



Congleton Town Council

Historic market town

Town Clerk: **BRIAN HOGAN**



30th January 2015

Dear Councillor,

Extraordinary Town Council Meeting – Tuesday 10th February, 2015

You are summoned to attend a meeting of the Council, to be held in the Town Hall, Congleton on **Tuesday 10th February, 2015** commencing at **7.00pm**.

The Public and Press are welcome to attend the meeting. There may be confidential items towards the end of the meeting which the law requires the Council to make a resolution to exclude the public and press.

Yours sincerely,

B. Hogan
TOWN CLERK

AGENDA

1. Apologies for absence. (Members are respectfully reminded of the necessity to submit any apology for absence in advance and to give a reason for non attendance).

2. Minutes (enclosed)

To approve the Minutes of the meeting held on 15th January 2015.

3. Declarations of Disclosable Pecuniary Interest

Members are requested to declare both "non pecuniary" and "pecuniary" interests as early in the meeting as they become aware of it.

4. Outstanding Actions

None.

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5. SimNet

To consider what action to take as a consequence of SimNet failing to deliver the Digital Display Unit and to consider any advice from the solicitor dealing with the matter.

Members of the Town Council, Press 3, Burgesses (5), Mayor's Chaplain,
Members of the Youth Committee
MP, Cheshire East Councillors (4), Library, Congleton TIC.

Congleton Town Council

Minutes of the Meeting of the Council held on Thursday,
15th January 2015 in the Town Hall, Congleton.

PRESENT: Councillors Mrs D S Allen
 P Bates
 G Baxendale
 R I Brightwell
 J S Crowther
 G R Edwards
 G P Hayes
 Mrs S A Holland
 Mrs A M Martin
 D A Parker
 J D Parry
 N T Price
 Mrs E Wardlaw
 G S Williams

1. **APOLOGIES**

Apologies for absence. (Members are respectfully reminded of the necessity to submit any apology for absence in advance and to give a reason for non-attendance).

Apologies for absence were received from Councillors Ms L Bours, D T Brown, D Murphy and Miss R K Williams.

2. **MINUTES**

CTC/48/1415 RESOLVED- That the Minutes of the meeting held on the 4th December 2014 be approved and signed by the Deputy Mayor.

3. **DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST**

Members are requested to declare both "non pecuniary" and "pecuniary" interests as early in the meeting as they become aware of it.

Cllrs G Baxendale declared a non-pecuniary interest in any matters related to Cheshire East Borough Council.

4. **OUTSTANDING ACTIONS**

None.

5. **QUESTIONS FROM MEMBERS OF THE PUBLIC**

Question from Members of the Public – Mr G Goodwin and Mr T Harker

Question to the Town Mayor, Mr D Murphy

The Deputy Town Mayor responded to the points raised by Mr Goodwin in italics below each issue.

You will be well aware that there are a significant number of still unanswered questions on the subject of the commission and purchase of the Digital Display Unit. I am aware that a verbal update on the situation will be given at the F and P meeting on 8th January 2015 but I would request that you provide clear and comprehensive answers to the following specific questions.

In asking these questions I am aware that I have provided you with the statutory notice required under Standing Orders

The questions are:-

It has been reported that Councillor Martin was the Councillor responsible for re-establishing contact with Simnet and she was reported as saying that the contact was through family connections Could the council provide a full and detailed clarification of Councillor Martin's relationship with Simnet and its directors together with an explanation how Simnet were first introduced to the council and by whom?

The Town Council did not direct Cllr Martin to establish contact with SimNet, therefore the Town Council is not in a position to provide any more detail on this particular subject.

However, there is obviously some misunderstanding on one point which I can clarify, which relates to Cllr Martin's relationship with SimNet, in that there is none. Cllr Martin had contacted a relative of the proprietor of SimNet, not a relative of hers.

I have received confirmation from the Town Clerk that the intended manufacturer of the DDU is the Slovenian company, Infinitus. I have contacted Infinitus and have established that they are NOT manufacturing a unit for Congleton Town Council or for Simnet. There has been no indication to council that Simnet had changed manufacturer and, if this had been the case, this would have to have been subject to a detailed report on the reasons and cost implications of such a change to allow the change to be considered and sanctioned by council Could the Council clarify how this can be the case

We have not been informed that the intended supplier has changed. But, the supplier of the unit is only one part of the total solution being provided and in many respects the source of the unit in that sense is not important.

In the report provided to council the Town Clerk stated that Simnet were the only company who could fully comply with the council specification requirements. Whilst this statement has already been proved to be erroneous since there are many companies who can provide the necessary service, would the council firstly confirm that such a specification document does exist and, if so, publish the specification document against which Simnet provided their tender so that it may be inspected to confirm that it was appropriate and robust.

The specification is included with the response to the questions raised.

When the decision was made to commission Simnet as the sole tenderer, can the council confirm what measures were taken to ensure that the price quoted by Simnet was competitive and that it provided value for money for the residents of Congleton. I have established cost information from a range of sources which would indicate that the Simnet price was not good value for money but presumably the council would have carried out value for money checks at the time to justify the single tender purchase. Would the council confirm the details of such checks?

This question has already been answered and explained in the response given to the Finance and Policy committee in a report dated 23rd October 2014.

However as an additional point, generally digital hardware suppliers do not provide content design as they assume that you either have in an in house design studio with graphic designers or deal with advertising studios that provide adverts and other materials in jpeg format. It should be noted therefore, that the Town Council has none of these facilities and what SimNet were providing was to bridge this gap by providing content design facilities with functionality and pre-formatted pages not dissimilar to how the website has been produced for the Town council.

Mr T Harker submitted the following Questions

1. It has been established that Councillor Martin was the individual who renewed contact with Simnet in November. The council should FULLY explain Councillor Martin's role in the entire issue throughout including any contact she may have had prior to the order being placed with Simnet.

Already answered in response to Mr Goodwin.

2. Have there been any other incidents, other than the DDU, where the purchase of expensive items has not followed the appropriate Financial Regulations.

No.

3. Recent correspondence in the Chronicle indicates that the company in Slovenia, Infinitus, who were reported to be the manufacturers of the unit, have confirmed that they are not manufacturing a unit for Congleton.

Already answered in response to Mr Goodwin.

Mr Goodwin asked the following supplementary question, relating to how SimNet were first introduced to the Council and by whom.

The Town Clerk responded by stating as this issue was now in the hands of the External Auditor it would be inappropriate to respond.

6. **MAYOR'S ANNOUNCEMENTS**

The Deputy Town Mayor drew attention to the various engagements that she and the Mayor had fulfilled since the last Council meeting.

The Mayor on behalf of the Town Council thanked the organisers and the many volunteers who were involved in the Christmas Lights Switch On event.

7. **PLANNING COMMITTEE**

CTC/49/1415 RESOLVED that the minutes of the meeting held on 20th November 2014 be received and the recommendations therein be adopted.

8. **FINANCE & POLICY COMMITTEE**

That the minutes of the meeting held on 27th November 2014 be amended and represented after clarifying some declarations of interest.

9. **URGENT ITEMS**

Cllr N T Price requested clarification on Scarborough's proposed fall back plan B and C.

10. **CHESHIRE EAST COUNCILLORS' REPORTS**

Cllr G Baxendale reported that the appeal for 48 homes at Lodge Lane had been granted. It was also noted that a Pension Trust had put in a planning application to install production units on the Boalloy site and it was hoped that this maybe occupied in the future.

11. **YOUTH COMMITTEE**

CTC/50/1415 RESOLVED that the minutes of the Junior Council meeting held on 4th December 2014 be received.

12. **COMPLAINTS POLICY**

An amended Complaints Policy was considered by the Council.

CTC/51/1415 RESOLVED that:-

1. The Complaints Policy to be presented to a relevant Committee for further consideration.
2. Councillors to pass any suggested amendments to the Town Clerk so that they can be circulated in advance.

13. **INTERNAL AUDIT REVIEW**

The Council considered a report which reviewed the provider of the internal audit function.

CTC/52/1415 RESOLVED that Auditing Solutions Ltd be appointed as the Internal Auditors for 2015-16.

14. **NEIGHBOURHOOD PLAN**

A report on the make-up of the Neighbourhood Plan Teams was considered together with a request for financial support to facilitate production of the Neighbourhood Plan.

CTC/53/1415 RESOLVED that:-

1. A grant of £8,500 be approved.
2. Expenditure to be reported to the Finance and Policy Committee.

15. **PUBLIC REALM STRATEGY**

The notion of agreeing the membership of a Public Realm Support Group to liaise with Cheshire East Council was considered.

CTC/54/1415 RESOLVED that the following Councillors to form the Group:

Cllrs.

- Mrs D. S Allen
- P.Bates
- G. R Edwards
- Mrs A. M Martin
- Mrs J.D Parry
- N T Price

Cllr Mrs S.A Holland to confirm whether she is able to join the team.

Mrs E Wardlaw

DEPUTY TOWN MAYOR