

Congleton Town Council

Minutes of the Meeting of the Council held on Thursday,
9th July 2015 in the Town Hall, Congleton.

PRESENT: Councillors

L. D. Barker
R Boston
C Booth
P Broom
D T Brown
G R Edwards (Chair)
G P Hayes
Mrs S A Holland
Mrs A M Martin
Mrs A E Morrison
Mrs J D Parry
H Richards
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 N Adams, Mrs S Akers Smith, Mrs D S Allen, Mrs A L Armitt, J G Baggott, P Bates and Mrs E Wardlaw.

2. **MINUTES**

CTC/20/1516 RESOLVED- That the Minutes of the meeting held on the 11th June 2015 be approved and signed by the 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 D T Brown, G P Hayes, and G S Williams declared a non-pecuniary interest in any matters related to Cheshire East Council.

4. **OUTSTANDING ACTIONS**

None.

5. QUESTIONS FROM MEMBERS OF THE PUBLIC

Question from G Allen

The schedule of CTC Grant Commitments lists two grant commitments to the Carnival Committee totalling £7500 to “underwrite shortfall”.

It is my understanding that this was allocated funding to underwrite any losses that the carnival had made and would be released only if the carnival accounts showed a loss.

A previous question asked if the money had been released since, if the carnival had not lost money, the allocated money could be available for other worthy causes.

When this was raised on 16th April meeting, Councillor Bates, in his capacity as chairman of the Carnival Committee, advised Council that the accounts were at the auditors and that the carnival had been one of the most successful in recent years.

That was the situation more than 10 weeks ago and my question is twofold:

1. Have the carnival accounts now been audited and issues to the Council and do the accounts require that the grant funding from the Council be taken up?
2. Does the fact that a sum of £664.60 has already been paid out from the allocated money indicate that the carnival audited accounts have been made available to the Council?

Response by the Town Mayor Cllr. E Wardlaw

The Carnival Committee is an independent organisation and the Town Council has no jurisdiction whatsoever over such an organisation. Nor are we in a position to request a copy of their accounts unless the Carnival Committee were to make a request that they wish to take up the grant funding from 2014, which to date they have not done so.

The £664.60 that you refer to was part of £750 of the remaining grant allocated to the Carnival Committee for the 2012 Carnival and was written back into the General Fund. The treasurer subsequently requested that two invoices were paid from this balance, so it was allocated to the Carnival Ear Marked Reserve in our accounts.

Question to the Town Mayor, Cllr. E Wardlaw

The YU Property Group signboard currently displayed at the former Grove Inn in Lower Heath confirms that the site was acquired by YU Developments in January 2015. Various publically accessible company information sites, eg. “Due Dil”, “Company Check” and “Companies in the UK”, who list information from Companies House, confirm that, in January 2015, Larry Dennis Barker was a director of YU Properties, YU Trading, YU Developments and Lower Heath Stores Ltd at the same time as he was also Chairman of CTC Planning Committee. At the time that the site was acquired there was nothing on Councillor Barker’s Declaration of Interests showing that he held directorships of these companies. Whilst Councillor Barker resigned his directorships of these companies in May of this year, would the council agree that Councillor Barker exposed himself to potential criticism and showed poor judgement in not advising the council and the electorate of his directorships in these companies when, at the same time, he was Chairman of the Planning Committee?

Response by the Town Mayor

The short answer is no, he did not show poor judgement.

Cllr Barker's employer, BL&C Services Limited, have from time to time been instructed by its clients to form a number of companies including those referred to by Mr Goodwin.

This is a common method for registering companies.

As Cllr Barker is a nominee director of a number of companies, some of which are dormant, it was agreed with his employer that it is not necessary for him to register an interest.

For the avoidance of doubt Cllr Barker did not chair nor was he present at any of the planning meetings when the matters appertaining to either company were agenda items.

Supplementary Question from Mr G Goodwin

Mr Goodwin asked a supplementary question and asked are all Councillors provided with a Declaration of Interest Form, copies of which are held on the Cheshire East Council and Congleton Town Council websites and should forms be completed honestly and completely and are such declarations mandatory?

6. MAYOR'S ANNOUNCEMENTS

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

7. PLANNING COMMITTEE

CTC/21/1516 RESOLVED that the minutes of the meetings held on 4th June 2015 be received and the recommendations therein be adopted.

8. COMMUNITY, ENVIRONMENT & SERVICES COMMITTEE

CTC/22/1516 RESOLVED that the minutes of the meeting held on 19th March 2015 be received and the recommendations therein be adopted.

9. URGENT ITEMS

It was requested that the Committee membership should be included on all agenda papers sent to Councillors.

10. **CHESHIRE EAST COUNCILLORS' REPORTS**

Cheshire East Council members attended a briefing from officers on Thursday 9th July 2015 for an update on progress of the Congleton Link Road.

There were some minor changes, namely the new road has been re-aligned by about 20m further towards Radnor Park Trading Estate to give further protection to the area of ancient woodland following consultation feedback. As a consequence of this, the opportunity was taken to re-configure the spur from the new link road to this industrial estate. This allows more effective development to the estate's expansion.

Additional pathways have been created on other sections and other minor alterations to the positioning of the road have been made. A significant amount of mitigation measures have been added to the project to further reduce the environmental impact. A lot of the feedback from the last consultation has been acted upon.

Councillor G S Williams offered to arrange a fuller, more detailed update to Town Councillors from Cheshire East Officers. Planning approval will be being sought in September.

11. **YOUTH COMMITTEE**

The Youth Committee items were postponed to the next meeting of the Town Council.

12. **DIGITAL DISPLAY SYSTEM**

The reports relating to the Digital Display System were considered and it was pointed out that care needs to be taken when spending public money.

CTC/23/1516 RESOLVED that the External Auditors' Report and recommendations produced by BDO be received and approved.

CTC/24/1516 RESOLVED that the statement relating to the Digital Display System and accompanying apology be approved.

CTC/25/1516 RESOLVED that the report concerning the receivership of Simnet Ltd be received.

CTC/26/1516 RESOLVED that the amendments proposed to the Financial Regulations be approved and adopted into the Constitution. .

13. **TOWN TRUST**

The Council considered the notion of appointing a representative for the Town Trust.

CTC/27/1516 RESOLVED that Councillor Mrs S Akers Smith be appointed to the Town Trust.

14. **HONORARY BURGESS**

The Deputy Mayor, Cllr D T Brown presented Mr G Baxendale with a certificate confirming him as an Honorary Burgess of the Town Council.

D T Brown
DEPUTY MAYOR