

Congleton Town Council

Minutes of the Meeting of the Council held on Thursday,
8th March, 2012 in the Town Hall, Congleton.

PRESENT: Councillors Mrs D S Allen
 L D Barker
 G Baxendale
 D T Brown
 J S Crowther
 G R Edwards
 D Fletcher
 G P Hayes
 Mrs S A Holland
 M J Hutton
 Mrs A M Martin
 D A Parker
 Mrs J D Parry
 N T Price
 Mrs E Wardlaw
 G S Williams
 Miss R K Williams

1. APOLOGIES

Apologies for absence were received from Councillor R I Brightwell.

2. MINUTES

CTC/67/1112 RESOLVED – That the Minutes of the meeting held on 12th January, 2012, be approved and signed by the Mayor.

3. DECLARATIONS OF INTEREST

Members are requested to declare both “personal” and “personal and prejudicial” interests as early in the meeting as they become aware of it.

Councillor G Baxendale and D Brown declared a personal interest in any matters related to Cheshire East Borough Council.

Councillor D Brown also declared a personal interest in item 22 and refrained from discussing or voting on this issue.

4. MAYOR'S ANNOUNCEMENTS

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

5. THOMAS FATTORINI JUBILEE LINK

A proposal to purchase a Jubilee Link for the Mayoral Chain was discussed by the members.

CTC/68/1112 RESOLVED:-

1. Not to proceed with purchasing the link with Council funds.
2. To identify a suitable sponsor to purchase the Jubilee Link for the Town Council.
3. Town Clerk to provide a report from the Jewellers on the suitability of the proposed link.

6. OUTSTANDING ACTIONS

None.

7. QUESTIONS FROM MEMBERS OF THE PUBLIC

Mr Graham Goodwin submitted the following question.

My questions relating to Devolved Services: -

1. Since it is evident that such a large rise in the Town Council budget of £681,000 includes costs associated with taking over services devolved from CEBC could you please advise when the council accepted the principal of taking over devolved services and, in light of the Town Clerk's statement "we have agreed to go along with devolved services" when this principal was debated and agreed in the council?
2. Which of the services currently provided by CEBC may become services devolved to Congleton Town Council and will the money currently being spent by CEBC in providing those services be transferred in its entirety to Congleton Town Council?
3. Since it is an established CEBC policy to devolve services to town and parish councils to the town and parish councils, why are the CEBC councillors on the Town Council not excluded from any discussion on the subject since this is a prima facia case of conflict of interest?
4. When will the factual cost of devolved services be finally established leading to the preparation of a proper business case and a debate in the council in the presence of the Congleton public?

Graham Goodwin

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. The Town Council has now moved to the second phase of negotiations with Cheshire East Borough Council on Devolved Services although little additional progress has made to date. The Council is represented by councillors Bob Edwards and Mrs Sally Holland together with Town Council officers.
2. You are incorrect in saying that the Town Council agreed to an increase in its budget of £681,000, the actual increase was £45,721 which represents a 5.9% increase or 7.2p per week on a Band D property.
3. The Town Council has not accepted in principle any part of devolved services and will not consider the issue until sufficient information is gained to produce a business case which can then be put to the Council for consideration and decision making. What we have done is to put a small amount of money into the budget for service enhancement as the implementation date for devolved services is the 1st October 2012 which is half way through our financial year. The relatively modest increase in the precept however, was not solely the result of an enhancement to service provision; part of it was the result of inflationary pressures, particularly utility costs amongst others.
4. The services under consideration for transfer under devolved series are Street Cleaning and Grounds Maintenance. Insofar as will the money currently being spent on devolved services be transferred to the Town Council in its entirety, that is our hope and expectation, but, is still the subject of on-going discussions as the final budget is still some way off from being agreed.
5. In terms of conflict of interest in respect of Cheshire East Councillors who are also Town Councillors, they regularly declare an interest in matters related to Cheshire East as outlined in the Code of Conduct; however, this is a matter for individual members to decide for themselves whether or not there is a conflict of interest not the Town Council. They will take into account the subject matter and possibly their status within Cheshire East and may perhaps take advice on the matter from the Monitoring Officer. It is not though the role of the Town Council to exclude any councillor from voting.
6. I cannot give you an actual date when the costs of devolved services will be established, that is still the subject of on-going discussions with Cheshire East. As soon as all the information is available the business case will be produced and passed to the Town Council for discussion and resolution.

8. CHESHIRE EAST COUNCILLORS' REPORTS

There were no reports from Cheshire East Councillors.

9. PLANNING COMMITTEE

CTC/69/1112 RESOLVED- That the minutes of the meeting held on 26th January and 23rd February 2012 be received and the recommendations therein be adopted.

10. AMENITIES AND SERVICES COMMITTEE

CTC/70/1112 RESOLVED- That the minutes of the meeting held on 9th February, 2012 be received and the recommendations therein be adopted.

11. COMMUNITY AND ENVIRONMENT COMMITTEE

CTC/71/1112 RESOLVED – That the minutes of the meeting held on 9th February, 2012 be received and the recommendations therein be adopted.

12. ACCOUNTS

CTC/72/1112 RESOLVED-

- (a) That the Council approve the payment of the accounts listed.
- (b) That the Council approve payment of any expenditure agreed at the meeting.

13. URGENT ITEMS

There were no urgent matters raised

14. YOUTH COMMITTEE/JUNIOR COUNCIL

CTC/73/1112 RESOLVED - That the minutes of the meetings held on the 17th January and 29th February, 2012 be received.

The Youth Council pointed out that they have a new Chair Person Madie Somerfield and Vice Chairman Matthew Proctor.

15. CONSTITUTION

The constitution including the Standing Orders and Financial Regulations were reviewed.

CTC/74/1112 RESOLVED – That the following amendments be made to the constitution effective from the new Civic Year.

1. Amenities and Services and Community and Environment to be combined into one committee, to be known as Community, Environment and Services.
2. Membership of Committees to be increased from 8 to 10.
3. Approval of payment of accounts to be re-assigned from the Town Council to Finance and Policy.

16. INFORMATION AND DATA PROTECTION POLICY

The Town Councils Information and Data Protection Policy was presented for members to consider and approve.

CTC/75/1112 RESOLVED – That the Information and Data Protection Policy be approved.

17. MERCIAN REGIMENT

Correspondence from Lieutenant Colonel (retired) R.Spiby concerning an invitation from the Town Council for the Mercian Regiment to parade and march through Congleton prior to their deployment in Afghanistan was considered.

CTC/76/1112 RESOLVED – To receive the correspondence.

18. DEVOLVED SERVICES PANEL

Members were requested to consider adding additional councillors to the Negotiating Panel for devolved services.

CTC/77/1112 RESOLVED - That Councillors N Price and G Williams become members of the Negotiating Panel.

19. MAYOR'S ANNUAL AWARD

The Mayor pointed out that many of the Town's residents make a significant contribution to the well being of Congleton, much of which is not recognised and suggested that there ought to be a Mayor's Annual Award.

CTC/78/1112 RESOLVED – That a Mayor's Annual Award be introduced.

20. POLLING DISTRICT REVIEW

Correspondence from Cheshire East Borough Council regarding the inclusion of Mossley Village Hall as a Polling Station was considered.

CTC/79/1112 RESOLVED – That the correspondence be received and noted.

21. CHALC AREA MEETINGS

A letter from Chalc setting out the new arrangements for area meetings in Cheshire was considered.

CTC/80/1112 RESOLVED –That the correspondence be received and recommendations noted.

22. PUBLIC REALM STRATEGY

The Public Realm Strategy accompanied by three caveats was considered by the members.

CTC/81/1112 RESOLVED - That the Public Realm Strategy with its accompanying caveats be approved.

That the submission of the Congleton Public Realm Strategy to Cheshire East Council be conditional upon:

- *The undertaking of a full Feasibility Study and Safety Audit specifically related to the shared surface proposals and that, in respect of the Safety Audit, the Royal National Institute for the Blind and other organisations representing disabled persons be consulted and material consideration be given to any reasonable recommendations that such organisations put forward;*

- *That, subject to the Council's procurement policy and having due consideration to competitive pricing, wherever possible materials, street furniture and lighting are sourced from UK suppliers and*
- *That, subject to available funding, the prioritisation of projects be decided by the Congleton Town Council and that the detailed design of all projects to be undertaken and determined in conjunction with the Town Council.*

23. RESOLUTION TO EXCLUDE THE PUBLIC AND PRESS (IF NECESSARY)

There was no resolution to exclude the press and public.

At the end of the meeting the Deputy Mayoress Mrs Pat Martin presented the Town Council with a Statue of a bear and a bible on behalf of her late husband Councillor David Martin which the Mayor and Deputy Mayor received on behalf of the Town Council.