



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 27 January 2015**

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

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



QUALITY
TOWN
COUNCIL

Alan Tawse

Alan Tawse
Town Clerk

20 January 2015

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

Martin Bailey

John Hann

Philip Chandler

Andrew Kendall

Bridget Dollard

Mike Lock (Ex-Officio)

David Dollard

Tony Lock (Chairman)

Tony Fife

Wes Read

Jon Gleeson

Darren Shutler (Vice-Chairman) (Ex-Officio)

Peter Gubbins

Alan Smith

Equality Act 2010

The *general* public sector equality duty places an obligation on a wide range of public bodies (including town and parish councils) in the exercise of their functions to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- Advance equality of opportunity between people who share a protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not

The protected characteristics are:

Age

Race

Disability

Religion or Belief

Gender Reassignment

Sex

Marriage and Civil Partnership

Sexual Orientation

Pregnancy and Maternity

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 25 November 2014.

2. **APOLOGIES FOR ABSENCE**

3. **DECLARATIONS OF INTEREST**

4. **CORRESPONDENCE**

5. **APPLICATIONS FOR GRANT AID**

(Circulated separately)

6. **CAPITAL FUND**

7. **ESTIMATES 2015/16**

8. **RECORDING COUNCIL MEETINGS**

9. **LOCAL COUNCIL AWARD SCHEME**

10. **FINANCIAL STATEMENT – OCTOBER/NOVEMBER 2014**

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Public Comment (15 minutes)

6. CAPITAL FUND

Introduction

A copy of the Capital Fund is attached at page 6. The sum of £5,503 is currently available for allocation to new capital schemes.

Former Goldcroft Allotment Site

Future sources of funding include the proceeds arising from the sale of surplus land at the former Goldcroft allotment site.

In November 2009, the Town Council agreed that approval be given to the acceptance of the highest bid received for the disposal of the above site subject to the bidder providing formal satisfactory evidence within the next two weeks of their ability to fund the acquisition.

The response was reported to the following meeting of the Town Council at which it was agreed that the disposal to the highest bidder be permitted to proceed.

The disposal of the site proceeded as expected and, following completion of the S.106 agreement, the Planning Authority issued a planning certificate on 23 July 2010 granting outline planning approval for the residential development of the site. In accordance with the agreed disposal arrangements, a draft contract was prepared by the Town Council's solicitor and submitted to the purchaser's solicitor.

Following on from the March 2011 Town Council meeting, the outstanding issues were progressing towards a conclusion and, as reported to the October 2011 Town Council meeting, contracts were expected to be exchanged at the agreed price in the near future whereupon it was anticipated that the purchaser would apply for detailed planning consent or reserved matters approval within the following two months.

The position was reviewed at the February 2012 Town Council meeting, at which a strategy was agreed to resolve the outstanding issues. The disposal arrangements were further reviewed by the Town Council in May 2012 and a revised plan of action drawn up to advance the matter.

The conclusions of a Working Group set up to review the disposal of the land; to consider future options and to make recommendations on the best way forward were considered at the September meeting of the Town Council and unanimously approved, and a further report was submitted to last December's Town Council meeting.

The report set out further developments that had taken place regarding the disposal of the above land following the adoption of a strategy by the Town Council, and details of the progress made in relation to the course of action agreed at the September 2012 meeting of the Town Council were set out in the report along with copies of the bids received to date in response to the recent marketing exercise.

Following detailed consideration of the bids received and the options available, the Council agreed that no action be taken, at this stage, to dispose of the site, and that the land continue to be marketed and an update report be submitted to the March 2013 meeting of the Town Council.

In March, the Town Council received an update report and, after giving careful consideration to the options available, adopted a revised strategy that would progress the matter whilst protecting the Council's interests. An update report was submitted to the Town Council in May at which it was agreed that the land be withdrawn from the market pending the outcome of the ongoing planning process.

The application to renew the outline planning consent and the reserved matters application have since been approved by the Planning Authority and, following discussions with the Council's Property Agent and Solicitor, the options for taking this project forward were considered at the April 2014 meeting of the Town Council at which it was agreed that the land be re-marketed. This will be undertaken in the near future following which details of the bids received will be submitted to the Town Council.

Former Ski and Activity Centre

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 were 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 2008 meeting of the Town Council for consideration. The final brief was adopted at that meeting and the property was marketed and expressions of interest invited.

Details of those received were reported to the Town Council in March 2009, and Members approved a process for assessing these bids and reporting back on their respective merits with a view to a final decision being taken by the Town Council in due course on how best to proceed.

All expressions of interest received were considered by the Steering Group set up to give initial consideration to the matter, and details of the bids received along with their views were submitted to the Town Council.

Although the bid put forward by the Yeovil Community Church in September 2009 for the redevelopment of the site as a creative arts centre was supported in principle, the proposal was unable to be progressed at that time owing to factors beyond the Church's control.

In May 2010, the Town Council agreed to concentrate on remarketing the property following a review of the current development brief, which were submitted for Members' consideration following the conclusion of the planned investigation by the Council's Property Agent.

The result of this exercise was reported to the October 2010 meeting of the Town Council at which approval was given to Alder King entering into discussions with representatives of the organisation commissioned to prepare an indicative master plan for the nearby urban village - as part of the emerging Core Strategy (Preferred Options) - with a view to exploring the feasibility of the site being included in the master plan.

The outcome of these discussions was reported to the December 2010 Town Council meeting at which it was agreed that representations be made to the Planning Authority seeking the inclusion of the site in the emerging masterplan for the nearby urban village. Representations were made and, as reported to the January 2012 Town Council

meeting, the site has been included in the master plan, copies of which have been circulated to all Members.

Further feasibility work is planned, and further updates awaited on the progress of the future actions. The Town Council will be involved in the planned further feasibility work on the ski slope site.

In the meantime, the proposed development of Yeovil Summerhouse Urban Village has been identified as a strategic location in the emerging Local Plan (Policy YV4) which, if included in the adopted Plan, will strengthen the case for its future delivery at that location.

The recently published Inspector's Report confirmed that the inclusion of Policy YV4 is justified, and supported the proposed location as an "urban regeneration area where there is significant potential to deliver environmental and other improvements".

Other Sources

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

Play Areas

The District Council has been asked to consider the suggested phasing of proposed future upgrades having regard to the condition of the play equipment at all of the sites managed by the Town Council and the availability of contributory funding from the District Council.

This work, which was completed last year, involved a further audit of the play areas by the District Council's Play and Youth Facilities Team and the results - including an analysis of the findings and suggested priorities - were reported to the March 2013 meeting of the Committee (Minute 8/167 refers) along with the views of the Grounds and General Maintenance Committee on the matter.

A copy of the updated programme is set out below:

Play Area	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	Totals
Preston Park	£12,500						£12,500
Summerhouse View		£10,000					£10,000
Kingston View			£10,000				£10,000
Grass Royal				£10,000			£10,000
Fielding Road					£5,000		£5,000
Turners Barn Lane						£10,000	£10,000
Total	£12,500	£10,000	£10,000	£10,000	£5,000	£10,000	£57,500

These figures represent the anticipated contributions from the Town Council and assume that matching contributions will be made by the District Council.

Allocations have been made by both Authorities for the Summerhouse View project, which is currently being upgraded. The Policy, Resources and Finance Committee identified how the Town Council would meet its proposed contribution of £10,000 towards this scheme, which is via a combination of savings and underspends that were identified by the Grounds and General Maintenance Committee in their budget and carried forward as a planned underspend to 2014/15.

The Committee has also agreed to the funding of the remainder of the programme being considered each year as part of the budget-setting process leading up to the fixing of the precept. With this in mind, consideration will need to be given to the Town Council funding its share of the cost of its contribution (now £10,000) towards the upgrade of the next play area in the Rolling Programme – Kingston View.

As mentioned elsewhere on the Agenda, the total estimated cost of this project has recently risen to £20,000 and it is proposed that the Town Council's increased contribution of £10,000 be met partly from the 2015/16 budget (£2,500) with the balance of £7,500 being met from savings identified by the Grounds and General Maintenance Committee.

Existing Programme

Following the necessary funding being put in place by both Authorities, the development of the Summerhouse View project commenced earlier this year and a steering group was formed to oversee the development and delivery of the project.

The Steering Group has carried out a consultation exercise with local residents and having regard to the outcome of this exercise, final designs were produced which have been approved by the Grounds and General Maintenance Committee. Following a tendering exercise, a contractor has been appointed and the project is expected to be delivered within budget during the present financial year.

General Reserve

As previously reported to the Committee, the General Reserve stands at £471,199 and, after taking into consideration agreed carry forwards totalling £31,283 from 2013/14 and other commitments totalling £112,595, the net unallocated balance is £327,321.

The Committee has agreed that, as a matter of policy, a minimum balance of £230,000 remains uncommitted in the General Reserve to meet any unexpected revenue needs beyond those which could be funded from contingencies over the forthcoming financial year. This is £97,321 (42%) above the agreed minimum balance.

Recommendations

Members are **RECOMMENDED:**

- (1) to note the position concerning the Capital Fund and the General Reserve; and
- (2) to note the current position regarding the rolling programme of play area improvements.

(Alan Tawse, Town Clerk - 01935 382424)

7. ESTIMATES 2015/16

Introduction

At the December meeting of the Town Council, consideration was given to the setting of the precept for 2015/16, and it was

RESOLVED

- (1) that the 2015/16 *draft* revenue estimates for the various Service Committees of the Council, summarised below and attached to the minutes of the Policy, Resources and Finance Committee meeting held on 25 November 2014 be *provisionally* approved and adopted; and

Committee	Revenue Estimate
Planning and Licensing	£5,628
Grounds and General Maintenance	£243,827
Promotions and Activities	£71,047*
Buildings and Civic Matters	£128,174*
Policy, Resources and Finance	£397,147
Total	£845,823

(*adjusted to take into account decision to transfer Town Centre Environmental Improvements budget from Promotions and Activities Committee to Buildings and Civic Matters Committee)

- (2) that *final* approval and adoption of these estimates and the setting of the Town's precept for 2015/16 be deferred and determined at the February 2015 meeting of the Town Council.

Subsequent Developments

The Government has made it clear that town and parish councils will continue to be included in the Council Tax base calculations that need to be undertaken each year by all district councils (as billing authorities) as part of the Government's decision to introduce Localising Support for Council Tax from 1 April 2013.

The Government has yet to confirm whether it will be applying the council tax referendum rules to town and parish councils this year. A decision is expected shortly.

Following on from the December Town Council meeting, written confirmation has been received from South Somerset District Council (SSDC) of the Town Council's tax base for 2015/16 and the level of grant that the Government has included in the Revenue Support Grant settlement for local authorities and town and parish councils – to support the Council Tax Reduction Scheme.

Impact of Government's Changes

The consequence of these arrangements was that the tax base of the Town Council (as a local precepting authority) was initially reduced by 14.6% from 10013.66 to 8552.28 in 2013/14. This decrease of 1461.38 effectively meant that the Town Council's annual income from its share of the Council Tax precept was initially reduced by £132,445.

This was exacerbated by the inadvertent inclusion by the billing authority of properties in Wyndham Park in the Town Council's 2013/14 tax base, which effectively reduced this figure further to 8340.46 following their removal.

However, during the course of the year, the tax base has increased and for the purpose of calculating the 2015/16 precept it is now 8733.72. These changes have resulted in the Town Council's annual income from its share of the Council Tax precept being reduced by £122,324.

As previously reported, to help offset the impact of this change, the Government has introduced a *voluntary* arrangement under which billing authorities agree the amount of funding, allocated initially to such authorities, to be passed down to local precepting authorities.

Under the new system, this allocation is reviewed each year by the billing authority. South Somerset District Council has agreed to allocate £94,180 to the Town Council for 2015/16. This is £25,235 (21.1%) less than last year's grant of £119,415. As a result of the new arrangements, the overall annual net income of the Town Council has been reduced by £28,144.

In making this allocation, the District Council has drawn attention to the fact that the Council Tax Reduction Scheme Grant has now been absorbed into Revenue Support Grant and therefore the transparency of funding has been lost.

As the transparency has now gone, the District Council has agreed the principle that the grant to town and parish councils be amended from 2015/16 in line with provisional reductions/increases to South Somerset's grant from Central Government.

Setting of Precept

As previously reported, the District Council has confirmed that the Town Council may set the Town's precept for 2015/16 at its meeting on 3 February 2015. Since the last meeting, the Yeovil Crematorium and Cemetery Committee has now set its budget for 2015/16 and the Town Council's contribution has been calculated at £80,420. This makes the overall draft budget £926,243.

In view of the current level of schemes in the capital programme for the Cemetery, the Joint Committee has agreed not to make any revenue contributions to capital outlay (RCCO) in 2015/16. This has effectively reduced the Cemetery budget by £24,540 and proportionally decreased the contributions paid by the constituent authorities towards its operation.

However, in taking this decision, it was noted that the cost of acquiring and developing land for additional burial facilities (which has been under investigation for some time) has not yet been included in the programme and that, depending on how these costs are to be met and apportioned, these contributions may need to be increased in future years.

Following discussions with the Chairman, it is proposed that additional provision of £2,500 be made in next year's budget towards the revised costs of the planned upgrade of the Kingston View Play Area - following the announcement at the last Town Council meeting that the overall estimated cost of this project has increased to £20,000.

This additional provision will enable the Town Council to meet its share of the increased cost of the initiative, which is being match-funded by South Somerset District Council. In line with previous years, it is proposed that the balance of the Town Council's amended contribution (£7,500) be met from identified savings by the Grounds and General Maintenance Committee.

If supported, this would increase the overall budget to £928,868 (including £125 additional contingencies) and would result in the existing Band D charge remaining at £95.57, which equates to no increase in the 2014/15 charge.

Should the Town Council decide to set a Band D charge of £95.57, this equates to no change in the current charge of £1.84p per week for the average household.

Recommendation

The Committee is **RECOMMENDED** to note the above-outlined developments and to make recommendations to the forthcoming Town Council meeting on the setting of the 2015/16 budget and the precept.

(Alan Tawse, Town Clerk – 01935 382424)

8. RECORDING COUNCIL MEETINGS

Introduction

The Local Audit and Accountability Act 2014 includes a provision to enable the public to record local authority meetings.

Section 40 of the Act states:

Access to local government meetings and documents

- (1) *The Secretary of State may by regulations make provision for and in connection with allowing persons -*
- (a) *to film, photograph or make sound recordings of proceedings at a meeting of a body to which this section applies, or of a committee or sub-committee of such a body;*
 - (b) *to use other means for enabling persons not present at such a meeting to see or hear proceedings at the meeting, as it takes place or later;*
 - (c) *to report or provide commentary on the proceedings at such a meeting, orally or in writing, so that the report or commentary is available, as the meeting takes place or later, to persons not present at the meeting.*

Since the Act came into force, the Secretary of State has made regulations to give effect to this provision, which has been extended to include town and parish councils.

The draft policy attached at pages 11 to 12, which is based on the policy recently adopted by South Somerset District Council, has been designed to ensure that meetings of the Town Council and its Committees are not interrupted by those wishing to make such recordings, and to help protect the privacy of members of the public who may also be attending.

As well as posting the suggested policy on the Town Council's website, it is proposed that reference be made to its existence on all agendas for Council and Committee meetings, and that appropriate signs be displayed in the Council Chamber advising the public of the new legal provisions and the Council's policy.

The Committee is **RECOMMENDED** to consider adopting the attached draft policy.

(Alan Tawse, Town Clerk – 01935 382424)



Yeovil Town Council

Policy on audio/visual recording and photography at Council meetings

January 2015

Introduction

Yeovil Town Council is committed to being open and transparent in the way it conducts its decision making. Recording, including filming, audio recording, taking photographs, blogging, tweeting and using other social media websites is permitted at Council meetings which are open to the public subject to the following:

The rules which the Council will apply are:

1. Anyone wishing to record must let the Chairman of the meeting know prior to, or at the start of, the meeting and the recording must be overt (i.e. clearly visible to anyone at the meeting), but non-disruptive.
2. All those visually recording a meeting are requested to only focus on recording councillors, officers and the public who are directly involved in the conduct of the meeting. Any children present at the meeting are not to be filmed unless their parents/guardians have given their consent. Please be aware: photographing a Ward of Court is usually regarded as an actionable Contempt of Court.
3. At the beginning of each meeting, the Chairman will make an announcement that the meeting may be filmed or recorded. Meeting agendas will also carry this message.
4. Any member of the public has the right not to be recorded. We will ensure that agendas for, and signage at, council meetings make it clear that recording can take place – if anyone speaking at the meeting does not wish to be recorded they must let the Chairman of the meeting know.

5. Any person wishing to record Council meetings will be responsible for ensuring that any cabling, or electrical equipment that they use has been properly tested and installed and adheres to health and safety requirements. The Council will not be held liable for any injuries to the individual or members of the public caused by the recording of its meetings.
6. The Chairman of the meeting has absolute discretion to stop or suspend recording if in their opinion continuing to do so would prejudice proceedings at the meeting or if the person recording is in breach of these rules.

The circumstances in which this might occur might include:

- recording is disrupting the proceedings of the meeting
- there is public disturbance or a suspension of the meeting
- the meeting has resolved to exclude the public

7. The recording should not be edited in a way that could lead to misinterpretation or misrepresentation of the proceedings or infringement of the Council's values or in a way that ridicules or shows a lack of respect for those in the recording. The Council would expect any recording in breach of these rules to be removed from public view.
8. Meetings which take the form of hearings, e.g. licensing matters, may not always be suitable for recording due to the nature of some of the evidence to be given at the hearing, and the Chairman will use discretion to decide if recording is allowed.
9. If the Committee needs to discuss confidential information and the public are excluded from the meeting, then all recording equipment will need to be removed immediately from the room.
10. The use of flash photography or additional lighting will not be allowed unless this has been discussed in advance of the meeting and agreement reached on how it can be done without disrupting proceedings.

Notes for guidance:

Please contact the Town Clerk or Assistant Town Clerk in advance of the meeting you wish to record, and especially if the recording you wish to make involves large equipment or special requirements.

A failure to follow these requirements may lead to a request to record being refused at subsequent Council meetings.

Recording and reporting the Council's meetings is subject to the law and it is the responsibility of those who undertake the recording and reporting to ensure compliance. This will include the Human Rights Act, the Data Protection Act, the Public Order Act Part III (1986 as amended), the Equality Act 2010 and the laws of libel and defamation.

The Council may itself photograph, film, record or broadcast at its meetings and may retain, use or dispose of such material in accordance with its retention and disposal policies.

9. LOCAL COUNCIL AWARD SCHEME

Earlier this month, the new Local Council Award Scheme was launched by the National Association of Local Councils (NALC). The new scheme, which has been under review for three years, replaces the Quality Parish and Town Council Scheme, which was introduced in 2004.

NALC has indicated that the new scheme will recognise and celebrate the successes of the very best councils, providing a framework to support all councils improve and develop to meet their full potential. It will also offer the opportunity to show that participating councils meet a set of standards and practices set by the sector and assessed by a group of peers, and puts in place the conditions for continued improvement.

Yeovil Town Council achieved quality status shortly after its introduction, and was the first large local council in Somerset to receive this national accreditation. It was successfully re-accredited with the award in 2009, and has continued to hold this status pending the outcome of the national review of the scheme.

Now that the review has been completed and the new scheme launched, all existing quality town and parish councils have been invited to apply for an automatic transition to the Foundation level of the new Scheme – at no cost and without taking part in the accreditation process. This will also ensure that any previous accreditation is extended for a further twelve months. Councils wishing to accept this invitation must register by 31 January 2015.

NALC has recommended that existing quality town and parish councils do this as a first step and then consider working towards the next two award levels.

The Committee is **RECOMMENDED** to

- (1) note these developments and to agree to the Town Council applying for free Foundation level accreditation by the impending deadline; and
- (2) await further details of the new Award Scheme and the application process.

(Alan Tawse, Town Clerk – 01935 382424)