible for maintaining (unlet plots and those areas not forming the let plots).

Attention was drawn to the need to clarify the legal obligations on tenants using machinery to maintain their plots and the role of the Town Council in enforcing any such obligations.

Reference was also made to the legal and financial implications of the Town Council disposing of redundant machinery to individuals.

RESOLVED

- (1) that the report be noted;*
- (2) that the recommendations of the Grounds and General Maintenance Committee be not supported;*
- (3) that in light of the advice received, the practice of allotment tenants using the purchased equipment cease forthwith;*
- (4) that, recommendations (4) and (5) of the Policy, Resources and Finance Committee be deferred and considered during the next cycle of meetings following clarification of the legal obligations on tenants using machinery to maintain their plots and the role of the Town Council in enforcing any such obligations; and*

- (5) *that, in the meantime, the Town Clerk make arrangements for the necessary additional maintenance arrangements (in respect of unlet plots and those areas not forming the let plots) to be undertaken by South Somerset District Council to an appropriate specification, and that the tenant representatives of each of the allotment sites involved be consulted on this specification.*

In line with this decision, arrangements have been made for resolutions (3) and (5) to be put into effect, in consultation with the District Council and the relevant tenant representatives.

Further advice has been sought from the Health and Safety Officer on the matters outlined in resolution (4). He has confirmed that the cultivation of areas that form the let plots (ie those parts of the allotment site which are the subject of individual tenancy agreements) do not constitute a “work activity” and as such are not subject to the Health and Safety at Work Act. Consequently, the Town Council does not have an obligation to oversee the choice, maintenance and use of machinery and equipment that tenants bring to the allotment site for this purpose – it is the individual user’s responsibility.

The Town Council’s tenancy agreement, which is based on a model national agreement, includes an obligation on tenants not to create a nuisance or annoyance the occupier of any other allotment plot. This provision gives the Town Council scope to take action against any tenant who breaches the agreement by using machinery or equipment in an unacceptable manner, and the Health and Safety Officer feels that this is sufficient to ensure that the Town Council’s legal interests are protected.

Earlier this month, the Grounds and General Maintenance Committee met and considered this matter further, and expressed their support for the adoption of the below-outlined deferred recommendations subject to the maintenance specification being drawn up to a satisfactory standard.

The specification for maintenance works already undertaken by the District Council on allotment sites was discussed and agreed by representatives of the tenants earlier this year, and further discussions have been planned to ensure that the quality and frequency of this work continues to be undertaken to an acceptable level within the budget available.

The Committee also felt that the proposed disposal of the machinery should not be restricted to horticultural machinery dealers.

The Committee is **RECOMMENDED** to note the decision of the Town Council; the further advice received from the Health and Safety Officer; and the views of the Grounds and General Maintenance Committee on this matter and, bearing these in mind, to express its views to the Town Council on the adoption of the following deferred recommendations of the Policy, Resources and Finance Committee subject to recommendation (4) being reworded (by adding the suggested bold text) to distinguish between the areas for which tenants are individually responsible for maintaining (the let plots) and the areas that the Town Council is responsible for maintaining (the unlet plots and those areas not forming the let plots) and to incorporate the views of the Grounds and General Maintenance Committee on the standard of maintenance work, and recommendation (5) being reworded to extend the disposal arrangements:

- (4) *that, subject to the approval of the Town Council, all allotment maintenance work **to areas within allotment sites that do not form the plots let to tenants** involving the use of machinery be undertaken **to a satisfactory standard** by suitably qualified and experienced contractors only, and the Town Clerk be requested to explore the options available with a view to putting the necessary additional maintenance arrangements into effect; and*
- (5) *that, in the event of (4) above being supported, the Town Clerk seek early expressions of interest ~~from horticultural machinery dealers~~ for the disposal of the existing equipment at best consideration.*

(Alan Tawse, Town Clerk – 01935 382424)

8. **MEMBERS' ALLOWANCES**

The Independent Remuneration Panel for South Somerset recently met and reviewed the level of allowances which town and parish councils are recommended to pay their members.

Their findings and conclusions are set out in the attached correspondence (pages 10 to 12 refer).

In essence, the Panel have agreed:

- that a Parish Basic Allowance of up to £1,000 be recommended only for the largest parish and town councils in South Somerset who have a wide range of functions and who wish to apply such an allowance to their Chairperson or to all their members;
- that other parish and town councils who are minded to adopt a basic allowance be recommended to apply a rate of between 40% and 60% of this figure, as they may determine in accordance with local circumstances; and
- that parish and town councils in South Somerset wishing to pay travel and subsistence to their councillors are recommended to adopt the South Somerset travel and subsistence scheme.

Assuming that the Town Council accepts these recommendations and amends the present allowance of £795 to £1,000, this would equate to an increase of £205 per annum or, put another way, an increase of £3.94 in the current weekly allowance of £15.29.

The upper level of recommended allowance of £1,000 equates to 18% of the revised basic allowance paid to district councillors (£5,434). Payment of the allowance at this level would be consistent with the present allowance of £795, which also represents 18% of the previous district councillor's allowance of £4,358.

Should adoption of the upper level be supported, the overall maximum additional cost to the Town Council would be £4,920 per year. If the allowance were to be paid at this level from 1 April 2008, the Costs of Democracy budget would need to be increased by £3,000 to meet the anticipated costs in 2008/09, and adequate provision made in future budgets. If however, the upper level was paid from 1 December 2008, there would be no additional cost in the current budget.

In addition, the Panel, in relation to the allowances to be paid to the District Council members, recommended that the scheme of allowances makes provision for an annual uplift of all Basic and Special Responsibility Allowances by the same percentage as the equivalent negotiated APT&C pay award for officers.

Whilst the Panel did not address this issue as far as Parish Basic Allowances are concerned, the District Council has advised that it seems entirely appropriate for any town or parish council to adopt the same uplift should they feel it is appropriate to do so.

The Town Council has previously indicated its support for the payment of allowances - on the basis that such allowances help meet the costs of expenditure necessarily incurred by Members of the Town Council in representing the community, and

enable interested candidates to stand for election irrespective of their personal income.

The Committee is **RECOMMENDED**

- (1) to note the recommendations of the Independent Remuneration Panel;
- (2) to consider whether they should be adopted in respect of Yeovil Town Council and, if so, the level at which they should be paid and the commencement date of the revised allowance; and
- (3) to consider making provision for an annual uplift of the Parish Basic Allowance paid to Members of Yeovil Town Council by the same percentage as the equivalent negotiated APT&C pay award for officers.

(Alan Tawse, Town Clerk – 01935 382424)

The Council Offices, Brympton Way, Yeovil Somerset
BA20 2HT
www.southsomerset.gov.uk

To all town and parish councils clerks

Date: 4th September 2008
Your Ref:
Our Ref: EM
Ask For: Emily McGuinness
Direct Dial: 01935 462148
Email: emily.mcguinness@southsomerset.
uk

Dear Sir or Madam,

Parish Council Allowances – Recommendation for 2008/09

I wish to advise you of the recommendations of the South Somerset independent remuneration panel in respect of allowances for parish councillors. As you are aware, parish and town councils are able to pay allowances to their members in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003. This allows parish councils to pay travel and subsistence allowances and parish basic allowances.

These allowances can only be paid by the parish or town councils following consideration of recommendations made by an independent parish remuneration panel. The panel is the same panel that makes recommendations to the District Council on the level of its allowances.

The independent Panel first made recommendations in 2003 and all parish councils were written to earlier this year for their comments on the level of the allowances. Following consideration of the comments received, the Independent Panel made the following recommendations in respect of Town and Parish Council Allowances:

- That a Parish Basic Allowance of up to £1,000 be recommended only for the largest parish and town councils in South Somerset who have a wide range of functions and who wish to apply such an allowance to their Chairperson or to all their members;
- That other parish and town councils who are minded to adopt a basic allowance be recommended to apply a rate of between 40% and 60% of this figure, as they may determine in accordance with local circumstances;
- That parish and town councils in South Somerset wishing to pay travel and subsistence to their councillors are recommended to adopt the South Somerset travel and subsistence scheme (a copy of which is attached to this letter)

I must emphasise that in accordance with the Regulations **these are recommendations only**. The decision as to whether to pay allowances, and at what level, is a decision for your council to take after considering the recommendations of the Panel.

In addition the Panel, in relation to the allowances to be paid to the District Council members, recommended that the scheme of allowances makes provision for an annual uplift of all Basic and Special Responsibility Allowances by the same percentage as the equivalent negotiated APT&C pay award for officers. Whilst the Panel did not address this issue as far as Parish Basic Allowances are concerned, it seems entirely appropriate for any council to adopt the same uplift should they feel it is appropriate to do so.

I have sent this letter and scheme to all councils for information but if your council has decided not to pay allowances then there is no action for you to take. If you have any questions or concerns please let me know.

Yours faithfully,

Emily McGuinness, Scrutiny and Acting Democratic Services Manager

**ESSENTIAL USER MONTHLY RATES
1st APRIL 2008**

Engine size	451-999cc	1000-1199cc	1200cc upwards
Lump sum	£62.75	£70.75	£91.25
Mileage rate			
up to 708 miles	34.0p	36.9p	45.8p
over 708 miles	13.3p	13.6p	15.8p
VAT included in mileage rates	1.374p	1.460p	1.592p

LEASE CARS

all mileage	14.26p	(inc VAT 1.460p)
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A PAYROLL/HUMAN RESOURCES FACTSHEET

**MOTORCYCLE RATES
1st APRIL 2008**

Engine size	up to 49cc	50-149cc	150 - 250cc	251cc upwards
Lump Sum	£9.41	£12.55	£21.96	£31.38
Essential User Rate	8.50p	13.60p	17.00p	22.10p
Casual User Rate	8.58p	10.73p	15.02p	21.40p

**CASUAL USER MONTHLY RATES
1st APRIL 2008**

Engine size	451-999cc	1000-1199cc	1200cc upward
Mileage rate			
up to 708 miles	42.9p	46.9p	58.7p
over 708 miles	13.3p	13.6p	15.8p
VAT included in mileage rates	1.374p	1.460p	1.592p

CYCLE RATE

all mileage	26.00p	per mile
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Enquiries please to Heather (2222) or Lisa (2215)

**OTHER MILEAGE RATES
1st APRIL 2008**

Courses & seminars		
Up to 150 miles	36.90	(inc VAT of 1.460p)
Then	18.50	
Professional training	18.50	(inc VAT of 1.460p)
Appendix E	18.50	(inc VAT of 1.460p)

SUBSISTENCE ALLOWANCES

Breakfast	£5.42	Lunch	£7.64
Tea	£2.93	Evening	£10.00

OUT OF POCKET EXPENSES

Per night	£4.38	Per week	£17.61
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9. INTERNAL AUDIT

The qualified independent internal auditor appointed by the Committee has undertaken and completed an internal audit of the Town Council for the financial year 2007/08.

The work has been carried out in accordance with regulation 6 of the Accounts and Audit Regulations 2003 which requires all local authorities to maintain an adequate and effective system of internal audit.

This helps to protect the Council as it manages risk, by ensuring that the systems of financial and other controls are effective.

I am pleased to report that the Internal Auditor has issued the Council with a signed annual return drawn up in accordance with the SLCC Practitioner's Guide on Governance and Accountability in England and Wales, and the CIPFA Code of Internal Audit Practice.

The return confirms that all of the control objectives were being achieved throughout the financial year to a standard adequate to meet the needs of the Council.

A small number of minor improvements in existing practices and procedures have been suggested by the Internal Auditor, which will be implemented within an agreed timetable.

The Committee is **RECOMMENDED** to note the successful completion of the 2007/08 Internal Audit.

(Alan Tawse, Town Clerk – 01935 382424)

10. **FINANCE WORKING GROUP**

For the past seven years, the Committee has appointed a Working Group to assist with the preparations for the annual budget exercise.

The remit of the Working Group is as follows:

To help develop the Council's capital and revenue funding and expenditure plans, and to make recommendations on such matters to the Policy, Resources and Finance Committee

Last year, the Committee appointed the Chairman, the Vice-Chairman and Wes Read to serve on the Working Group.

The Committee is **RECOMMENDED** to consider re-appointing the Working Group for the forthcoming budget exercise.

(Alan Tawse, Town Clerk – 01935 382424)