

Congleton Town Council

Minutes of the Meeting of the Council held on Thursday,
16th January 2014 in the Town Hall, Congleton.

PRESENT: Councillors L D Barker
 P. Bates
 G Baxendale
 Ms. L Bours
 R I Brightwell
 D T Brown
 G R Edwards
 G.P Hayes (Town Mayor)
 Mrs S A Holland
 Mrs A M Martin
 D Murphy
 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 Mrs D S Allen, G Brittain, J S Crowther and Miss R K Williams.

2. **MINUTES**

CTC/47/1314 RESOLVED- That the Minutes of the meeting held on the 5th December 2013 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 G Baxendale and D T Brown declared a non-pecuniary interest in any matters related to Cheshire East Council.

4. **OUTSTANDING ACTIONS**

None.

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

Mr Graham Goodwin submitted the following questions.

When I first became aware that a meeting of the Strategy Working Group had been called for 4th December 2013, I had an email conversation with the Town Clerk where I established that this meeting excluded the public and press. I asked if the meeting would be discussing the budget /precept, and the possibility of refurbishing Timbersbrook Toilets, but no answer was forthcoming.

At the full council meeting the following evening it was agreed to accept a precept of £656,714 and to defer the decision on the budget until January 2014

My questions relating to these matters are:-

1. How can the council agree an increase in the precept without having first agreed a budget for the forthcoming year?
2. Since the possibility of spending money on Timbersbrook Toilets has never appeared as an item on any published council agenda is it right and proper that it should have been debated at all at the meeting on 28th November since the public and press were unaware of its inclusion?
3. The budget was on the agenda for the F and P meeting on 28th November but this meeting ran late and concluded without all matters being resolved. A follow up meeting was convened for 4th December but why was this convened as a meeting of the SWG, which is not a council meeting and only has authority to advise the council or sub committee, when a reconvened F and P meeting would have been more logical, would not have excluded press and public and could have reported directly to full council?
4. The council Standing Orders clearly require that a SWG should have clearly defined Terms of Reference and should normally operate on a "task and finish basis" What were the defined Terms of Reference which led to the SWG discussing the budget, where are those Terms of Reference recorded, and is this not a prima facie case of undemocratic use of the Working Group facility for the sole purpose of excluding the press and public from debate on the subject of most concern to the residents, the budget/ precept?

RESPONSE BY THE TOWN MAYOR

First of all thank you for your question Mr Goodwin. I will respond to the points you made in the order in which you have raised them.

1. As you will be aware as you will have read the papers, the Finance and Policy Committee had been presented with and considered a comprehensive and detailed budget at their meeting which took place on the 28th November 2013 and sensibly took the view that whilst the precept had to be increased because of the increased expenditure arising from factors relating to the reduction in the Council Tax Support Grant, transfer of toilets and CCTV emanating from Cheshire East, no other items which members might consider, should be allowed to increase the precept further, hence the decision to cap the precept and recommend it for approval.
2. Timbersbrook toilets were not debated at the meeting of the Strategy Working Group in the way that you suggest as the only comment made related to the fact that the item was being withdrawn, there was no further discussion and no need to include the item on any other agenda.

RESPONSE BY THE TOWN MAYOR continued.....

3&4. You are misquoting Standing Order 55a in respect of the Strategy Working Group as this clause relates to any new working party the Council may wish to set up on an ad hoc basis.

The Strategy Working Group is a permanent feature within the Constitution and as such has its own constitution and as a consequence is not covered by clause 55a. One of the functions of the Strategy Working Group is to develop policies and strategies on behalf of the Council and Committees and to advise, which it duly did.

You may wish to think that the Strategy Working Group was called as a device to exclude the press and public, but this simply wasn't the case, it was simply the most convenient process available to call a meeting at short notice, calling another committee meeting in the same time scale would not have met the statutory notice period.

Mr Graham Goodwin submitted the following questions.

Does the Town Council consider that expending circa £45,000 on the refurbishment and re-opening of the Timbersbrook Toilets demonstrates prudent financial management at this time particularly since this would increase the precept by over 3%.

If any monies are available it would, in the view of many residents, be far more logical to re-open the West Heath toilets where the public need is likely to be immeasurably higher than at Timbersbrook

RESPONSE BY THE TOWN MAYOR

First of all thank you for your question Mr Goodwin. I will respond to the second part of your question as I understand that is where you are now seeking a clarification.

As has already been mentioned the suggestion to open the Timbersbrook toilets has been withdrawn and there is nothing further to debate.

Insofar as the West Heath toilets are concerned this has nothing to do with either the Town Council or Cheshire East Borough Council as the decision to close the toilets was taken by the management company which own West Heath Shopping Centre who own the toilet facility.

6. **MAYOR'S ANNOUNCEMENTS**

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

7. **PLANNING COMMITTEE**

CTC/48/1314 RESOLVED- That the minutes of the meeting held on 28th November 2013 be received and the recommendations therein be adopted.

8. **FINANCE AND POLICY COMMITTEE**

CTC/49/1314 RESOLVED- That the minutes of the meeting held on 28th November 2013 be received and the recommendations therein be adopted.

9. **ACCOUNTS**

CTC/50/1314 RESOLVED:-

- a) To approve the payment of the accounts listed.
- b) To approve the payment of any expenditure agreed at this meeting.

10. **URGENT ITEMS**

There were no urgent items raised.

11. **YOUTH COMMITTEE**

CTC/51/1314 RESOLVED- That the minutes of the meeting held on 4th December 2013 and Junior Council on 9th December 2013 be received.

The Youth Council provided an overview of the British Youth Council Scheme involving shadowing a local Councillor.

Cllrs P Bates, G R Edwards, D T Brown, Mrs S A Holland and G Williams volunteered to participate.

Cllr D T Brown agreed to raise the matter with Cheshire East Council with a view to the Borough participating in the scheme.

CTC/52/1314 RESOLVED - that the Town Council would fund the entry fees to the scheme for Youth Council members.

12. **FUNDING FOR LOCAL AUTHORITIES**

A ministerial statement by Brandon Lewis MP, Parliamentary under Secretary for Committee and Local Government was considered.

CTC/53/1314 RESOLVED that the statement be received.

13. **BUDGET 2014-15**

The budget report for 2014-15 was presented to the Council. The Town Clerk drew attention to the changes in the budget arising from some discrepancies in the labour costs for streetscape which resulted in an additional £33,000 expenditure matched by a corresponding increase in income from Cheshire East Council.

CTC/54/1314 RESOLVED that:-

1. To agree the revenue and capital budget for 2014-15.
2. To approve the budget expenditure powers.

Budget Expenditure Powers 2014-15

Expenditure	Power	£
Police Community Support Officers	S31	47,200
Other grants and donations	S137	19,350
Citizens Advice Bureau	S142	15,000
Christmas Lights	S144	9,000
Carnival Committee	S144	3,750
Congleton Community Projects	S145	16,000
Museum grant	S144	4,500

As the Town Council adopted the Power of Competence, Localism Act 2011, ss 1-8, any agreed expenditure in the budget identified above can also be approved via this power.

G P Hayes

TOWN MAYOR