

**FINANCE AND GENERAL PURPOSES COMMITTEE OF THE WITNEY TOWN COUNCIL**

**Held on Monday 27 January 2014**

**At 6pm in the Council Chamber, Town Hall**

**Present:**

Councillor P J Dorward (Chairman)

Councillors: Cllr A K Beames  
Cllr J C Baker  
Cllr C Holliday (sub for Cllr H Eaglestone)

Non-Committee Member: Cllr D Enright

Officers: Town Clerk Democratic Services Officer

Also present: Mr Derek Kemp of DCK Beavers Accountants

**F031 APOLOGIES FOR ABSENCE**

Apologies for their absence were received from Councillors H B Eaglestone, A D Harvey, T J Morris, B J Woodruff and C K Woodward.

**F032 DECLARATIONS OF INTEREST**

There were no declarations of interest in matters to be considered at the meeting.

**F033 MINUTES**

**RESOLVED:** that the minutes of the meeting held on 18 November 2013 be agreed as a correct record and signed by the Chairman.

**F034 MATTERS ARISING**

There were no matters arising from the minutes of 18 November 2013 to be discussed at the meeting.

**F035 FINANCIAL REPORT**

The Chair informed the Committee that out of politeness to Mr Kemp, this item would be taken first.

**Part A – Committee Budget Monitoring Report to 31 December 2013**

The Town Clerk introduced Mr Kemp from DCK Beavers – the Town Council’s contract accountants. The company had a long relationship with the Town Council and it had taken over the reporting of financial information to Committees while the Council was without a Finance Officer. He had been invited so that members could meet him and also to feed back what they wanted to see from future reports.

Mr Kemp said that he wanted to check that the information was presented in a format that was suitable. Detailed accounting could be a mass of figures and he knew from experience

that most councillors did not want to trawl through all of these. He had therefore tried to highlight important things. He told members to feel free to come back with any suggestions – this could be for more or less detail, for example. The Chair agreed with not having to look through reams of figures. He would like to see an executive summary highlighting the bottom lines. He was still interested to see all of the figures but he thought this could be done outside of meetings. Any issues could then be raised with the Town Clerk in good time before the meeting. He personally felt that he did not have the intrinsic knowledge to interpret all of the figures.

Cllr Beames agreed and said that he would like to see a line item on budget, committed expenditure and what was left available to spend. The Chair said that there would be peaks and troughs in this but the Council needed someone experienced to know if it would balance out. Cllr Enright felt that the commentary at the start of the report hit the spot.

Mr Kemp explained that the computer programme would produce a summary of the cost centres. He felt that members should have the detailed information as well, as the Finance and General Purposes Committee was responsible for the finances of the Council overall. He would be reluctant not to provide this information. He agreed this information could be e-mailed to councillors and considered outside of meetings, and then any concerns could be raised with the Town Clerk.

Cllr Baker liked the summary report Cllr R Curry had produced but she understood that this was not readily available on the system. She liked the format because it was easy to see the cost centres and easy to understand. Mr Kemp explained the issues of extracting data and the potential for transposing figures from the programme to another report format.

Mr Kemp drew members' attention to the information on the Partial VAT exemption. He explained that the VAT rules entitled the Council to claim back VAT except where it would cause a distortion in competition with other competitors. The limit was £7,500 and this applied to Burwell Hall, Langdale Hall etc. The problem occurred several years ago when the Town Council had opted to Tax the Corn Exchange to stay under the £7, 500 limit. The Corn Exchange had then closed and all that business was funnelled into the Langdale and Burwell halls. He said that he would advise doing an analysis of the halls income as there was the option to tax the halls. It was possible that the Council might be better off treating the charges as inclusive of VAT but it would require a detailed piece of work. He had carried out a rough calculation and it would appear currently that the Town Council would have to hand back £18,000 of VAT over and above what had already been paid.

Cllr Beames thought this would be a good idea and proposed that this was done. He said that the income for the halls was far less than what the halls cost to run. Usually when the costs were higher than the income this prevented VAT registration. Derek Kemp explained that this did not apply to town and parish councils. It would be up to the Town Council to tax the income if it was beneficial.

Cllr Baker asked why the VAT situation wasn't picked up earlier – it had, after all, gone through audit. Mr Kemp explained that this was not the sort of thing that the auditors would pick up. The calculations of 2011/12 should have been done a long time ago, but the information had not been available.

The Town Clerk asked Mr Kemp if VAT would have to be paid on Langdale Hall if the income was taxed and the hall was sold. He confirmed that it would, but if it was sold to commercial developers they would be able to reclaim it. The Town Clerk asked if VAT registration could be backdated to the first January but was advised that it couldn't.

Cllr Baker asked how long an analysis of the halls income would take. Mr Kemp said that it would be no more than 1 month. It would need a serious trawl through the sales invoices. He said that the income for the first 9 months of the Langdale Hall was £41,000 – if this was all attributable to local groups, 1/6 of this would be lost if the Council opted to tax. The calculation of the VAT the Council was losing on Langdale was £6,400. Cllr Beames asked if officer and office recharges were subject to VAT. Mr Kemp said this was not relevant as they were internal movements.

The grounds maintenance was contracted out and this was subject to VAT. The Town Clerk pointed out that the bar income also assisted with reducing the liability within the partial exemption calculation however this had been franchised out, and Mr Kemp added that we had assumed Burwell Hall would have been taken over by a Trust – this would have helped.

*Mr Kemp left the meeting at this juncture*

#### Part C – Financial Implications of recommendations made by Spending Committees

The Town Clerk advised that the Leisure & Recreation Committee had referred the matter of the request to increase the Carnival Grant for 2014 and the loss made on the Rotary burger stall at the Christmas lantern parade to this committee.

Cllr Beames said that the budgets had been set and had not allowed for an increase to the Carnival Grant. The Town Clerk advised if the Committee was so minded to award this additional grant it would have to come out of the Recreational Grants budget.

Cllr Holliday noted that everyone else's grants had been cut and he did not see why this one should be increased. The Town Clerk reminded members that the Carnival also got free use of The Leys (which had been charged for in the past). The Chair proposed giving an extra £100 for next year and members agreed.

The Rotary Club had requested a £200 donation to cover the loss they had made in providing a burger stall on the night of the Christmas Lantern parade. Their figures showed they had lost £150 but in fact the meat had been sponsored which resulted in an overall £50 loss. Cllr Beames proposed that £50 grant was awarded and all agreed.

The Public Halls Committee had recommended that the Council's consultants proceed with commissioning an asbestos survey for the Corn Exchange as it was required prior to any work taking place. This would be in the region of £2,000. This would need to come out of the allocated reserves for the Corn Exchange.

#### **RECOMMENDED:**

1. that DCK Beavers be instructed to undertake an investigation and analysis into the Council's VAT status in relation to its public halls, and that the decision to opt to tax the Halls be delegated to the Town Clerk and the Chairman.
2. that the grant to the Carnival Committee for 2014 be increased by £100 to £600 in total but to make it clear that this was a one off.
3. that a donation of £50 be given to the Rotary Club of Witney to cover their loss, funded from the 4100/407.

4. that the expenditure for the full asbestos survey on the Corn Exchange be agreed.

F036 **EXCLUSION OF PRESS & PUBLIC**

That in accordance with section 1(2) of the Public Bodies (admissions to Meetings) Act 1960, and as extended by Schedule 12A of the Local Government Act 1972, the public, including the press, be excluded from the meeting because of the confidential nature of the following business to be transacted.

F037 **FINANCIAL REPORT**

Part C – Financial Implications of recommendations made by Spending Committees

The Town Clerk explained that in order to progress the Corn Exchange project, the works needed to go out to tender. Ridge & Partners had provided a fee proposal for this work. She and Cllr Baker had a few questions to ask the consultant, but she was asking if the Committee would agree in principle to the fee proposal but delegate the decision to accept the fee proposal to herself, Cllr Baker and Cllr R Curry.

The Town Council had come a long way with the consultant and not to proceed with them would put the project back significantly. Cllr Beames wanted to query the scope of the extra works. Cllr Baker said that she had the same query and this would be one of the questions asked of the consultant.

The Town Clerk, in her report, had also recommended that the Town Council deviates from its normal financial regulations as the consultant would go out to tender on behalf of the Town Council. Usually the Town Council would advertise for expressions of interest, issue a prequalifying questionnaire, which would inform the tender list before going out to formal tender, this would take more time.

The consultants had a list of approved contractors who had already been vetted however nothing would be considered for tender without full consultation with the Council. Cllr Enright was uncomfortable about not adhering to the Council's financial regulations. The Town Clerk reassured him that all potential contractors were vetted and Cllr Baker added that the Council could always vet them again. The Chair thought that to proceed in this manner would be in the Council's interests and he did not want to see any further delay. Cllr Beames asked of there were any risks in proceeding. The Town Clerk said that as long as the fact that the Council had agreed to deviate from its financial regulations was because it was using professionals, there was no more risk than in awarding any other contract in the normal way.

**RECOMMENDED:**

1. that the fee proposal from the consultants be agreed in principle, with the final decision being delegated to Cllrs Baker, R Curry and the Town Clerk, subject clarification of some of the points raised;
2. that the Council's Financial Regulations on Contracts and Works be waived to enable Ridge and Partners to tender for the phase 1 works.

**The Committee reverted back into open session.**

Part D – Associated Financial Matters

The Town Clerk explained that there had been a slight change in the terms of the funding available to the bowls club. The building contract had risen in costs although the builders had agreed to delay £20,000 of payment for 2 years. Therefore, the bowls club were asking that the loan agreed by Council in October 2013 be released on 1 April 2014, with the repayment being deferred for 2 years and the loan then being repaid over 8 years. They were actively fundraising and trying to help themselves.

**RECOMMENDED:** that the terms of the Witney Town Bowls Club interest free loan be agreed with the repayment being delayed for the first two years and the loan being repaid over the following 8 years.

F038 **SNOW PLAN**

Cllr Enright had brought a motion to the Committee concerning the introduction of a snow plan for the town. He had also circulated members with a paper with more detailed information. The Chair commented that he thought this was a good idea as he had had requests from residents for grit bins. Cllr Holliday explained that on Madley Park the County Council had sorted out additional bins and grit. Cllr Enright added that County Councillors Hoare and Price had not spent their allocation of £10,000 each, and perhaps they could be persuaded to contribute. The Chair said that the Town Council and the County Council should be working together. He wondered where additional grit would be stored.

Cllr Enright had done some research and found out that Banbury had an excellent snow plan as did Chipping Norton, the latter having bigger problems due to its location. Both had a volunteer led approach. Chipping Norton got assistance from local shops for storage and the town had 12 volunteers who gritted as required and cleared snow as needed. They used quad bikes as mini snow ploughs, although Cllr Enright did not feel that this would be necessary for Witney. He felt the key ingredients were co-ordinators and finding space to store grit.

Cllr Holliday said that there was no liability on volunteers if they cleared snow. This was according to the HSE guidelines. Cllr Enright said that generally people used too much grit, but training would ensure that this was not an issue. It was key to contact the adverse weather team for advice before next winter. A communications network could be built and could advertise for volunteers to come forward.

Cllr Baker agreed that there was a problem but was not sure that it was a Town Council responsibility. Some grit bins had been removed due to vandalism and misuse. It would be quite a responsibility to co-ordinate everything. The Chair asked where more grit bins could be sited and wondered whether there would be issues with gaining landowner's permission. He suggested that this should be discussed again at a future meeting for more detailed consideration.

Cllr Baker suggested an amendment to Cllr Enright's motion, and proposed that the Town Council contacted all Witney County Councillors and asked them to draw up a list of where additional grit bins could be installed in their wards and to submit these to Oxfordshire County Council Highways for its approval and assurance that the bins will be kept filled with salt. She also proposed that the Town Council issue a press release asking people to contact their County Councillor if they had any suggestions for suitable sites for extra salt bins. Cllr Beames said that he had been trying to get a grit bin in one particular location for two years and had had no success at all. Cllr Holliday seconded Cllr Baker's proposal; with that amendment some action could start.

**RECOMMENDED:**

1. To work towards a snow plan by advertising for volunteers and that the Town Council contact all Witney County Councillors and ask them to draw up a list of where additional grit bins could be installed in their wards and to submit these to Oxfordshire County Council Highways for its approval and assurance that the bins will be kept filled with salt. The Town Council should issue a press release asking people to contact their County Councillor if they had any suggestions for suitable sites for extra salt bins.
2. To invite the Highways adverse weather manager, Paul Wilson, to address the Council at a future meeting, but in time for the 2014/15 winter.

*Cllr Enright left the meeting at 7.25pm.*

**F039 PAYMENT OF ACCOUNTS**

The Committee received and considered the payments of accounts as circulated with the agenda. Cllr Baker queried the fact that the grounds maintenance contract had been paid twice in one month. The Town Clerk explained that this depended on how the invoices fell and when two councillors were available to sign cheques – it did not mean that they had been paid for the same work twice.

Cllr Baker also queried what the £5,000 landscape payment was for and the Town Clerk explained it was for the Christmas tree and lights. She also asked what the childcare vouchers were and it was explained that they were for one of the employees – the money came out of his salary directly and he was not then taxed on the earnings.

Cllr Baker asked if the contract cleaners were paid monthly as the costs seemed high. The Town Clerk confirmed that this was correct but they cleaned all of the Town Council’s properties. It was also confirmed that the Music Station was play equipment for Burwell field. Cllr Beames queried the payment to Motor Co and it was explained that this was for repairs to one of the vans. The Works Manager was in dialogue concerning this. Cllr Baker thought that DCK Beavers had been paid a lot at the end of the year. The Town Clerk said that this was for budget work with the RFO.

**RECOMMENDED:**

1. that the following schedule of accounts be approved:

Cheques 28659 – 28717 & DD/BACS in the sum of	£68,460.60	Imprest a/c
Cheques 100929/932 DD & standing orders in the sum of	£701,997.21	General a/c
Cheques 28718 - 28804 & DD/BACS in the sum of	£68,873.64	Imprest a/c
Cheques 100933 DD & standing orders in the sum of	£12,160.78	General a/c
Cheques 100934/5 cancelled		
Cheques 28805 - 28863 & DD/BACS in the sum of	£69,457.03	Imprest a/c
Cheques 100936/938 DD & standing orders in the sum of	£57,323.93	General a/c

2. that the bank reconciliations as at 31 October 2013, 30 November 2013 and 31 December 2013 be noted.

F040 **FINANCIAL REPORT**

The Committee returned to the Town Clerk's finance report.

**RECOMMENDED:** that the report be noted.

F041 **UPDATE ON CAPITAL EXPENDITURE**

The Town Clerk tabled her report at the meeting which contained financial updates on the Corn Exchange and Splash Park projects. The Facilities Manager had looked again at the play area projects which had originally been programmed over 3 years. The Town Clerk highlighted that the FM had got funding from SITA and the Chill Out fund amounting to £30,000 which had enabled her to review the project programme and spread the costs of the other projects over 4 years. West Witney Sports Ground had been put on hold and the money earmarked for this had been reallocated to other areas – The Leys, Burwell and King George V Field. The tennis court resurfacing had been recommended and this would be additional expenditure.

A report would be going to the next Leisure and Recreation meeting on the tennis court resurfacing costs and lighting for The Leys. The Town Clerk noted that there was £295,000 of section 106 money due for the West Witney site and asked if the Committee wanted to consider how to fund the tennis court work at this stage or defer the decision to the Leisure and Recreation Committee. Cllr Beames was minded to defer the decision to the Leisure and Recreation Committee.

Similarly a report would be put to the Leisure and Recreation Committee on the cost of the cemetery access and dry stone wall repairs. The footpath repairs were in excess of £20, 000 (if the gates were left open, this work would need to be done) and the Works Contracts Supervisor had asked for funds to repair the dry stone wall at Towerhill Cemetery - £5,000 for the first year, £10,000 for the second year and another £5,000 for the next two years. The Chair wondered if it was the weight of water pushing it over. The Town Clerk added that a supporting wall had been built to help the situation.

A report on the churchyard at St. Mary's church would also be presented at the Leisure and Recreation Committee, which may find that the Town Council has certain responsibilities. There would need to be a serious budget for this. There was approx. £70,000 left in the rolling capital fund however the General Fund was currently £60,000 short from the recommended 3 months net expenditure.

Cllr Baker noted that there was a lot of money set aside for West Witney Sports Ground, and she wondered whether some of this could go into the Corn Exchange project. Cllr Beames thought that money should go into the General Fund straight away to bolster the fund, and that any decision on St. Mary's should be deferred until the costs were known. The Town Clerk asked what would happen if there were other urgent projects, and Cllr Beames replied that the money could come out of the General Fund.

**RECOMMENDED:**

1. that the report be noted

2. that the prioritisation of capital projects and a decision on the tennis courts be referred to the Leisure and Recreation Committee.

F042 **DISCRETIONARY GRANT AWARDS**

The Committee received and considered the report of the Democratic Services Officer as circulated with the agenda, along with the correspondence from Volunteer Link-Up and CAB.

There was £1,160 currently available. No further applications had been received. Members were reminded of the earlier decision to award the Rotary Club £50 from this fund.

**RECOMMENDED:** that the report and correspondence be noted.

F043 **CALENDAR OF MEETINGS 2014/15 MUNICIPAL YEAR – FREQUENCY OF COMMITTEE MEETINGS**

The Committee received and considered a report on the frequency of meetings for the next municipal year.

The Town Clerk advised that budget setting would need to be done in January and so she would have to work out how this would fit in with meetings.

**RECOMMENDED:** that to continue with the same frequency and timings of meetings

F044 **ANNUAL TOWN MEETING**

The Committee received and considered the report of the Town Clerk as circulated with the agenda.

Members discussed the format of the Annual Town meeting and all agreed they were happy for the Mayor to present one report covering the work of all Committees. Cllr Baker thought this was fine as long as all the Chairs of the Committees were present. The Town Clerk commented that it was actually a parish meeting for residents to discuss parish affairs, but it was hosted by the Council.

**RECOMMENDED:**

1. that District and County Councillors be invited to attend and participate in the meeting.
2. that the Mayor compiles one report to be presented at the meeting.
3. that the meeting be advertised in the usual ways (on the website, on public noticeboards, in the library and the District Council Town Centre shop, and in the “Witney Advertiser”, Heart FM and Radio Oxford and the Witney Gazette.
4. that the Thames Valley Police be invited to attend and participate in the meeting.

F045 **TOWN CENTRE FORUM MINUTES**

The minutes of the Town Centre Forum as circulated with the agenda were received and considered by the Committee.

The Forum wanted to remove seating, the old wall and noticeboard at the top of The Woolgate Centre. The Committee agreed it was not attractive.

The Chair had discussed using the Leys as a focal point for the next Christmas festivities with the Events and Communications officer. However, this was something for the next Mayor to take up. He was, however, concerned about the amount of parking on The Leys and wondered if the Town Council should start charging for this. Cllr Beames wondered how this would be enforced – it would have to be a private contractor. Cllr Baker thought that this would be difficult especially as all the other parking in the town was free. She also felt it was unfair on parents in the summer, and thought maybe a leaflet campaign to ask people to stop parking would be better. Cllr Holliday agreed that the idea of discouragement should be tried first. The Town Clerk commented that she thought it was the contractors from the Buttercross Works site and Henry Box School were parking there at the moment.

The Democratic Services Officer reported that a member of the public had complained about people parking on the grass and damaging it, and the Town Clerk said that if this was the case it needed to be addressed. Perhaps benches or bollards could be installed. Cllr Beames said there was also access onto the grass via the corner next to Sainsbury's.

**RECOMMENDED:** that the minutes be noted.

F046 **EXCLUSION OF PRESS & PUBLIC**

That in accordance with section 1(2) of the Public Bodies (admissions to Meetings) Act 1960, and as extended by Schedule 12A of the Local Government Act 1972, the public, including the press, be excluded from the meeting because of the confidential nature of the following business to be transacted.

F047 **STAFFING MATTERS**

The Committee received and considered the Personnel Sub Committee minutes of 18 November 2013, 28 November 2013 and 17 December 2013.

The Town Clerk updated the Committee on the matters contained in the minutes.

**RECOMMENDED:** that the minutes and the recommendations contained therein be agreed.

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The meeting closed at 8.13pm.

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Chair.