



Seaford Town Council

Minutes of the **Meeting** of the **Seaford Town Council** held at **Seaford Baptist Church, Belgrave Road, Seaford** on **Thursday 10 April 2014** at **7.00pm**.

Present:

Councillor M Brown (Mayor)

Councillors R E Allen, B Burfield, G Cork, S Dunn, P Franklin, S Gauntlett, T Goodman, B Groves, A Hayder, A Latham, L Lord, S McStravick, R Needham, L Wallraven, B Warren, A White & I White.

Mrs Linda Butcher, Locum Town Clerk

Mrs Sheelagh Douglas, Independent Investigator – B3sixty

Miss Georgia Raeburn, PA to the Town Clerk – Seaford Town Council

42 Members of the public

The Mayor requested that a minutes silence be observed in memory of Ken Davies who sadly passed away recently.

The Mayor introduced Linda Butcher and Sheelagh Douglas to the Members and Public.

The Mayor welcomed on board the three new Councillors; George Cork, Linda Lord and Anthony White.

C74 Apologies for Absence

Apologies were received from Councillors S Adeniji and P Heseltine, and Young Mayor Georgia Coyler and Deputy Young Mayor Millie Hemsley.

C75 Minutes

It was **RESOLVED** that the minutes of the meetings held on 16 and 27 January 2014 be **APPROVED** and signed by the Mayor.

C76 Disclosure of Interests

There were no disclosures of pecuniary interests. The Mayor did however suggest that all Councillors state a personal interest in the meeting and its content, to which they agreed.

C77 Public Participation

Mr Brian Reed questioned whether the Council would be publicising the Town Forum?

Cllr Mark Brown confirmed that the Town Forum would be taking place and would be advertised in the Press and on the Council notice boards.

- Mr Bob Downing questioned what was happening with the Council website as it has been unfit for purpose for years now.
- Cllr Mark Brown acknowledged that the current website is not adequate and reminded the meeting that money had been set aside in this year's budget towards creating the new website. It was confirmed that the new website is currently being worked on by staff and is being treated as a high priority task.*
- Mr Bob Brown had wished to question Cllr Sam Adeniji on whether his meeting with the Prime Minister on 24 March has any bearing on his decision to stand down from the Conservative party, but due to his absence was not able to.
- questioned whether following the recent death of Don Mabey MBE, leaving just one Freeman of the town remaining, whether the Council would be nominating another non-political Freeman of the town.
- Cllr Mark Brown informed the meeting that the Council have suggested an interest in looking into the process of nominating another person to receive the Freedom of the Town but that there was no timescale in place.*
- Mr Bob Brown requested that, on behalf of the public not able to attend today and voice their opinions, the Councillors consider the report long and hard and work towards a positive result.
- Cllr Mark Brown confirmed that that was the purpose of today's meeting.*
- Mr Laurie Holland as the Freeman of the town mentioned previously by Mr B Brown, requested to correctly inform the meeting that he had been elected for this honour on merit of his contribution to Seaford and not because of any political allegiance during his career with the Council.
- Councillor Roger Needham entered the meeting, apologising for his lateness.*
- Mr Brian Read questioned whether the cost of the independent investigation would be made public?
- Cllr Paul Franklin confirmed that the all costs incurred from the investigation will be made public upon completion.*
- Mr Richard Wright informed the meeting he was representing the newly formed group, Seaford Residents' Voice.
- Seaford Notice Board, a group/community page on Facebook, now has 1,874 members that represent 11% of the towns' electorate. Seaford Residents' Voice are grateful to the Councillors that do currently use the Facebook group to communicate with the public but would like to request that all

the town's Councillors consider using this media to communicate with their public.

Cllr Mark Brown

responded that he himself had tried to join the group twice as it had recently been turned into a 'closed' group but had not been able to. Cllr Brown also confirmed that once the new website is published, this will be used to communicate with the public. Cllr Brown noted Mr Wright's request on behalf of Seaford Residents' Voice.

C78 Additional Council Meeting

It was **RESOLVED** that motion to have an additional meeting of the Council be **APPROVED**, to be held on Thursday 24 April 2014 at 7.30pm for the ordinary business of the Council. The motion was **SUPPORTED** (11 votes in favour; 7 against).

C79 Internal Review – Report of the Investigation

Sheelagh Douglas thanked the Council for inviting her to present the report of the investigation and thanked the Councillors and public who participated.

Sheelagh provided the meeting with the background of the request for a review, stemming from Norman Baker's 10 points of concern that were raised in January 2014. Sheelagh noted that the Council should be commended for trying to address these points of concern, looking at whether there was any truth in the allegations and where improvements are to be made.

Sheelagh explained that she would be going through the executive summary, rather than the full report, which provided answers and recommendations in the order of the 10 points.

C79.1 *"serious allegations of bullying from town hall staff who say they were forced out, leading to a very rapid turnover of staff."*

Sheelagh confirmed that she had read the written statements provided, reviewed the evidence from Norman Baker and conducted interviews. She feels that there are staffing issues that need to be addressed which will be covered in the confidential report. There are also procedural issues that need to be addressed;

- i. the current procedure in which personnel files are destroyed six months after the employee has left is a very strict interpretation of the advice given. The Data Protection Act advises that with personnel files, employers should 'keep if necessary'. One benefit of a longer retention of files would be to enable providing employment references for former members of staff.
- ii. there is a strong recommendation that the Council conduct independent exit interviews with all staff leaving to gain a better insight as to why they are leaving.
- iii. the Council's Complaints procedure is currently not very helpful as to what process the Mayor should follow upon receiving a complaint about the Town Clerk. The procedure needs to be rewritten to be more helpful.

C79.2 *"The almost endemic failure of the council to answer letters from other elected representatives in the town, from clubs and societies and from ordinary members of the public."*

Sheelagh determined that there are three reasons the Council are not answering correspondence quickly enough;

- i. due to the high level of staff turnover, tasks are 'dropped' between staff.
- ii. there is a process where everything incoming to the Council must go through the Town Clerk, whilst this is not an unusual practice for businesses with a small number of staff, it can create a log jam. The Projects & Facilities Manager and Support Services Manager are very capable and intelligent people so there is no reason that they cannot also help with monitoring incoming and outgoing post.
- iii. the workload of the staff is large and needs more prioritisation in order to maximise efficiency.

C79.3 *"Huge delays in dealing with relatively simple administrative matters such as the lease for the Seaford Museum which has now been outstanding for almost a year, putting at risk around £400,000 of external grants."*

Sheelagh has reviewed this in lots of detail and feels that the Council have failed on this aspect. She would recommend that the Council provide the Museum with an unequivocal apology. The Museum has acted correctly throughout the process and the Council should have dealt with this better. While Norman Baker's figures were slightly wrong in his original statement, this point of concern is undoubtedly correct.

C79.4 *"The delegation of an extraordinary amount of decision-making to the town clerk to an extent which the MP calls 'unwise and undemocratic'."*

Upon reviewing the level of delegation, Sheelagh is certain it is fine. The Council's process of delegation is properly documented and only made after all relevant people and Councillors have been consulted. A Council cannot operate without delegation.

This aside, there is a problem with the Scheme of Delegation. The document claims to delegate to the Leader and Deputy Leader of the Council and Leader and Deputy Leader of the Minority Group. As the Standing Orders state that the Council cannot delegate to individuals, these cannot be treated as delegations. Sheelagh feels these ought to be put in another document as overviews of the roles and not delegations.

C79.5 *"Endemic infighting within the controlling Conservative group, causing the town a series of expensive by-elections."*

Sheelagh believes this point to be unfair as the infighting appears to be between everyone regardless of political group. She believes this adversarial approach is not only not helpful to the Council but also not in the best interest of Seaford and its residents.

C79.6 *"Spiralling costs to the taxpayer from Hurdis House, the council-owned building in Broad Street that has now been sitting empty for years."*

Hurdis House has not been sat empty as stated; Star Computers has been the tenant of the majority of the building. There are currently problems that are being sorted out with solicitors so Sheelagh was not keen to divulge too much, but progress on this is slow. Sheelagh would recommend that while the Council had previously been reluctant to spend money on this issue they ought to consider spending the money to get things moving forward and not let the problem drift on.

C79.7 *"A huge potential bill being racked up at the Seaford (Head) Golf Club."*

In 2005 Seaford Town Council acquired Seaford Head Golf Course from Lewes District Council. A cross-party review was done and the Council followed everything that they should have done for the process of rebuilding the clubhouse. This is a huge undertaking for the Council; a £2 million project for a Council with a £1 million turnover. Whilst this is a huge project it is not unusual for Councils to undertake a project of this size. The Councillors will however need to bear in mind that it is likely to be a few years before they are back on their feet and can consider another large project again.

Sheelagh recommends that the Council ought to revisit their figures due to the bad winter weather delaying progress of the build on top of the delayed start. She recommends that the Council undertake a proper financial risk assessment; what if the money isn't returned? They ought to have a back up plans in place.

Sheelagh also recommends that the Internal Auditor for 2014/15 be asked to pay particular attention to the clubhouse figures, as they are doing for 2013/14.

C79.8 *"A proposal for a council tax increase of almost 10% for the next financial year starting in April."*

The actual figure was nearer 8%. After reviewing the process, Sheelagh is happy that this figure was reached correctly; each committee had a say on the figure and saw all the paperwork. The Council followed the legal process for setting a Precept. Sheelagh feels that Norman Baker is possibly confusing Seaford Town Council with a principal council rather than a local council. Principal councils have a cap on precept whereas a local council can set whatever level precept they determine is necessary.

Sheelagh has three recommendations to make on this point;

- i. that the Council look at savings that can be made in other areas rather than automatically adding to precept.
- ii. that the Councillors attend specific accounts training to enable them to understand the process and figures of budget setting.
- iii. that the budget includes a narrative with what the money is to be spent on, where money has gone and why something hasn't happened. Figures are good but they don't necessarily explain the full situation.

C79.9 *"The introduction of a new Standing Order that gags councillors, even telling them they cannot use the title 'councillor' when they write to the local paper, without first securing the Town Clerk's permission."*

There is no such standing order to say that the Town Clerk's permission must be sought. If Councillors write to the press as individuals, there are not to use the title councillor which is correct as they are not representing the Council, they are representing themselves.

C79.10 *"The abandonment of the council meeting last week because a member of public, perfectly legally, wanted to film the meeting, despite the fact that Communities Secretary Eric Pickles is taking through Parliament new laws explicitly to give the public such rights."*

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This is a contentious issue which everyone is obviously keen to address. Standing Orders do not currently allow filming in meetings. Around 98% of local councils have this same standing order as it forms part of the example standing orders given to councils.

The Act has been passed; the regulations went through on Monday. However, the regulations are now subject to affirmative resolution. For this they must go through and be agreed by both Houses so this is very unlikely to happen before the summer.

It would be wise of the Council to begin thinking about the filming of meetings. Sheelagh believed that this point has already been requested to be included on the agenda for the next ordinary meeting of the Council.

In summary, some of Norman Baker's points were right and some were wrong. The Council now has a number of issues to address. It could be easy to only read the negative in the report but this would be wrong, the report also identifies areas where the Council has done right and served the people of Seaford correctly. Sheelagh would commend the Councillors at their ability to undertake the degree of scrutiny they have been through.

Sheelagh hopes the Council is able to remain as open as it has been for the review and will go forward with the recommendations.

Cllr Mark Brown thanked Sheelagh for such a comprehensive report and invited questions from the Councillors;

Cllr Paul Franklin wanted to clarify the position with the retention of personnel records and whether the Council were right in keeping them for only six months.

Sheelagh Douglas confirmed that the Council did get HR advice when this retention period was set. She would however recommend the Council seriously consider looking at what they keep and for how long.

Cllr Paul Franklin wanted to confirm that Sheelagh was recommending the Council seek an independent person to carry out their exit interviews rather than the current process.

Sheelagh Douglas confirmed that is her recommendation but to note that the Council do not currently even conduct exit interviews.

Cllr Sarah McStravick thanked Sheelagh for a fair and balanced report.

Cllr Sylvia Dunn welcomed the report and recommendations. Cllr Dunn believes it is not too late and there is certainly room for improvement. We need to look at the areas of weakness and work out how best to benefit the community.

Following the above proposal and seconding, this was **APPROVED** by the Council as an action to be followed.




- Cllr Anthony White questioned whether there would be reasonable time to review and implement the recommended changes to the standing orders before the annual meeting in May?
- Sheelagh Douglas reminded that the Council likely has until the summer before the standing order regarding filming needs changing. With regards to changing the way that complaints are handled; this is a case of rewriting the Complaints Procedure rather than the standing orders.*
- Cllr Mark Brown made a formal proposal that a committee be formed to deal with the report and subsequent actions consisting of five councillors (three conservatives, one UKIP and one Liberal Democrat). Cllr Brown suggested the councillors consider who to put forward and that the committee could report back to Full Council in two months time.
- Cllr Anthony White wished it noted that as an Independent he would like the opportunity to stand for this committee.
- Cllr Stephen Gauntlett suggested that the politics be removed from this proposal and that the Council ought to address this together as a whole; utilising the skills and experience they have as individuals. Cllr Gauntlett counter-proposed that an initial meeting be arranged of the Full Council to consider actions as a corporate body rather than a committee. This was vocally supported by Cllr Alan Latham and Cllr Sarah McStravick.
- Cllr Mark Brown expressed his worry due to needing to convene quickly to get the process underway and with a smaller group, actions can be dealt with quicker.
- Cllr Barry Burfield reminded the meeting that they were yet to hear the content of the confidential report and that maybe they ought to delay any decision making until they were aware of the full scope and remit of the report.

C80 Exclusion of the press and public

It was **RESOLVED** that the press and public be **EXCLUDED** from the meeting during discussion of the following item on the agenda, in accordance with provisions of the Public Bodies (Admission to Meetings) Act 1960, as the item concerned personal matters.

The press and public exited the meeting at 7.58pm. Miss Georgia Raeburn also left the meeting, due to being a Council employee. Mrs Linda Butcher would be providing minutes for the remainder of the meeting.


Cllr Mark Brown
Mayor

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