

THE MINUTES OF THE MEETING OF THE

FINANCE AND GENERAL PURPOSES COMMITTEE

HELD IN THE COUNCIL CHAMBER, SHOTTON HALL, PETERLEE

ON MONDAY 9TH FEBRUARY 2015

PRESENT: COUN C BATY (CHAIR)

Mesdames:- K Liddell, L Wood, S Simpson & V Watson

Messrs:- S Miles, W M Jeffrey, C Watkins, R Kyle, J Alvey,
D Milsom, C J Metcalfe & A Watson

MEMBERS WERE REMINDED OF THE NEED TO DISCLOSE ANY INTEREST PREJUDICIAL OR PERSONAL IN ACCORDANCE WITH THE CODE OF CONDUCT.

The Chairman advised Members of the committee that part of the meeting may be recorded by both audio and video, and it may be that photographs were taken.

103. APOLOGIES FOR ABSENCE

Apologies had been previously submitted and accepted from Councillor C Robbins on the grounds of ill health. Councillor G Cowie had submitted his apologies (flu) and Councillor Cartwright advised the office after the meeting she had been involved with a road traffic accident.

RECOMMENDED the Council approve the reasons submitted for absence received from Councillors C Robbins & Cowie, on the grounds given above, and their apologies for absence be recorded along with Councillor Cartwright's apologies being noted.

104. RESOLUTION TO EXCLUDE THE PRESS AND PUBLIC
IN VIEW OF THE CONFIDENTIAL NATURE OF THE FOLLOWING 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, 1960 & THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985.

PRIOR TO CONSIDERATION OF THIS ITEM BOTH COUNCILLORS W M JEFFREY AND A WATSON DECLARED AN INTEREST AND LEFT THE ROOM FOR THE ENTIRETY OF THE MATTER DISCUSSED.

105. TOWN CLERK'S GRIEVANCE

Mr Dougal Swan, Smith & Graham Solicitors, was in attendance at the meeting to update Members with this item. Mr Swan gave a summary of the advice received from counsel and advised that it was now for the Council to consider what action it wished to take.

It was stressed the information given to Members at this meeting, both on counsel's advice and the negotiations with the Town Clerk's legal representative and union, should be held by all in the strictest confidence. It was felt it was vital for all present to understand and comply with the need to maintain total confidentiality and for these matters to stay within the confines of the Council Chamber and the Council.

The paragraphs 41 vi, vii and viii of the advice received were read out to the meeting. Members were advised that Councillor A Watson had offered a full unreserved apology, if that was what the Clerk would like him to do.

RECOMMENDED:-

- (i) approval be given for advice to be obtained from a counsel with employment experience, and plenary powers be granted for this to be done immediately to make progress with the claim being made;**

- (ii) Smith & Graham Solicitors be authorised to formally notify the Town Clerk's solicitors that the Town Clerk's grievance had been substantially upheld by the Panel established to consider the grievance, save in relation to the claim in respect of gender discrimination;**
- (iii) The council authorise Smith & Graham Solicitors to make a full and unreserved public apology to the Town Clerk for delay in completing the grievance process and for the actions of the Council and individual Members in relation to elements of the grievance which had been upheld;**
- (iv) It be noted the Town Council were free to adopt the recommendations of the report, should they wish to do so, save the issues relating to the Code of Conduct;**
- (v) The Council refer the two councillors, as named in the meeting, to Durham County Council for breaches of the Code of Conduct, under the Procedure for Local Assessment of Complaints – Code of Conduct Issues. The referral would be in accordance with Section 27(1) of the Localism Act 2011 to promote and maintain high standards of conduct by Members;**
- (vi) Approval be given to the payment of the Panels' fees;**
- (vii) Members authorise an audit and review and update of all policy documents, as per paragraph 4iv of counsel's advice.**

FURTHER RECOMMENDED it be noted the following Members had voted in favour of the motion given above and wished for it to be recorded as so:- V Watson, S Miles, C J Metcalfe, L Wood, K Liddell & S Simpson & R Kyle. Councillor J Alvey voted against this motion and asked for this to be recorded.

106. INTERNAL INVESTIGATION

This matter had been referred from the Clerks Advisory Committee. Copies of the documentation had been made available for all Members.

The connection between the e mails and the Town Clerk's grievance was clear and noted. A Local Member felt that this matter could have

been resolved many months prior if it had been tackled in a different manner; this Member also made reference to the use of the disciplinary policy. The Deputy Town Clerk asked for it to be made totally clear that this was a matter which had originated from the “whistle blowing” policy; Members noted this and supported the Deputy Town Clerk and understood why she had not felt it appropriate to circulate the contents of the e mails referred to, to all members, whilst they had been made available. Several Members at the meeting now requested a full copy of these and they would be provided.

Following debate and discussion it was **RECOMMENDED the report and e mails be received for Member’s information only and no further action be taken.**

107. THE MINUTES OF THE LAST MEETING a copy of which had been previously circulated, were approved.

Matters Arising

- (i) Minute Number 101 - Payments to ARCO

To note at the Council Meeting held on 19th January 2015 it was agreed that this payment be made and it be noted the support was from September 2014 through to September 2015.

- (ii) Minute Number 94 - County Durham Flag

RECOMMENDED two flags be purchased to fly at the Town Council premises.

- (iii) Minute Number 94 – Local Council Award Scheme

RECOMMENDED progress with this scheme be monitored.

108. THE REPORT OF THE FINANCE SUB COMMITTEE MEETING OF THE 22ND JANUARY 2015 a copy of which had been circulated to each Member, was approved. There had been a query on one payment, which had been resolved at Minute number 105 (vi). Councillor W M Jeffrey was against the release of this payment.

109. BUDGET 2015/16 – CAPPING UPDATE FROM DURHAM COUNTY COUNCIL

It was reported the local government financial settlement made no reference to parish councils being subject to any referendum principles. Principle authorities would have to undertake a referendum if they wished to increase their council tax demands by 2% or more and it was reported Durham County Council were preparing for a 1.999999% increase.

RECOMMENDED the information given, be noted.

110. NALC NEWSLETTERS

Members were circulated with copies of the weekly newsletters from NALC with items of interest to Members.

RECOMMENDED the information given, be noted.

111. COUNTY DURHAM ASSOCIATION OF LOCAL COUNCILS – VARIOUS ITEMS

Members were circulated with copies of the following for their information:-

- (i) Safer Homes Awareness Training
- (ii) Bulletin Feedback from meetings and Improvement Development Board
- (iv) Use of Electronic summonses for council agendas etc

Councillor A Watson requested that he receive his agenda papers by e mail if and where possible. It was suggested that the use of electronic summonses could be an item considered at the Budget Working Party when it was arranged.

RECOMMENDED that any Member wishing to receive their paperwork electronically advise the Deputy Town Clerk.

- (v) CDALC Larger Local Councils Forum

RECOMMENDED the information given, be noted.

112. STOCK REPORTS PERIODS ENDING 12TH JANUARY 2015
(A) Shotton Hall
(B) The Pavilion

Consideration was given to the stock reports for the above period for all of the Town Councils licensed premises. There was a query on one of the wastage reports and it was agreed that this be taken up with the individual Member and a direct reply be given.

RECOMMENDED that the reports be accepted.

113. INTERNAL AUDIT REPORTS

- (a) Budgetary Control Systems for Peterlee

A copy of the report offering substantial assurance for the Town Council system of budgetary control was accepted. The report included a recommendation that in order to determine a medium and long term financial plan for the Council, a Corporate Plan should be completed to determine what priorities the Council require and how they wished to plan for these in the future.

RECOMMENDED that a Corporate Plan be compiled as soon as possible as per the recommendation of the report.

- (b) Main Accounting

A copy of the report offering full assurance for the Town Councils main accounting systems was accepted, with no recommendations or action plan. There was a sound system of controls in place and those controls were consistently applied and were fully effective. Control objectives were fully met.

RECOMMENDED the report be accepted.

114. LAND & ASSET VALUATION – COST

The Deputy Town Clerk advised on progress with obtaining prices from valuers to carry out this work on behalf of the Town Council and a further report would be submitted when all of the information had been gathered.

RECOMMENDED that a further report be awaited.