



21st September 2020

In accordance with Paragraphs 7 & 10(2) (b) of Schedule 12A of the Local Government Act 1972 and The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, I hereby summon you to attend a Meeting of **PETERLEE TOWN COUNCIL** to be held online on **MONDAY 28th SEPTEMBER 2020 at 6pm**

Ian Morris, P.S.L.C.C
Town Clerk (Proper Officer of the Council)

To join the meeting use the Zoom app or click on this link:

<https://us02web.zoom.us/j/81405488293?pwd=OThpSzBISkpOUzZmNG9NWEVpLzFudz09>

Meeting ID: 814 0548 8293

Passcode: 718363

You can also join by phone by dialing one of the following numbers:

- +44 203 481 5237 United Kingdom
- +44 203 481 5240 United Kingdom
- +44 203 901 7895 United Kingdom
- +44 131 460 1196 United Kingdom
- +44 203 051 2874 United Kingdom

Meeting ID: 814 0548 8293

(Please note that there may be a charge for using these phone numbers, please check with your phone service provider if in doubt)

Members of the Committee and members of the public are reminded that the public part of the meeting may be recorded in both audio and video, and photographs may be taken.

BUSINESS TO BE TRANSACTED

1. Apologies for Absence
2. Public Participation Session
Will be held to allow Members of the public an opportunity to put questions to the Council. This item of business to last no more than 15 minutes, as per Council Standing Orders.
3. Mayor's/Chair's Report
4. To receive declarations of interest
Members are reminded of the need to disclose any interests in items on this agenda, whether pecuniary or otherwise. Please seek advice from the Town Clerk or Deputy Town Clerk **prior to the meeting** if in doubt. Members are reminded that they can check their published declaration of interests here: <https://bit.ly/2wVyeLA>
5. Disposal of Town Council land - former bowls grounds and tennis court, Lowhills Road
Report of the Town Clerk seeking approval to dispose of the former bowls site at Lowhills Road to CALM CIC on a 30 year leasehold agreement (report attached)
6. To Approve the Minutes of the last meeting of the 17th August 2020
The minutes of the previous meeting are attached for consideration and approval as a true and correct record. (attached)
7. To Note the Minutes of the Scrutiny Meetings held on 7th August & 11th September 2020
(copies of the minutes of these meetings attached)
8. COVID-19 Update
To receive an update from the Town Clerk on the Council's response to the COVID-19 situation.
(verbal report of the Town Clerk)

9. Annual Meeting May 2021

To consider arrangements for the Annual Meeting, with the suggestion that the meeting be suspended for this year and it be held in May 2021 after the local elections.

10. Audit of Accounts 2019/20

To consider the External Auditor's report on the Council's Accounts for 2019/20.

11. New Policies

The following policies are for consideration, approval and adoption by Peterlee Town Council (draft copies of the policies are available on the using the links given below, or in hard copy from the Deputy Town Clerk on request). Several of the policies are updated and reviewed versions rather than new policies.

- (a) Review of Mobile Device Policy <https://bit.ly/31xk2HY>
- (b) Mutual Respect & Dignity at Work Policy <https://bit.ly/3mmnGy5>
- (c) Equality & Diversity Policy <https://bit.ly/35U0BgI>
- (d) Learning & Development Policy <https://bit.ly/3hNrAwk>
- (e) Maternity Policy <https://bit.ly/3hSxmNo>
- (f) Volunteering Policy Statement <https://bit.ly/3cpigFo>
- (g) Appeals Policy <https://bit.ly/3cjTjDE>
- (h) Attendance Management <https://bit.ly/2RLReHl>
- (i) Disciplinary Policy <https://bit.ly/3016Efn>
- (j) Grievance Policy <https://bit.ly/32X7P1n>

12. NEP Funding Applications

- (i) Blackhall Monks Under10s, Originals FC - grant of £400.00 requested towards some new equipment and sports wear
- (ii) Peterlee Town Bowling Club (form and accounts received) – grant of £405.00

13. Spokesperson of the North East Party's Report

14. Spokesperson of the Labour Political Party's Report

15. Exclusion of the Press & Public

To resolve that in view of the confidential nature of the items to be discussed, the committee pass the formal resolution to exclude the press and public from the meeting, pursuant to the Public Bodies (Admissions to Meetings) Act 1960 & the Local Government (Access to Information) Act, Part 1, paragraphs 1 & 11.

16. Shotton Hall

To consider recommendations from the Scrutiny Committee and receive a presentation from the Town Clerk on the future operating model of Shotton Hall

Report to: Peterlee Town Council

Date: 28th September 2020

Report of: Ian Morris, Chief Officer & Town Clerk

Subject: Disposal of Town Council land - former bowls grounds and tennis court, Lowhills Road

Report Purpose: This report seeks authority to dispose of the former bowls grounds and tennis courts off Lowhills Road, Peterlee to CALM CIC. The disposal, by way of a 30 year lease at a peppercorn rent, will enable the site to be developed as a community wellbeing hub by CALM CIC.

Background: Members will recall that in December 2017 the Town Council reviewed the provision of lawn bowls facilities provided by the Council. At the time the Council provided two bowls sites in the town, at Eden Lane and Lowhills Road. This review concluded that with £30,000 of investment required in the Lowhills site and £15,000 required at the Eden Lane site the Council should consult with the bowls users from the two sites on the consolidation of organised bowls to one site and the de-commissioning of the other. Shortly after this decision the Town Council received notice from the users of the Lowhills Road site that they were vacating and bowls has not been played on the site since 2018. The Eden Lane bowls site remains open and in active use.

During 2018 the Town Council advertised an intention to make the site available for community use and invited interested parties to express an interest in taking the site on through a lease agreement. In late 2018 an open presentation evening was held where community groups were invited to find out more about the site and the Council's intentions, following which two local community organisations submitted formal expressions of interest and outline business plans. These were presented to Council in February 2019, and the Council resolved to set up a working party to look into future options for the site.

The Working Party met between March and November 2019 and considered a number of options for the future use of the site. It was finally agreed to resort back to the original two local community organisations to refresh their business plans and present these for consideration at a Council meeting in February 2020. This meeting concluded that the proposal from CALM CIC for a community wellbeing hub was the preferred future use of the site. In order to provide CALM CIC with early access to the site to make some preliminary improvements the Council entered into a 'License to Occupy' agreement with CALM CIC later that month.

Proposed lease: The site for the proposed lease is set out in the area of the red polygon in Appendix 2 to this document. It comprises the former bowls site (bowls rink, grounds and pavilion, including the perimeter fence) shown as the area outlined in blue and numbered 1 and

land to the immediate north (the former tennis courts) shown as the area outlined in blue and numbered 2.

The key 'heads of terms' for the lease are:

- 30 year term
- Permitted use: physical wellbeing activities and holistic health hub with or without café facilities
- Rent £1 (if demanded) to be reviewed every 5 years
- Tenant pays the Council's costs for the land & buildings insurance for the site
- Tenant pays rates, taxes, utility costs and other outgoings payable in relation to the site
- Tenant not to make any internal or external alterations or additions to the site without the consent of the landlord
- Tenant responsible for repair, cleaning and decoration of the site including landscaped and grassed areas, trees, fencing, etc
- Tenant does not have an automatic right to renewal of the lease at the end of the 30 year period

A full copy of the lease agreement is available for Members to inspect by request. Please contact myself or the Deputy Town Clerk if you would like to inspect the document prior to the meeting.

Members will be aware that at the July Council meeting the Council agreed in principle to grant funding of a new cabin/cube on the site for the provision of services in line with the permitted use of the site. I can confirm that I have been working with CALM CIC and the Durham County Council planning department and have approval for the installation of the new building under Permitted Development rights. It is a recommendation of this report that I be authorised to approve the installation of the cabin/cube once the lease is properly completed.

Value:

Under sections 123 and 127 of the Local Government Act 1972 the Town Council is able to dispose of land so long as it does not so for 'a consideration less than the best can be reasonably obtained'. It is possible to dispose of land at 'less than best consideration' (ie below the best market price) so long as the council is satisfied that value is being received in other ways that would justify forgoing monies that would otherwise come in to the public purse.

The General Disposal Consent (England) 2003 regulations provide a general consent from the government to the disposal of any interest in Town Council land at less than best consideration where the council considers it will help it to secure the promotion or improvement of the economic, social or environmental well-being of its area, subject to the condition that the undervalue (i.e. the difference between the consideration obtained and the best consideration that can reasonably be obtained) does not exceed £2million.

The Council commissioned a valuation report for the site for the uses specified in the draft lease from the Valuation Office Agency (VOA) and this report was received on 15th

September 2020. The valuation report was prepared in accordance with the Royal Institution of Chartered Surveyors: RICS Valuation – Global Standards and RICS UK National Supplement, commonly known together as the Red Book. It takes into account the current state of the proposed area and the former pavilion building. The valuer's opinion of market rent of the property as at 11th September 2020 is £3,250 per annum, made up of approximately £3,000 annual rent for the bowling green site/pavilion and £250 annual rent for the former tennis courts site to the north.

The proposed lease is for a 'peppercorn rent' (£1 a year, if demanded). As such, the Council needs to be satisfied that the economic, social or environmental well-being value of the proposed use of the site is greater than the £3,250 per annum that could theoretically be achieved through market rent. Members are already aware of many of the health and wellbeing services that CALM CIC provides/has provided in the town and the range of other groups that the organization works with including Believe Housing and the East Durham Area Action Partnership to attract funding in to the town for the benefit of local residents. As the Council's Proper Officer and Responsible Finance Officer I am comfortable recommending that the monetary loss from the undervalued rent is outweighed by the positive social, economic and environmental benefits of the proposed use of the site.

Public Notice: As the land in question is part of public open space the General Consent regulations require that the intention to dispose must be advertised for two weeks in a local newspaper. The advert has already been prepared and in order to expediate completion of the lease transaction it is recommended that the consideration of any objections arising be formally delegated to the Chairman of the Council and Town Clerk to deliberate prior to completion of the lease. It is recommended that the matter only be referred back to the Council if the Chairman and Town Clerk feel that any objections are of a material nature.

Recommendations:

Members are recommended to note the contents of this report and resolve to:

1. approve the leasehold disposal of the subject site to CALM CIC at a peppercorn rent (£1 per annum, if demanded);
2. delegate responsibility to the Chairman of Council and Town Clerk to ensure that any objections to the advertised disposal are properly considered and responded to;
3. subject to resolution 2 above, authorise the Town Clerk to complete all requisite legal documentation in relation to execution of the lease; and
4. subject to the successful execution of the lease, authorise the Town Clerk to notify CALM CIC of approval of the request to install a new cabin/cube on the site for the provision of classes and other services in line with the terms of the lease.

Appendix 1: Implications

Finance – The proposals contained within this report will provide an income of £1 per year (if demanded for the site) which represents an under-valuation of £3,249 per annum. The lease contains provision for a rent review on the 5th Anniversary of the lease and every 5 years thereafter, enabling the council to assess the rental situation at regular intervals throughout the 30 year lease period;

Staffing – The leasing of the site will reduce the workload on the Parks department as the lessee will take over responsibility for the repair and maintenance of the site.

Risk – The completion of the lease substantially reduces the risk to the council and local community of the continuation of a vacant site which has already been subject to criminal damage and trespass.

Equality and Diversity, Cohesion and Integration – the proposed lease use as a community wellbeing hub is likely to provide substantial community benefits by providing a venue for local people to meet and engage with health and wellbeing services.

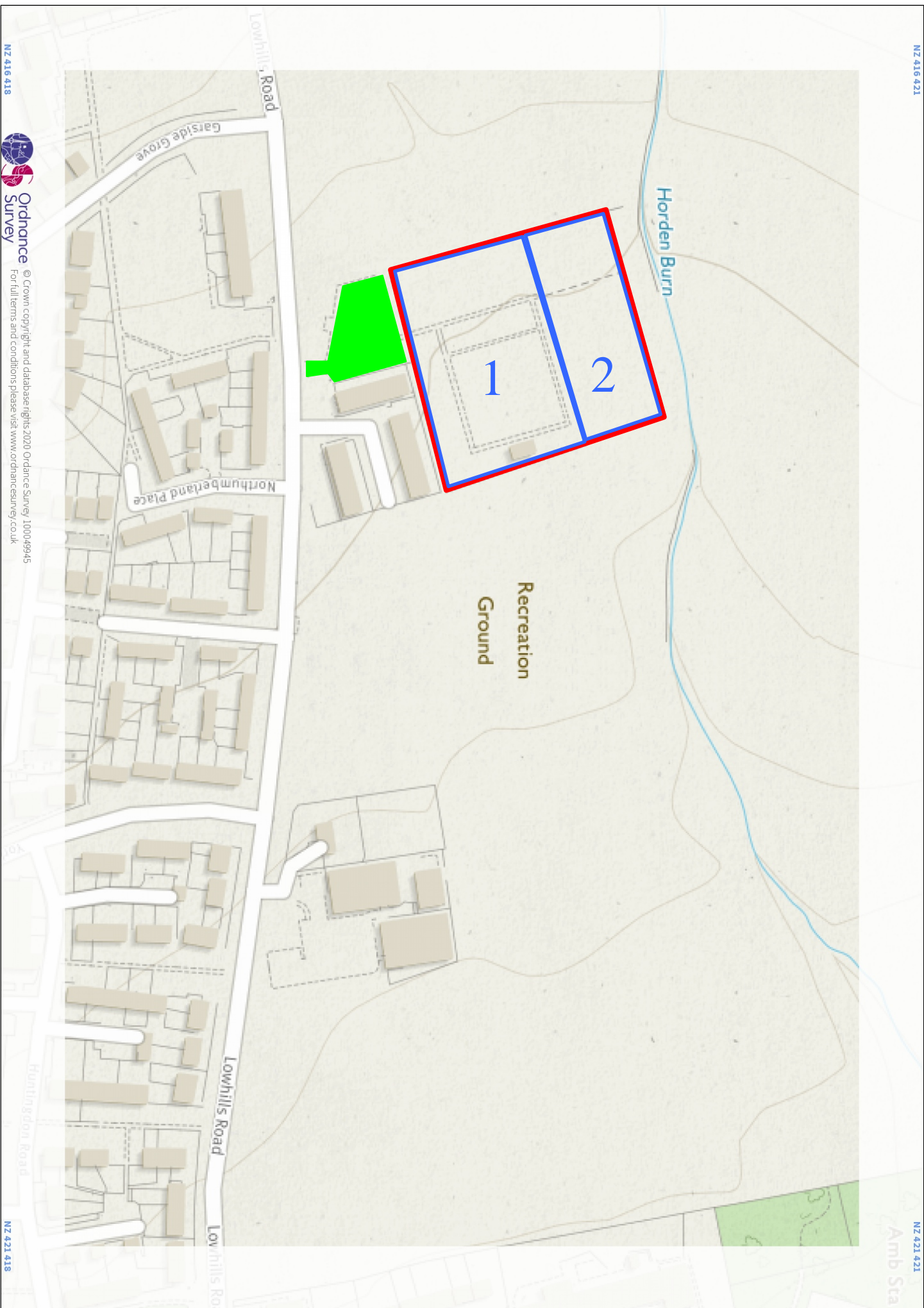
Crime and Disorder – the proposed occupation of the site is likely to have a positive impact on crime and disorder through reduced anti social behaviour and criminal damage.

Consultation & Communication – the proposed lease of the site was advertised to the local community in 2017 and has been the subject of a working party and extensive council and committee deliberation. If Members agree the recommendations in this report a newspaper advert of the intention to dispose of the land will be placed for a 2 week period prior to the execution of the lease.

Procurement – the proposed disposal of land has been subject to a prolonged engagement process and

Legal – the legal power for the Town Council to dispose of this land is enshrined within s123 & 126 of the Local Government Act 1972 and the ability to dispose at less than market value is provided by the General Disposal Consent (England) 2003 regulations. The process followed for the proposed disposal is compliant with these regulations. The lease document has been developed with support from the Council's solicitors Wellers Law, one of the leading firms in the Local Council sector.

Appendix 2: Site Plan for Lease



PETERLEE TOWN COUNCIL

MINUTES OF THE MEETING OF THE TOWN COUNCIL

HELD IN THE BRANDLING SUITE & ONLINE USING VIDEO CONFERENCING TECHNOLOGY

ON MONDAY 17th AUGUST 2020 at 6.00PM

PRESENT:- COUN T DUFFY (CHAIR)

Mesdames:- K Duffy, D Howarth, A C Long, S Simpson, K Hawley & K Liddell

Messrs:- G Carne, S Miles, G Johnson, A Wilkinson & R Moore

41. Apologies for Absence

Apologies for absence were offered to the meeting from Councillor L Fenwick, S McDonnell & C Watkins.

42. Mayor's/Chair's Report

The Mayor reported he had spent a lovely afternoon with some of the residents at Bannatyne Lodge Care Home. He had taken part in a balloon release held in memory of those that had lost their lives due to Covid. He had lots of residents being in touch with him about housing needs and rubbish issues. **RESOLVED the information given, be noted.**

43. To receive declarations of interest

Members were reminded of the need to disclose any interests in items on this agenda, whether pecuniary or otherwise. None had been received.

44. To Approve the Minutes of the last meeting of the 27th July 2020

The minutes of the previous meeting were attached for consideration and approval.

Matters Arising

Minute Number 40 – Provision of Devices for Council Use

It was suggested the wording of the minute be changed to read “the Council agree to support any councillor with a contribution” and this was agreed. **RESOLVED the minutes be accepted and signed as a true and correct record, subject to this alteration.**

45. COVID-19 Update

Council received an update from the Town Clerk on the Council's response to the COVID-19 situation. He advised the Shielding Support Scheme continued to support 127 households with care packages being delivered monthly and weekly telephone calls being made. The Council were acting as quickly as possible to react to Government changes and he spoke briefly on the update given to the recent scrutiny meeting on the financial impact of COVID. He asked for Member's views on holding the Annual Meeting that had been postponed until September 2020. It was suggested the Council suspend the Annual Meeting for this year and hold the meeting in May 2021 after the local council elections.

RESOLVED an item to agree when the Annual Meeting should be held, be placed on the next Council agenda.

46. Fireworks Display & Remembrance Parade

The Council considered holding of these events in November 2020 in light of the COVID situation. The Town Clerk advised he and the Events Co Ordinator had met with the Safety Officer and considered both events in detail in relation to the current COVID guidelines. There was considerable discussion on the viability and safety of both events. Whilst Members were disappointed they felt they had no option than to cancel the fireworks event. With regard to Remembrance Day, they definitely wished to play a part in the church service, if held.

RESOLVED:-

- (I) the firework display for 2020 be cancelled;**
- (II) the final decision on the Remembrance Day Parade be delegated to the Town Clerk, in consultation with Councillors Moore and Johnson.**

47. New Policies

The following policies were for consideration, approval and adoption by Peterlee Town Council.

- (i) Drugs, Alcohol & Substance Misuse Policy
- (ii) Expenses Policy
- (iii) Flexible Working Policy
- (iv) Pensions & Retirement, (including Flexible Retirement) Policy -
- (v) Probationary Period Policy
- (vi) Recruitment Policy
- (vii) Toil Policy
- (viii) Home Working Policy
- (ix) Working in the Sun Policy

(x) Cemetery Policy – Procedure for Memorial Inspections

RESOLVED the policies listed be adopted by the Town Council.

48. Exclusion of the Press & Public

RESOLVED that in view of the confidential nature of the items to be discussed in the next agenda item, the committee passed the formal resolution to exclude the press and public from the meeting, pursuant to the Public Bodies (Admissions to Meetings) Act 1960 & the Local Government (Access to Information) Act, Part 1, paragraph 1.

49. Staffing – Parks & Cemetery Department

Members reconsidered this item following its referral to the Scrutiny Committee meeting on Friday 7th August 2020. Following discussion it was **RESOLVED three new fixed term posts to be created in the Parks Department, SCP 3, Grade 2.**

The press and public were re-admitted to the meeting for the final items.

50. Spokesperson of the North East Party's Report

Councillor K J Duffy spoke on behalf of the North East Party and she said how wonderful the first edition of the Peterlee magazine was. She said it showed the staff, the Town and facilities off well and she was proud there was a copy going to every household in the Town. **RESOLVED the information given be noted.**

51. Spokesperson of the Labour Political Party's Report

There was no spokesperson for the Labour Party present at the meeting.

THE MINUTES OF THE MEETING OF THE SCRUTINY COMMITTEE
HELD IN THE COUNCIL CHAMBER, SHOTTON HALL, PETERLEE
ON FRIDAY 7TH AUGUST 2020 AT 10.00AM

PRESENT: COUN K HAWLEY (CHAIR)

Mesdames:- D Howarth, & K Liddell

Messrs:- S Miles, R Moore, G Carne & T Duffy

1. Apologies for Absence

Apologies for absence were submitted and accepted on behalf of Councillors L Fenwick, K Duffy, C Watkins & S McDonnell. **RESOLVED the Council approve the reasons submitted at the meeting for absence received, and their apologies for absence be recorded.**

2. To receive declarations of interest

Members were reminded of the need to disclose any interests in items on this agenda, whether pecuniary or otherwise. No declarations were offered.

3. To review the financial impact of the COVID pandemic upon the Council's budget and services

The Town Clerk had produced a presentation following the timeline of the COVID 19 pandemic and PTC's reaction to it. He outlined the financial impact based on the Council's two main commercial operations at the Pavilion Sports & Community Centre and Shotton Hall banqueting suites. The Clerk presented actual income and expenditure figures for Quarter 1: April to June and then provided projections for Quarter 2 ie to end of September 2020. There was discussion on the Government's guidance on reopening of facilities, potential future scenarios, and the Town Council's current levels of reserves.

Members suggested holding regular Scrutiny Committee meetings to review and track the financial impact of the COVID situation and it was **RESOLVED that a Scrutiny Committee meeting be held on a monthly basis to monitor the financial impact of the COVID situation.**

4. To exclude the press and public

RESOLVED that in view of the confidential nature of the items to be discussed, the committee passed the formal resolution to exclude the press and public from the meeting, pursuant to the Public Bodies (Admissions to Meetings) Act 1961 & the Local Government Act 1972, Part 1, paragraph 1.

5. Staffing – Parks & Cemetery Department

This item had been referred to Scrutiny Committee from the Council Meeting held on 27th July 2020. Members asked for further information on the recommendation and option presented at the Council meeting. There was also discussion about the various employment schemes available to employers and the Parks Manager reported back on conversations he had with East Durham College and the Skills Mill organisation. There was discussion on the current workforce and the impact of the three posts coming to an end at the end of September 2020. Following consideration of the item in some detail it was **Agreed this item be referred back to the Council Meeting to be held on 17th August 2020 with a recommendation that consideration be given to extending one or more of the temporary posts in the department as per the original report.**

THE MINUTES OF THE MEETING OF THE SCRUTINY COMMITTEE
HELD IN THE COUNCIL CHAMBER, SHOTTON HALL, PETERLEE
ON FRIDAY 11TH SEPTEMBER 2020 AT 10.00AM

PRESENT: COUN K HAWLEY (CHAIR)

Mesdames:- D Howarth, & K Liddell

Messrs:- S Miles, R Moore, G Carne & T Duffy

6. Apologies for Absence

Apologies for absence were submitted and accepted on behalf of Councillor R Kyle.
RESOLVED the Council approve the reasons submitted at the meeting for absence received, and their apologies for absence be recorded.

7. To receive declarations of interest

Members were reminded of the need to disclose any interests in items on this agenda, whether pecuniary or otherwise. No declarations were offered.

8. To exclude the press and public

RESOLVED that in view of the confidential nature of the items to be discussed, the committee passed the formal resolution to exclude the press and public from the meeting, pursuant to the Public Bodies (Admissions to Meetings) Act 1961 & the Local Government Act 1972, Part 1, paragraph 1.

9. To review the financial impact of the COVID pandemic upon the Council's budget and services

Shotton Hall

The Town Clerk had produced a presentation re capping the initial predictions of the financial impact of COVID-19. He then asked Members to consider the impact of the "Rule of 6" announcement.

RESOLVED to recommend to the Council that the future viability of Shotton Hall be considered as a matter of urgency.

The Pavilion

The Town Clerk once again outlined the forecast budget position and the net surplus budget for the Pavilion. Whilst there was no adverse budgetary impact there was very clearly a social impact of services not being offered from the Centre. The Town Clerk reported the Passfield and District Community Association had now folded. This meant the prices and pricing structure at the Pavilion could be reviewed. It was agreed the next Scrutiny Meeting be held to the close of October to review the financial situation at that point in time.