

Our Ref: 30/LJM

14th May 2014

Dear Councillor

You are summoned to a meeting of the **Finance and General Purposes Committee of Felixstowe Town Council** to be held at the **Town Hall, Felixstowe** on **Wednesday 21st May 2014 at 7.00 pm or immediately following Full Council, whichever is the later**, for the transaction of the following business:

A G E N D A

1. Apologies.

2. Declarations of Interest

Members and officers are invited to make any declarations of interests that they may have in relation to items on the agenda and are reminded to make any declarations at any stage during the meeting if it then becomes apparent that this may be required when a particular item or issue is considered.

3. To consider requests for dispensations for Councillors with a Pecuniary Interest.

Any Councillor with a pecuniary interest in a matter who wishes to be granted a dispensation to remain and speak during, or vote on, that matter, may apply for a dispensation in writing to the proper officer of the Town Council as soon as possible before the meeting which the dispensation is required. Applications may also be made at the meeting itself.

4. To Approve the Minutes of the meeting held on 19th March 2014. (attached).

To approve the minutes of the meeting held 19th March 2014

5. To review the delegation arrangements to committees, sub-committees, staff and other local authorities and to review of the terms of reference for committees - attached

To review the delegation arrangements to committees, sub-committees, staff and other local authorities and to review of the terms of reference for committees

6. To Receive the Accounts to 31st March 2014 and to 30th April 2014 and to note the Current Financial Position (previously circulated).

To receive the accounts to 31st March 2014 and to 30th April 2014 and to note the current financial position.

7. To Consider the Council's Obligations in Respect of its Tree Stock and Agree Appropriate Measures to Reduce Risks (attached)

To consider the Council's obligations in respect of its tree stock and agree appropriate measures to reduce risks.

8. To Consider Convening a Meeting to Review the Use of A-Boards in the Town Centre (*attached*)

To consider convening a meeting to review the use of A-boards in the Town Centre.

9. To Note the Final Allocation of Earmarked Reserves from General Balances at Year End (*attached*)

To note the final allocation of earmarked reserves from general balances at year end.

10. To Review the Cleaning of Bus Shelters (*attached*)

To review the cleaning of bus shelters.

11. To Receive an Update on the Damp Issue at the Town Hall (*attached*)

To receive an update on the damp issue at the Town Hall.

12. To Receive an Update Regarding an Investigation into the Future Replacement of the Windows at the Town Hall (*attached*)

To receive an update regarding an investigation into the future replacement of the windows at the Town Hall.

13. To Receive an Update on Repairs to the Cemetery Roadways (*attached*)

To receive an update on repairs to the Cemetery roadways.

14. Closure

Yours sincerely

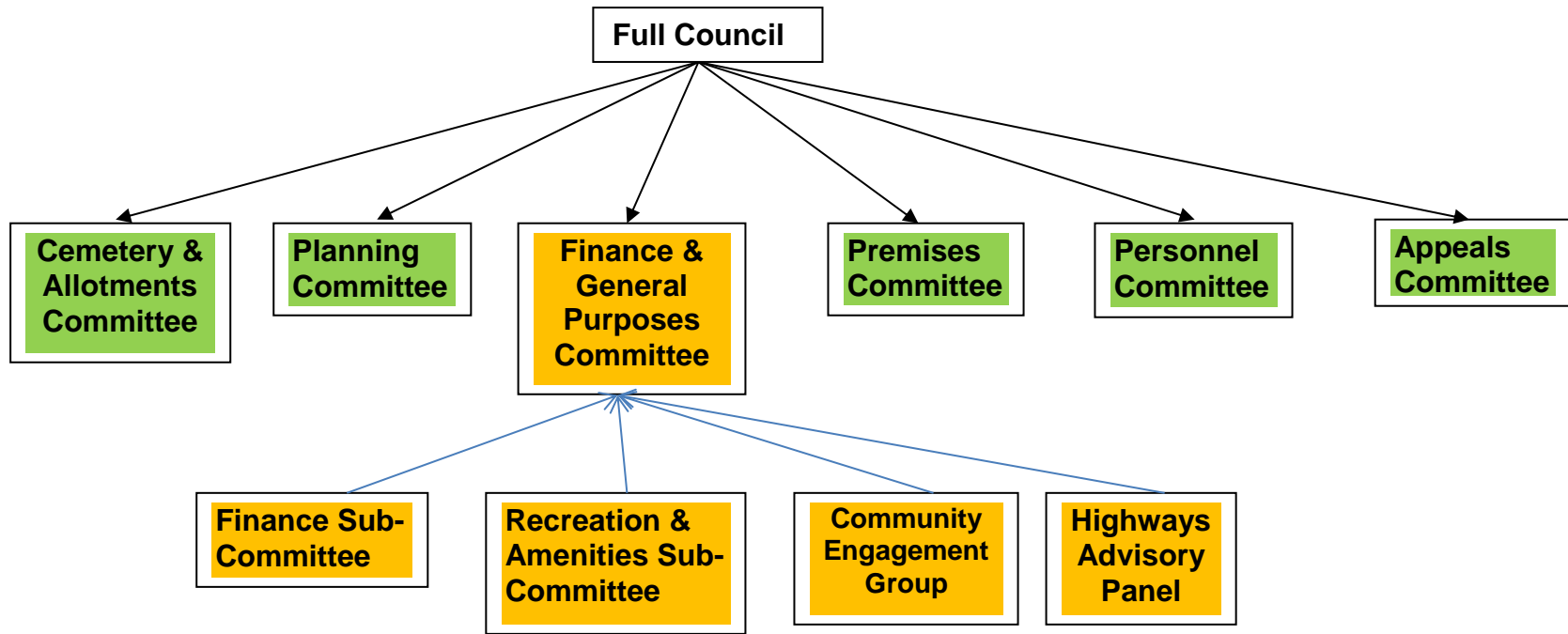


TOWN CLERK

ITEM 5

To review delegation arrangements to committees, sub-committees, staff and other local authorities and to review of the terms of reference for committees

The Working Party established by Council to review Committee agreed to recommend to Full Council the following Committee structure, terms of reference and schemes of delegation:-



This Committee has delegated powers to act within budget/guidelines without Full Council approval

This Committee may only recommend action which must then be approved by Full Council

Draft Terms of Reference for the Above Committees

Cemetery & Allotments Committee

This Committee has delegated powers to act within a budget agreed by the Full Council.

- a) **Constitution** – The Mayor, and such other Councillors (maximum 6) plus one member of the Allotments Association and one member of any Association formed to represent persons with an interest in the cemetery. Non-Councillor members have no voting rights.
- b) **Meeting Frequency** – 6 scheduled meetings per annum
- c) **Specific Responsibilities**
 1. To oversee the management of the Council's cemetery and allotment sites
 2. To propose the budget for the provision of these services to the Finance & General Purposes Committee
 3. To monitor expenditure against these budgets on a monthly basis and agree action to ensure compliance with budget
 4. To monitor quality and effectiveness of service provision
 5. To set and review scales of fees and charges
 6. To set and review arrangements for the management of these functions
- d) **Scope of Meetings**

Matters affecting the delivery of the cemetery and allotment services of the Council including:-

 1. Reviewing and recommending level of services provided
 2. Receiving user and other surveys of service provision
 3. Reviewing future service provision
 4. Setting and reviewing regulations for the management of the Council's services
 5. Maintaining the Council's services in proper order
 6. To recommend future strategy to Full Council

Planning Committee

This Committee has full delegated responsibility to comment upon planning applications affecting the Town Council

- a) **Constitution** – The Mayor, and such other Councillors (maximum 8)
- b) **Meeting Frequency** – 26 scheduled meetings per annum
- c) **Specific Responsibilities**
 1. To comment on planning applications

2. To comment on appeals lodged following the refusal of planning approval
3. To receive training on the planning process, NPPF and the Local Development Framework
4. Other minor planning-related matters

d) **Scope of Meetings**

Matters regarding the design, style, location and appropriateness of proposed development including:-

1. Commenting on planning applications and appeals lodged
2. Reviewing the need for Neighbourhood Plans and making recommendations to the Full Council

Premises Committee

This Committee has delegated powers to act within a budget agreed by the Full Council.

a) **Constitution** – The Mayor, and such other Councillors (maximum 6)

b) **Meeting Frequency** – 6 scheduled meetings per annum

c) **Specific Responsibilities**

1. To oversee the management and maintenance of the Council's land and property
2. To ensure the Council's land and property assets are protected from loss, encroachment or similar issues
3. To ensure the Council's obligations as land and property owners are fulfilled
4. To propose the budget for the provision of these services to the Finance & General Purposes Committee
5. To monitor expenditure against these budgets on a monthly basis and agree action to ensure compliance with budget
6. To monitor quality and effectiveness of service provision
7. To set and review scales of fees and charges
8. To set and review arrangements for the management of these functions
9. To receive training on the Council's responsibilities as land and property owners

d) **Scope of Meetings**

Matters affecting the Council's land and property including:-

1. Reviewing and recommending level of services provided
2. Receiving user and other surveys of service provision
3. Reviewing future service provision
4. Setting and reviewing regulations for the use of the Council's premises

5. Maintaining the Council's services in proper order
6. To recommend future strategy to Full Council

Personnel Committee

This Committee has delegated powers to act within a budget agreed by the Full Council.

- a) **Constitution** – The Mayor, and such other Councillors (maximum 4)
- b) **Meeting Frequency** – 4 scheduled meetings per annum
- c) **Specific Responsibilities**
 1. To oversee the management of the Council's employees
 2. To propose the budget for the provision of employee services to the Finance & General Purposes Committee
 3. To monitor expenditure against budget on a quarterly basis and agree action to ensure compliance with budget
 4. To oversee the management of health and safety within the Council
 5. To receive training in the conduct of employee hearings
 6. To receive training in the management of health and safety
 7. To agree and implement personnel-related policies and procedures
 8. To ensure compliance with current personnel-related statutory requirements and legislation
- d) **Scope of Meetings**

Matters affecting the Council's employees including:-

 1. Reviewing and recommending staffing establishment and grades
 2. Agreeing arrangements for employee recruitment
 3. Agreeing arrangements for the management of the Council's personnel policies and procedures
 4. Acting as the first stage in employee hearings
 5. To recommend future strategy to Full Council

Appeals Committee

- a) **Constitution** – Such Councillors (maximum 4) who were not on the Personnel Committee
- b) **Meeting Frequency** – 1 scheduled meeting per annum
- c) **Specific Responsibilities**
 1. To oversee the appeals process
 2. To receive training in the conduct of employee hearings
 3. To receive training in the management of health and safety
- d) **Scope of Meetings**

Matters affecting the Council's employees including:-

 1. Acting as the final stage in employee hearings

Finance & General Purposes Committee

- a) **Constitution** – The Mayor, Chairs of Committees with delegated powers, and such other Councillors (maximum 14)
- b) **Meeting Frequency** – 6 scheduled meetings per annum
- c) **Specific Responsibilities**
 - 1. To recommend the budget and precept to Full Council
 - 2. To approve submissions for external funding
 - 3. To receive and initiate action on reports of the Independent Internal Auditor and External Auditor
 - 4. To receive training in the management and security of public monies and associated matters
 - 5. To receive reports on any other matters outside the scope of other Committees
- d) **Scope of Meetings**

Matters affecting the Council's finances and risks including:-

 - 1. Over-seeing the Council's investments
 - 2. Agreeing the Investment Policy
 - 3. Reviewing the Council's risk assessments
 - 4. Reviewing the Council's assets
 - 5. Reviewing the Council's insurance
 - 6. Determination of grants to external bodies
 - 7. Reviewing and setting the Council's fees and charges
 - 8. Reviewing the Council's leases and licences, including determining terms for new leases/licences
 - 9. Long-term financial planning
 - 10. Reviewing the Council's I.T. provision
 - 11. Specific budgetary responsibility for the Town Council administration and civic budgets
 - 12. To recommend future strategy to Full Council
 - 13. Any other matters outside the scope of existing Committees

Finance Sub-Committee

- a) **Constitution** – The Mayor and Chairs of Committees
- b) **Meeting Frequency** – 12 scheduled meeting per annum
- c) **Specific Responsibilities**
 - 1. To recommend the budget and precept to Finance & General Purposes Committee
 - 2. To monitor expenditure against budget on a monthly basis and recommend action to ensure compliance with budget

d) **Scope of Meetings**

1. To review and recommend the Council's future financing
2. To monitor expenditure against budget on a monthly basis and agree action to ensure compliance with budget

Community Engagement Group

- a) **Constitution** – The Mayor and such other Councillors (maximum 6)
- b) **Meeting Frequency** – 4 scheduled meetings per annum
- c) **Specific Responsibilities**
 1. To receive reports on matters related to community services delivered in the town
 2. To make recommendations to Finance & General Purposes Committee for changes in community service delivery in the town

d) **Scope of Meetings**

To review and recommend the future community service requirements for the town

Recreation & Amenities Sub-Committee

- a) **Constitution** – The Mayor and such other Councillors (maximum 6)
- b) **Meeting Frequency** – 4 scheduled meetings per annum
- c) **Specific Responsibilities**
 1. To receive reports on matters related to recreational, leisure, tourism and sporting services delivered in the town
 2. To make recommendations to Finance & General Purposes Committee for changes in recreational, leisure, tourism and sporting delivery in the town

d) **Scope of Meetings**

1. To review and recommend the future recreational, leisure, tourism and sporting requirements for the town
2. To recommend expenditure from any S106 funds for recreation, leisure, tourism and sport
3. To review and make arrangements for Felixstowe in Flower

Highways Advisory Panel

- a) **Constitution** – The Mayor and such other Councillors (maximum 4) plus 3 Suffolk County Councillors
- b) **Meeting Frequency** – 4 scheduled meetings per annum
- c) **Specific Responsibilities**
 1. To receive reports on matters related to highways services delivered in the town

2. To make recommendations to Finance & General Purposes Committee for changes in highways delivery in the town

d) Scope of Meetings

1. To review and recommend the future highways requirements for the town, including opportunities for collaboration

Committees which have delegated authority may:-

- a) Incur expenditure within their agreed budgets without further approval by Council
- b) Nominate any of their members and/or the Town Clerk to represent the Council on external organisations that operate within, or influence upon, the Committee's sphere of operation
- c) Further delegate their responsibilities to the Town Clerk

Delegated Authority to the Town Clerk

Subject to any further delegation by Committees, the Town Clerk will have delegated authority to:-

- a) Incur expenditure within budgets on the budget related to the provision of the Town Council administration and Civic functions, without further approval by Committee
- b) Within the agreed staffing establishment and budget, to vary working hours of established staff, and to recruit both permanent, casual and contract staff provided that the grade of such staff is level 2 or below.
- c) In the event of an emergency incur expenditure to a maximum of £50,000
- d) To obtain and manage, on behalf of the Council, an Argos Corporate Card
- e) To write off assets of less than £50 residual value
- f) To make investments in accordance with the Council's agreed policy
- g) To ban persons from entering Council premises or land
- h) To negotiate commercial filming rights on Council property/land
- i) To produce and/or edit any Council newsletter in consultation with the Mayor
- j) To implement, where timescales require, any legislation which may affect the Town Council and to report its implementation to Full Council

Members are recommended to approve the above changes to Committee structures, memberships and schemes of delegation

ITEM 7

Trees

The Town Council has a duty of care regarding ensuring the safety of trees on its land. Recent high profile cases have highlighted the dangers of death or serious injury caused by trees, and it is important that the Council understands its position in law and takes appropriate action.

In Civil Law the duty is to take reasonable care for the safety of those who may come within the vicinity of a tree. The Courts have endeavoured to define “reasonable care” and the accepted standard is that of “the reasonable and prudent landowner”.

In Criminal Law the duty is to ensure that employees and the public are not put at risk, and thus an assessment of the risk engendered by each and every tree must be undertaken.

For the purposes of assessment trees can be categorised or zoned; those beside a footpath or road should be inspected more frequently than those in the midst of a copse where direct access to the tree is difficult; i.e. fewer people can get to walk under the tree.

Trees displaying obvious defects require more frequent checks and greater management; although it is important to understand that sudden branch drop can occur without warning in healthy trees – not for nothing was the Elm also known as the “widow-maker”.

It is not necessary to have every tree formally inspected by a qualified arboriculturalist; informal inspections with a reporting mechanism for reporting changes to a tree’s condition are often sufficient. However, once a defect has been identified the inspection regime needs to be both more frequent, and, depending on the nature of the defect, more formal.

Implications for the Council are as follows:-

- a) Trees to which the public have access need an initial informal inspection, followed thereafter by at least an annual inspection. Trees in the vicinity of the cemetery buildings should be inspected more frequently. In the current I.T. age this inspection could be recorded with a photograph of the tree.
- b) Trees to which the public have restricted access should be managed so that public access continues to be reduced – by changing grass-cutting regimes, by log placements etc, but still have an initial informal inspection.
- c) Trees showing sign of disease, stress or damage require more frequent, recorded, inspections and specialist advice may be needed to assess the danger.

Members are recommended to adopt this policy and budget accordingly

ITEM 8 **A-Boards**

At the last Felixstowe Highways Advisory Committee there was a discussion regarding a growing issue within the main shopping areas of the proliferation of A boards outside business on the footway, together with other obstructions such as display racks selling books, shoes or plants, also on the highway. This is a matter for Suffolk County Council to enforce.

This issue was also reported in the press some weeks ago after Suffolk County Council Highways Department staff had applied orange warning stickers to some A boards on the bank corner that were causing an obstruction to pedestrians with one complaint received of a resulting injury. Since then there has been an approach of trying to avoid using the stickers and seek to make direct contact with the businesses. This has the potential to lead to confrontation. Subsequently approaches were made to a tea room opposite Argos to move an obstructing A board and although promises were received that this would be done it has not happened. Calls have also been received from businesses just off Hamilton Road who did remove their stickered A boards but now feel the rules should apply fairly to everyone.

The Committee were advised of the situation in the Thoroughfare in Woodbridge where things have almost got out of control with far too many A boards and little respect for the policy contained in the SCC Advice Note attached. The Woodbridge traders were given a 3 month period to improve and comply which they have failed to do. As such the Woodbridge Town Council and SCC are very close to deciding to bring in a 100% ban on A boards in the Thoroughfare.

The Highways Advisory Committee felt the best way forward was for the Felixstowe Town Council to take a lead on this matter and it was suggested a meeting is held in the Town Hall with invited traders, councillors, SCC engineers and disability representatives to describe their situation, especially along the shared space section of Hamilton Road where they were promised an unobstructed footway so the blind and partially sighted could tap along the building frontage as there are no kerbs.

The Committee are recommended to recommend this approach to Full Council.

ITEM 9

To Confirm the Allocation of Additional Earmarked Reserves from General Balances at Year End

Members will recall that in principle they agreed that surpluses from 2013/2014 could be directed to earmarked reserves rather than General Reserves. The final outcome of those deliberations is that it has been possible to increase all the earmarked

reserves by the projected annual increase (i.e. instead of that annual increase commencing at the end of 2014/15 it has commenced at the end of 2013/2014. The net effect on reserves is as follows:-

Earmarked Reserves	As at 1/4/13	Amended to 23/10/13	As at Year End
Election Expenses	£ 3,463	£ 7,500	£ 7,500
Felixstowe Enhancement & Promotional Schemes	£ 19,444	£ 19,444	£ 19,694
Felixstowe in Flower	£ 8,428	£ 8,427	£ 8,427
Repairs & Renewals Fund	£ 2,904	£ 10,000	£ 10,250
Vehicle Replacement Fund	£ 2,181	£ -	£ -
I.T. Computer Replacement Fund	£ 3,117	£ 3,117	£ 3,117
Recycling Credits (Environmental Fund)	£ 5,534	£ 5,534	£ 5,534
Cemetery Extension	£ 8,000	£ 100,000	£ 105,000
Premises	£ 34,697	£ -	£ -
Web Site Redesign	£ 973	£ 973	£ 973
Broadway House	£ 4,951	£ 50,000	£ 52,500
Walton Community Hall	£ 14,490	£ 50,000	£ 52,500
Town Hall Project – Refurbishment- Capital	£ 7,819	£ 7,819	£ 7,819
Town Hall Maintenance	£ 20,000	£ 80,000	£ 85,000
Play Equipment	£ 2,727	£ 24,000	£ 27,000
Community Fund	£ 88,100	£ 88,100	£ 120,670
Council Tax Localisation Reserve	£ -	£ 74,904	£ 74,904
Wings on Waves	£ 250	£ 250	£ -
Olympic Fund	£ 2	£ -	£ -
cctv	£ -	£ 40,000	£ 41,000
Staffing Reserve	£ -	£ 25,000	£ 25,250
Contingency Fund	£ 16,108	£ -	£ -
TOTAL	£ 243,188	£ 595,068	£ 647,138
General Reserves	£ 391,354	£ 39,474	£ 85,938
Total Reserves	£ 634,542	£ 634,542	£ 733,076

This item is for information only.

ITEM 10 **Bus Shelters**

Both Suffolk Coastal District Council and Suffolk County Council have been reviewing ownership of bus shelters in Felixstowe, as there was uncertainty regarding responsibility for maintenance of individual shelters.

During the course of those reviews, there were a few bus shelters for which neither Council admitted ownership, and for which enquiries were made of the Town

Council. We have reviewed our records and can find no evidence or documentation to support a claim of ownership and/or responsibility for any bus shelter in the town, and certainly not these few, all of which were non-standard and likely to incur high ongoing maintenance costs. They do not appear to have ever been recorded on our assets register.

However, as an aside to the review of ownership, the subject of cleaning was raised. As Members may be aware we currently pay for the cleaning of four bus shelters, not in our ownership to be cleaned, at an annual cost of £730. It would appear that at least one of these shelters is also being cleaned by Suffolk Coastal District Council as part of their cleaning regime.

The current cleaning contract is for a monthly clean of each of the four shelters, which in itself raises the issue as to its purpose – under this regime a heavily-soiled shelter might not be cleaned for up to thirty days. However, to clean it more regularly is perhaps not the best use of valuable resources.

Enquiries have been made of Suffolk County Council (who do not regularly clean any of their shelters) as to how they respond to complaints from a member of the public of a heavily-soiled bus shelter. It would appear that such complaints are responded to the next day, irrespective of ownership of the shelter – a better response than the Town Council can achieve under the current contract.

On this basis therefore, Members are asked to determine whether the current bus shelter cleaning contract should be terminated.

ITEM 11

To Receive an Update on the Damp Issue at the Town Hall

The Council has now received a report on the damp issue at the Town Hall, which is being caused by a mixture of:-

- a) Defective pointing and failed sealant
- b) Cracked bricks
- c) Bricks whose front weatherproofing facework has spalled away
- d) Unfilled holes left after removal of hanging baskets
- e) Deterioration of the (time limited) sealant treatment

In addition the flooding in the Council Chamber would appear to have been caused by over-topping of the contained area in the balcony roof.

The advice is to have the frontage treated, cutting out the cracked bricks and replacing them with new, putting a new mortar facing on the (previously unrepaired) spalled bricks, filling the holes with mortar, applying a specialist sealant to the vertical joints around shaped bricks, and reapplying the sealant. In addition the

contained area above the Council Chamber is to be remade and sealed at a higher level.

The costs of preparing the tender specification, assisting with tender scrutiny, overseeing of the methods of working, and ensuring the work is to specification is in the region of £8,000. The final estimate for the works won't be known until the tenders have been produced and received but we have an estimate of around thirteen weeks for completion of the work itself.

On that basis, it is unlikely that tenders can be produced, contractors appointed and work started in time for completion before October 2014. Accordingly plans are in place to address the area above the Council Chamber immediately, and to go to tender early 2015 with a view to work starting in early summer 2015. There is a "window of opportunity" from May to early July 2015 when no weddings are booked and we are currently not taking bookings for that period.

Once the external works have been completed the internal plasterwork needs to be attended to; the advice is that it will take up to nine months to fully dry out and only then can redecoration commence.

This item is for information only.

ITEM 12

To Receive an Update Regarding an Investigation into the Future Replacement of the Windows at the Town Hall

This is being subsumed into the project to address the damp (see above) as it makes economic sense to do so and quotations are being received for new windows to the same style in wood (but double-glazed) and in UPVC (double-glazed).

This item is for information only.

ITEM 13

To Receive an Update on Repairs to the Cemetery Roadways

This project is slightly behind schedule but confirmation has been received from Suffolk County Council that the Town Council is eligible to use the County contract with Kier to procure design & procurement or design & build services. Discussions are on-going as the technical advisors are suggesting different surface treatments for different parts of the cemetery.

This item is for information only.