



## Seaford Town Council

**MINUTES** of the meeting of the **Full Council** held at the Council Chambers, 37 Church Street, Seaford on **Thursday 21<sup>st</sup> August 2014** at **7.00pm**.

### **Present:**

Councillor M Brown (Mayor), Councillor T Goodman (Deputy Mayor)  
Councillors S Adeniji, R E Allen, B Burfield, S Dunn, S Gauntlett, A Hayder, S McStravick,  
R Needham, L Wallraven and A White.  
Millie Hemsley – Young Mayor  
James Corrigan, Interim Town Clerk – Seaford Town Council  
Georgia Raeburn, PA to the Town Clerk – Seaford Town Council  
Chris Rolley – Chris Rolley Associates

15 members of the public.

### **C57/08/14 Apologies**

Apologies for absence were received from Councillors G Cork, P Franklin, B Groves, P Heseltine, A Latham, L Lord and I White, and Police Sergeant Mullins.

### **C58/08/14 Disclosure of Interests**

No declarations were made of discloseable pecuniary interests or interests other than pecuniary interests as defined under the Seaford Town Council Code of Conduct and the Localism Act 2011, in relation to matters on the agenda.

### **C59/08/14 Public Participation**

*Pauline Gower With reference to the Clerk's Report, section 1.29, questioned whether the Council really wants to discourage tourists by preventing motor homes using Council land for overnight stays.*

*Noted that there is more of an issue with commercial HGVs parking around town, not in their designated area, and also several camper vans which are permanently parked around town, being moved on a two to three weekly basis.*

Interim Town Clerk The Council has is responding to complaints received from residents. The Council can only act on parking on its land; the seafront is the responsibility of East Sussex Highways Authority and is monitored by the Lewes District Council wardens. The Council are however aware of the lack of designated places for campers and motor homes. Council Officers will look into the options available and put a report to the Council for consideration. There may be a possibility of letting land for this specific purpose. Any policy decisions made by the Council would likely have to effect both campers and motor homes, as it is very hard to disenfranchise one group from another.

*Nick Mallinson (Director, Seahaven FM) In 2010, Seahaven FM applied for a grant and after meeting with some Councillors and the Clerk at the time, were informed that the amount was too high to qualify for a grant and would have to be made as a loan. At the time, Nick Mallinson did inform the Councillors that it would be difficult to pay back the loan due to the recession and Offcom delaying their license for nearly three years. Mr Mallinson was advised that the loan could be written off if Seahaven FM were unable to pay it back. Once this was agreed, Mr Mallinson met the previous Corporate Services Manager every six months but when he left the Council in 2013 there was no further contact from the Council or request for meetings. Mr Mallinson stated that in the 3½ years he had been informed during various conversations with Councillors and the previous Clerk that the loan could be written off.*

Mayor Brown Thanked Mr Mallinson for his presentation and said that this would be discussed later under item 26.

*Bob Gower With regards to the VAT report, is intrigued as to why this had not been picked up during an Internal Audit.*

*Regarding section 1.32 of the Clerk's Report, questioned what the Impact Seaford project is and what the cost would be.*

Interim Town Clerk Will be speaking directly with the Auditors regarding the VAT mistakes not being picked up during internal audits.

The Council are working with Lewes District Council and Wave Leisure to look at the feasibility of having an Iconic Leisure Facility in the Salts Recreation Ground to make it more attractive. Costs are not yet known as the feasibility meetings are still ongoing. Public consultations would be held as part of the process.

*Bob Brown Expressed concern regarding item 5 section 1.11 and the apparent breakdown in organisation of the Council with the Community Services Committee approving items outside of their delegated authority.*

*With regards to item 3.1 of the Clerk's Report, questioned why the Council would want to keep Hurdis House when it is of no use to the Council.*

Mayor Brown Confirmed that the Council are dealing with the Committee Minutes in the correct way, as per this meeting's agenda, to ensure approval of decisions outside of a Committee's remit and that the Scheme of Delegation is dealt with properly.

It is the Council's responsibility to the maximise its assets, such as Hurdis House, and at the moment the Council consider that the best option.

## C60/08/14 Past Mayor Presentation

Mayor Brown read the following:

**“That whereas** Councillor A White elected Mayor of Seaford Town Council for the year 2013/14 at the meeting of the Council held on 9<sup>th</sup> May 2013;

**And whereas** the Council is desirous of expressing and recording grateful thanks to Councillor A White for his dedication to his duties whilst in office, he has served the residents of our town of Seaford with honour and dignity.

Be it now **RESOLVED**:

That the Council do remember and record its gratitude to Councillor A White in the minutes of the proceedings of the Council held this day, 21<sup>st</sup> August 2014, and that this resolution be engrossed, sealed and presented in a suitable form by the Mayor and the Town Clerk on behalf of this Council.”

*(Mayor Brown presented Councillor Anthony White with a Past Mayor’s Badge)*

## C61/08/14 Committee Minutes

Members considered report 91/14.

**C61.1** The Clerk confirmed that as far as he is aware, there are no conflicts as a result of the resolutions made in Committee minutes.

The Clerk requested that if any Councillors find any conflicts at a later date, that these should be brought to his attention.

**C61.2** It was **RESOLVED** to **AGREE** to consider, for noting and adoption, all Committee minutes completed since the last Full Council meeting as per item 6 of the agenda.

**C61.3** It was **RESOLVED** to **NOTE** that previous Committee decisions may have been beyond the various Committees delegated powers and that these be adopted save for where there is a conflict with other decisions or any issues of concern arise. In such circumstances Officers are required to report this for decision at the next suitable Council meeting.

## C62/08/14 Minutes

**C62.1** It was **RESOLVED** to **NOTE** and **ADOPT** the following minutes:

- i. Planning & Highways – 26<sup>th</sup> June 2014
- ii. Full Council (Special) – 1<sup>st</sup> July 2014
- iii. Planning & Highways – 17<sup>th</sup> July 2014
- iv. Community Services – 24<sup>th</sup> July 2014
- v. Personnel – 29<sup>th</sup> July 2014

### **C63/08/14 Mayor's Report**

Members considered report 99/14.

- C63.1** It was confirmed that Seaford Lions Donkey Derby on 25<sup>th</sup> August 2014 is Open to All Councillors, not Invite Only as stated on the report.
- C63.2** It was **PROPOSED** and subsequently **RESOLVED** to **APPROVE** that the date of the next Full Council meeting be moved from 23<sup>rd</sup> October to Thursday 6<sup>th</sup> November at 7.00pm.
- C63.3** It was **RESOLVED** to **APPROVE** the Mayor's Report.

### **C64/08/14 Young Mayor's Report**

Members considered report 100/14.

It was **RESOLVED** to **APPROVE** the Young Mayor's Report.

Councillors thanked the Young Mayor for her report and wished her an enjoyable year ahead.

### **C65/08/14 Clerk's Report**

Members considered report 95/14.

- C65.1** Councillor A White voiced his opinion on various items within the Clerk's Report, including Seaford Museum's lease, staff training (congratulating Lucy Clark on completing her first year of AAT), South Hill Farm's lease, the new website and Rob Hargreaves' exemplary performance during his work experience.
- C65.2** The Interim Clerk confirmed that the appraisals are progressing and that those remaining have been diarised. From the appraisals carried out it is evident that there are training needs and these will be addressed. The Clerk hopes to encourage all staff to undertake the Certificate in Local Council Administration.
- C65.2** Councillor McStravick commented on a few items within the Clerk's report; the welcome introduction of alternative options for access to the Councils information, congratulating staff on the recent edition of the newsletter and the Neighbourhood Plan training evening. Cllr McStravick stressed that if a neighbourhood plan were to be worked on, the Council would need the public behind the idea to move it forward.
- C65.3** The Interim Clerk confirmed that the priorities in the report were not in a specific order.

**C65.4** Councillor Adeniji mentioned that three years ago the Council had considered two options for financing the newsletter; approaching Seaford Scene to produce, sell advertising space and distribute the newsletter or, the Council following Telscombe Cliffs' model and selling advertising space directly.

The Interim Clerk thanked Cllr Adeniji for the information and confirmed that he would be looking at different ways to finance, produce and distribute the newsletters.

**C65.5** The Interim Clerk confirmed that the new website link had been sent through to Councillors fairly late in the day. The Clerk requested any feedback be submitted ahead of Monday 1<sup>st</sup> September as the website would be going live that week.

**C65.6** The Interim Clerk confirmed that it could be possible to take legal advice on reclaiming the loss of revenue and that he would be looking at all avenues available for minimising the loss of revenue.

**C65.7** The Interim Clerk confirmed that the Projects & Facilities Manager has taken the lead on the Salts Development Plan and that it is planned for this to be presented to the Council at their meeting on 6<sup>th</sup> November. Due to the size of the document, this will be sent out to the Councillors in advance of the agenda.

**C65.4** Councillor Dunn questioned item 1.29 and queried whether there could be confusion caused by the current signage on the seafront. The signs state that a 12 hour stay is allowed and further down states that no overnight camping is allowed; confusion could set in if arriving at 8pm and only staying 11 hours through until 7am.

The Interim Clerk replied that he had a list of avenues to look into regarding this issue and that he would review the signs as part of this.

**C65.6** The Clerk clarified that in item 1.3 of the report it states that Seaford Museum are awaiting registration as a charity; they are in fact already a charity but are wanting to register as a charity limited by guarantee.

**C65.7** The Clerk updated that he is working with Premier Mini Soccer to find five different pitches for their football games and that he is hopeful that Rob Hargreaves will be returning next week to do some more work experience in the Council offices.

**C65.8** Councillor Brown wished to convey his gratitude to the staff for getting Splashpoint reopened to the public.

**C65.9** It was **RESOLVED** to **NOTE** the contents of the report and priorities agreed to and that the Interim Town Clerk would report back to Full Council with options regarding recovering the financial losses.

### **C66/08/14 Police Report**

**C66.1** Councillor McStravick questioned whether littering was a civil offence and whether there was any civil recourse, thinking primarily about the litter on the seafront.

Mayor Brown confirmed that littering is an offence but that they were hopeful the bigger bins on the seafront would help address the problem.

The Interim Clerk responded that he would speak with Lewes District Council regarding their process for issuing fixed penalty notices and whether this is being carried out.

**C66.2** It was **RESOLVED** to **NOTE** the Police Report.

### **C67/08/14 Training Report**

Members considered report 89/14.

**C67.1** It was clarified that the Council are already carrying out the publishing of extracts/resolutions from confidential minutes and resolving, where necessary, for an exclusion of the press and public.

**C67.2** It was **RESOLVED** to **AGREE** to inviting District and County Councillors within Seaford to Full Council meetings and have an item on the agenda for them to provide a report/update if available.

**C67.3** It was **RESOLVED** to **AGREE** going forward to use minute references that include the month and year.

### **C68/08/14 Letter of Thanks**

**C68.1** Councillor Dunn provided a short presentation on the celebratory event held on 6<sup>th</sup> June for the 150<sup>th</sup> anniversary of the Seaford rail line.

**C68.2** Cllr Dunn informed the meeting that Seaford Station had been shortlisted for Southern Rails award of the Best Community Station, alongside Littlehaven and Lewes, just missing out to Lewes which was awarded the accolade.

**C68.3** Councillor Adeniji remarked how well attended the event was and what a sense of community it showed. Cllr Adeniji stressed that the Council ought to look at how to build on this with their own future events.

**C68.4** It was **RESOLVED** to **NOTE** the letter of thanks received from Sussex Community Rail Partnership.

### **C69/08/14 Memorial Plaque for 36<sup>th</sup> (Ulster) Division**

Members considered report 98/14.



- C69.1** Mayor Brown gave some background information on the request and informed the meeting that local historian, Kevin Gordon, has kindly been able to give the Division more details regarding the soldiers time in Seaford.
- C69.2** It was confirmed that a press statement would be released ahead of the plaque being installed and that Councillors would be invited to attend. This would likely be done in October 2015.
- C69.3** It was **RESOLVED** to **APPROVE** giving permission and support for the 36<sup>th</sup> (Ulster) Division Memorial Lodge to install a memorial plaque on Bönningstedt Parade in Seaford, working with Seaford Town Council in doing so.

*(A short break was taken between 8.08pm and 8.18pm – two members of public left the meeting.)*

#### **C70/08/14 Seaford Allotments & Leisure Garden Society**

Members considered report 101/14.

- C70.1** Chris Rolley, as the author of the report, provided a brief introduction. Chris stressed that the Council were very fortunate to have such an able society managing the site on a day-to-day basis. It would be both in the Council's and SALGS interests to resolve the current situation regarding the management agreement.
- C70.2** Councillor A White expressed his disgust at the management agreement being left unresolved for over four years since it originally expired but thanked Chris Rolley Associates for a thorough investigation into the matter.
- C70.3** Mayor Brown explained that Projects & Facilities Manager and Chris Rolley had held meetings with SALGS in order to come to an amicable solution, and offered gratitude to Chris Rolley for assisting in resolving the issue.
- C70.4** Paragraph 1.2 in the report was highlighted, bearing mention to the importance of working in partnership with others to achieve more. Learning from this, the Council ought to be the facilitating these partnerships with groups in the town.
- C70.5** It was **RESOLVED** to **AGREE** to a new agreement with Seaford Allotment and Leisure Gardens Society in accordance with proposals contained in paragraph 2.0 of the report attached at Appendix A, and to request the Officers to complete this as expeditiously as possible.
- C70.6** It was **RESOLVED** to **AGREE** that concurrent with the new Agreement being signed, a letter emphasising the importance of future collaborative and co-operative working be sent to the Society's Chairman.
- C70.7** It was **RESOLVED** to **APPROVE** Officers working with the Society in seeking to obtain significant funds to undertake long term improvement works referred to in the report.

- C70.8** It was **RESOLVED** to **DELEGATE** authority to the Interim Town Clerk to apply the Council seal to the final signed copy of the agreement.
- C70.9** It was **RESOLVED** to **NOTE** Officers include the annual increment rent rise in the Council's Annual Planner.

### **C71/08/14 Review of Land Ownership, Leases and Licences**

Members considered report 77/14.

- C71.1** It was noted that recommendation 5 regarding SALGS had been resolved under the previous item of the agenda.
- C71.2** Chris Rolley, as the author of this report too, provided a brief introduction again. Chris stressed that all Councils need a decent register of their property owned, leases, concessions etc and while STC has some on a register it does not have all documented.
- Chris explained that STC does have a huge amount of assets; there are only two or three other Town Councils in the country with such a large asset responsibility.
- Chris confirmed that his report would be a dynamic working document and something for the Council to build on.
- C71.3** It was confirmed that the land terrier package referred to in recommendation 7 is the software mentioned in item 1.9 that would assist the Council in the management of all of these facilities.
- C71.4** Councillor Dunn stated that the reason she was aware of for High & Over struggling to appeal to concession providers, was due to the space not being adequate to allow for provision of hot drinks and food.
- C71.5** Councillor Adeniji expressed concern with recommendation 1 and the possibility of disposing of assets. Cllr Adeniji would be nervous of blindly selling assets without having looked at the best way to maximise the revenue from said assets.

Cllr Adeniji has been aware of Lewes District Council's review of maximising its assets and questioned whether Chris Rolley Associates would be able to advise the Council on the options available with each of the assets.

Chris Rolley replied that while he was able to conduct a review of the current system, this was not his specific area of expertise. There would however be other companies that could assist.

During the review, Chris Rolley did notice one or two parcels of land that were taken over by the Council from LDC that are of no real purpose i.e. the small package of land behind Boots. In this instance there may be an asset value and possible capital receipt.



**C71.6** It was **RESOLVED** to **AGREE** to the recommendations as per the report as follows, with the exception of number 5:

- i. That when resources permit the Council should carry out a review of its assets with a view to determining whether any might be appropriate for disposal, having regard to the interests of Lewes District Council in such matters;
- ii. That in respect of the High and Over concession site negotiations take place direct with existing concessionaires with a view to concluding an agreement for 2014 season only and, due to the timescale involved, this matter be delegated to the Council's officers;
- iii. That outstanding leases referred to in paragraph 3 of this report should be concluded at the earliest opportunity;
- iv. That where land is incorrectly registered or no registration exists the Council should approach its solicitor with a view to establishing what would be required to complete this exercise and the likely costs involved, and bring a report back to Council on the outcome of such discussions;
- v. That the Council formalises its internal procedures for handling and security of legal documentation, including all property records, in broad accordance with paragraphs 6 and 7 of this report.
- vi. That advice is taken to source a suitable land terrier package and subsequently purchased, being updated as soon as practical.

**C71.7** The Interim Clerk confirmed that the Projects & Facilities Manager had looked at some terrier packages in the past. One benefit of the software is that it enables the Council to have a map that shows every asset it owns, including benches, bus shelters, bins etc. The map would also highlight land boundaries. This will also help Council staff when dealing with enquiries.

The terrier package in itself is unlikely to cost a huge amount. There is likely to be an annual fee of £3-400 which is not a lot when considering the amount of assets under the Councils control. There are sufficient funds in the budget to cover this.

#### **C72/08/14 Capital Wish List**

Members considered report 93/14.

**C72.1** The Interim Clerk clarified that those projects highlighted as short-term (ST in the time frame column) either already have a budget in place or by working in partnership with others will be able to generate income via grants.

Those identified as medium and long term may change slightly as development plans, such as that for the Salts, are fed back into the document. All development plans will be worked on over the next 12 to 18 months.

**C72.2** It will be beneficial to any grant applications made for funding, being able to produce this document as an adopted policy.

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**C72.3** It was confirmed that the wish list will be a working document and can be amended.

**C72.4** Councillor Dunn requested that the Martello Toilets be treated as a priority further to two disabled users injuring themselves on the pointed edge of the square sink within the toilet.

The Interim Clerk confirmed that he has exchanged emails to deal with this and hopes to have it resolved by the end of September. The Projects & Facilities Manager has already sought prices for replacing the sinks.

**C72.5** Councillor Dunn mentioned that she had noticed that a notice was hanging off on the cliff by Hope Gap Steps. Cllr Dunn also mentioned that the electric fencing up on Seaford Head was blocking off access to the seating.

The Interim Clerk replied that he had spoken with the Sussex Wildlife Ranger that manages the reserve on the Council's behalf and she had explained that the fencing was put there on account of the three cattle grazing and that they would try to reconfigure the fencing so the seating was accessible.

**C72.6** Councillor Gauntlett was pleased to see that by adopting a general sense of ownership on projects throughout the town and by being open, this should encourage partnerships to happen.

**C72.7** Councillor Adeniji asked if a list of the S106 monies that were due to the Council existed and following on from this, if there was the possibility to sell any assets to put towards these projects to improve the town.

Councillor Burfield requested whether the various committees could be presented with the detailed plan to factor into their budgets.

The Interim Clerk confirmed that the S106 monies would not cover all the projects but it helps with negotiations with Lewes District Council as if they are not happy with one option we can move down the list and request funding for the next. The Clerk will forward a list detailing all S106 monies available to the Councillors.

The Clerk confirmed that it would be possible to use capital receipt to help capital projects so long as this does not result in a reduction of service.

The Clerk confirmed that a lot of the projects in the wish list had been taken from Committee's expressions. These would then be worked into a Development Plans for the Council to then adopt as a policy.

**C72.14** Some of the replacements on the wish list will be carried out providing there is funding in the budget.

**C72.15** Whilst budget setting throughout November to January, the Council would be wise to pay heed to any money generated or surplus funds and the

potential to spend these on items within the wish list. This would be agreed in advance with the relevant Committee.

- C72.16** The Clerk confirmed that the wish list has not been prioritised in an exact order but short, medium and long term have been attributed for the purposes of the highlighting general priority.
- C72.17** It was **RESOLVED** to **APPROVE** that the Capital Wish List be adopted as an official Town Council Policy document.
- C72.18** It was **RESOLVED** to **SUPPORT** the proposal for the Interim Town Clerk, in conjunction with other staff, to devise development plans for the Salts, Crouch and Seafront/Martello, in that order, to be brought before the Council for adoption.

### **C73/08/14 Time Off in Lieu Policy**

Members considered report 94/14.

- C73.1** Mayor Brown confirmed that while the review date for the policy is set at August 2017, it can and may be discussed sooner to ensure it is fit for purpose.
- C73.2** It was **RESOLVED** to formally **ADOPT** the Time Off In Lieu Policy with a formal review date of August 2017.

### **C74/08/14 VAT Inspection**

Members considered report 78/14.

The Interim Clerk provided a verbal update since the report was first sent out to the Councillors:

- C74.1** The Council have submitted a response to the initial letter from HMRC, to which a reply has been received from HMRC accepting the information provided in answer to the first three pages of queries with the exception of that provided regarding the ambulatory concessions.

HMRC will not accept that the ice cream vans that are given licences are at fixed locations. If at a fixed location there is no VAT charged, if moveable then VAT should be charged. If it is determined that the concessions are ambulatory (moveable) then the Council could owe five years backdated VAT payments.

The Council has employed the services of a VAT consultant who has prior experience of giving advice to Councils. They are now working with the Council to address the ambulatory concessions and the option to tax on the Seaford Head Golf clubhouse build.

There is hope that if the Council can evidence that it had intended to opt to tax but that a mistake had occurred meaning we had not prior to construction starting, that the HMRC may grant a retrospective option to tax.

- C74.2** Mayor Brown confirmed that the VAT situation with regards to the Golf Course is being looked at as part of a separate enquiry.
- C74.3** Councillor A White expressed concerns regarding the awareness or lack of, that the Council had regarding the financial situation of the Council.
- C75.4** Councillor McStravick voiced her worries of how this was not brought to the Council's attention sooner as a result of internal audits.
- C75.6** Councillor McStravick informed the members that Norman Baker MP had approached her with a message to offer his assistance if he can be of any.
- C75.7** It was highlighted that the Councillors are not VAT experts and that they rely on being led by the systems, Officers and Responsible Finance Officer.
- C75.8** Cllr Adeniji questioned whether the Council would consider employing VAT consultants on a permanent basis to assist with the VAT audits and returns.
- C75.9** Councillor Adeniji questioned whether there was any way in which the Council could look at any form of redress of the £340k. Cllr Adeniji also stressed that he would be worried about claim back four years of VAT from the Martello Kiosk at the risk of jeopardising a small business within the town.
- C75.10** The Interim Clerk confirmed that ongoing VAT help would certainly be useful and something to look at but would not be cheap. The Clerk is looking at the possibility of getting financial advice from a Local Government retiree in the area. The Council will be in a better position to explore the different avenues once the final position of the current situation is known.
- C75.11** It was **RESOLVED** to **AGREE** to all the actions in section 2 of the report as set out below:

i. Income Liability & Expenditure

Following investigations revealing the certain errors, spreadsheets itemising these entries, along with a letter of explanation has been sent to Mr S Smith.

In regards to the Martello Kiosk, the Interim Town Clerk and the Support Services Manager will be looking to arrange a meeting with the licensees to discuss back dating the VAT.

With regards to the rental of the CAB, a letter explaining the error is currently being drafted with the intention to invoice the VAT.

With regards to the Ambulatory Concessions, having looked at the contracts it states that the mobile kiosk (ice cream vans) must remain in their allocated

space at all times. This is also explained in the letter along with copies of the licences.

ii. Option to Tax

The council must now consider urgent action as by publicising and receiving/declaring income which includes VAT, it is considered by HMRC that the Council has essentially made a decision to opt to tax these sites (but simply not notified HMRC). However, it would be in the Council's interest not to opt to tax for these sites and a letter to HMRC is currently being drafted to this effect.

iii. Partial Exemption

Partial Exemption calculations will need to be calculated for the last four years to demonstrate the test of insignificance has been achieved. However, before undertaking this for 2013/14, the decision relating to the new golf buildings will be an important factor. It was noted that the 2013/14 year contained major expenditure in the latter two VAT Returns which related to the reconstruction costs of the golf building. This amounted to £88,255.89 which is significant Input Tax (and only the initial part of the project) and will in part relate to anticipated exempt supplies of hiring the facilities when finished. The Interim Town Clerk has understood the potential consequences here and indicated the Council have in effect Opted in to Tax by reclaiming the VAT on construction costs. A belated notification will be sent to HMRC to attempt to protect the VAT claimed on those costs already incurred, however it will need to be demonstrated that there was a clear intention, at the time the costs were incurred, that the subsequent supplies of the building were intended to be taxable. This might be by committee meeting minutes or other documentary evidence. In the absence of such documentation the VAT recovered would need to be included in the partial exemption test of insignificance.

The pending possible disciplinary action of the Council with an employee could also have implications on how the Council approaches Inland Revenue for a solution in the Council favour.

It is therefore recommended that authority be given to secure specialist external VAT advice on this issue.

iv. Penalties

It is likely that the Council will be issued with penalties for the above errors. These will be decided depending on the reason which is referred to by the HMRC as 'behaviour'. The type of behaviour will affect whether the HMRC will actually charge a penalty and the amount of that penalty.

**C77/08/14 Recording Council Meetings**

Members considered report 103/14.

**C77.1** Councillor A White confirmed that he had obtained a third quote in addition to the two in the report. Cllr White would recommend that the Council

consider opting for the more expensive of the two in the report, at £3,645, as this is sufficient and will give the Council what it needs from the system. It would also however provide longevity and ease of use, which you may not find with the cheaper option.

- C77.2** It was confirmed that the suppliers that have given quotes have been in and seen the Chamber so the quotes are specific to the Council's needs.
- C77.3** A few concerns were raised to do with the time required by staff to accommodate this but it was confirmed that the camera would not need to be manned. Minute takers would still be required at meetings.
- C77.4** It was highlighted that a benefit of the Council recording their own meetings is that these recordings will be a true record of accounts.
- C77.5** The Interim Clerk felt, having reviewed the quotes, that all three met the same requirements and could not see a reason why the cheapest quote should not be considered.
- C77.6** The Interim Clerk will look into whether the lease the Council has with Sussex Police for the building has any covenants regarding filming on the premises.
- C77.7** Councillor Goodman, as part of the Filming Working Group, thanked Councillor A White for all his work on this project.
- C77.8** It was **RESOLVED** to **AGREE** to the change in Standing Orders to allow the public to records all public Council meetings.
- C77.9** It was **RESOLVED** to **DELEGATE** to the Interim Town Clerk, in consultation with the Filming Working Group and Councillor Burfield, the decision of if the Council is to place its own recording system in the Council chamber and further to presentations from suppliers which system to use.

*(It was **RESOLVED** to **SUSPEND** Standing Orders in order to allow the meeting to continue on with no time limit to adhere to.)*

*(A short break was taken at 9.47pm – one member of public left the meeting.)*

#### **C78/08/14 Christmas Shutdown**

Members considered report 90/14.

- C78.1** It was **RESOLVED** to **APPROVE** the closure of the Council offices from midday on 24<sup>th</sup> December 2014 to the 4<sup>th</sup> January 2015 inclusive.
- C78.2** It was **RESOLVED** to **ALLOW** staff to use time off in lieu accrued whilst supporting the Christmas Magic event for part of this period.

#### **C79/08/14 Sustainable Communities Act – Patchway Town Council**

Members considered report 88/14.

*WJ*

- C79.1** The Interim Clerk pointed out that the Council could potentially benefit from this proposal themselves, as it would enable any excess electricity generated by the solar panels on the new golf clubhouse to be sold back to the electricity suppliers.
- C79.2** Councillor Adeniji stressed that he would like it if the Council could look at any potential ways to increase their income by utilising the Sustainable Communities Act.
- C79.3** It was **RESOLVED** to **AGREE** that Seaford Town Council support the actions of Patchway Town Council in seeking approval of a proposal brought under the Sustainable Communities Act 2007 to give a right to Parish and Town Councils to sell electricity.

### **C80/08/14 Meals in the Community Service**

Members considered report 87/14.

- C80.1** It was **RESOLVED** to **RESPOND** to the consultation in the following way:

Q4. How much do you agree or disagree with the proposal to stop the subsidy for meals in the community? **STRONGLY DISAGREE**

Q5. How much for you agree or disagree with the proposal to put together a list of providers to choose from, that we know are high quality and are safety and quality checked? **STRONGLY DISAGREE**

Q6. If the proposals were accepted and the Council didn't pay towards or organise meals in the community, what are your concerns?

1. Vulnerable people lacking in the basic needs of food, warmth and good health;
2. The lack of regular checks on wellbeing that currently happen with the delivery of meals, as the driver will not leave until the door has been answered;
3. The lack of hot meals if people are prevented from getting to a supermarket, especially in adverse weather conditions;
4. The lack of communication/daily contact with the outside world;
5. The adverse effects on people's diets as supermarket meals are not guaranteed to be healthy enough.

Q8. Is there anything we need to think about for future meals services and safety checks that isn't covered in our proposals?

1. Home visits;
2. Thorough assessments of individuals and regular reviews being made;
3. Whether or not individuals can afford to fund their own meals.

### **C81/08/14 Electronic Payments Policy**

Members considered report 92/14.

- C81.2** A suitable policy for the use of business credit/debit cards will be looked into and a caveat included for users in order to protect both themselves and the Council.
- C81.3** The Interim Clerk will look into options for integrating the accounting and banking software to enable immediate payments from the accounting system.
- C81.4** It was **RESOLVED** to **ADOPT** the Electronics Payment Policy as attached to the report.
- C81.5** It was **RESOLVED** to **AGREE** to the necessary amendments to the Financial Regulations as a result of the Electronics Payment Policy being adopted.
- C81.6** It was **RESOLVED** to **AGREE** to the Support Services Manager investigating the use of Debit/Credit cards for some purchases and report back to Council with a suitable Policy.

### **C82/08/14 Complaints Procedure**

Members considered report 102/14.

- C82.1** It was questioned what the process was if a complainant is not satisfied with the outcome.
- The Interim Clerk confirmed that the Local Government Ombudsman has no remit to deal with Town Council matters and appeals are therefore dealt with by the Appeals Sub-Committee.
- Some specific appeals can be dealt with by the Information Commissioner i.e. Freedom of Information or Data Protection request appeals.
- C82.2** Mayor Brown confirmed that the procedure can be reviewed before 2017 to ensure that it is fit for purpose.
- C82.3** It was **RESOLVED** to formally **ADOPT** the revised Complaints Procedure as attached to the report.
- C82.4** It was **RESOLVED** to **APPROVE** a formal review date of the document of August 2017.

### **C83/08/14 Seahaven FM - Review of Awarding Grant**

Members considered report 104/14.

- C83.1** Councillor A White raised two issues that he had regarding the report;
1. The grant application was not made in time;

*WJ*



2. There were no original loan agreement terms and no repayments other than the VAT have been made. Seahaven FM's loan is due for repayment by September 2014.

Cllr White pointed out that whilst Seaford Football Club does also have a loan they have made repayments with no chasing by the Council.

Cllr White questioned the situation and process followed at the time that the loan was granted.

Cllr White expressed a worry that by writing off one loan a precedent is set for others not to pay.

**C83.2** Mayor Brown confirmed that the reason it was considered as a loan rather than as a grant was because it exceeded the £3k grant limit.

**C83.3** It was confirmed that the loan was authorised by the previous administration in August 2010. The recent grant application was considered separately and due to fulfilling all the criteria required, was approved by the Finance & General Purposes Committee. It was noted that the grant application was actually for the figure of £1,975 which was felt to be too much, so reduced to £750.

It was subsequently questioned if Seahaven FM had in fact fulfilled all the criteria.

**C83.4** It was highlighted that the Council does not have a Grants Policy in place to consider application against, only guideline conditions on the application form. A Grants Policy is however being drafted.

**C83.5** It was **PROPOSED** that the existing loan be extended for a further period of two years from the original repayment due date, September 2014, that a legally binding agreement be drawn up and agreed to to this effect and that no grants be awarded in this period. A **RECORDED VOTE** was requested;

Cllr Adeniji	Against
Cllr Allen	For
Cllr Brown	Against
Cllr Burfield	Against
Cllr Dunn	For
Cllr Gauntlett	For
Cllr Goodman	For
Cllr Hayder	For
Cllr McStravick	For
Cllr Needham	Against
Cllr Wallraven	Against
Cllr A White	For

The motion was **CARRIED** (7 for, 5 against).



## C84/08/14 Standing Orders

Members considered report 97/14.

- C84.1** It was **RESOLVED** to **RESCIND** all references of delegations to individual Councillors within the Scheme of Delegation.
- C84.2** It was **RESOLVED** to **AGREE** to the Interim Town Clerk reporting back to the next scheduled Full Council meeting with a new Scheme of Delegation which is legally compliant.
- C84.3** It was **RESOLVED** to **AGREE** that the Interim Town Clerk would circulate the new NALC Model Standing Orders for individual Councillors to let the Clerk have any comments by a deadline to be determined, so that a final version can be submitted to Full Council for adoption.

## C85/08/14 Exclusion of the Press and Public

It was **RESOLVED** that in accordance with the Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded from the meeting during the discussion on items 29 and 30 on the agenda as the items concern confidential Council matters.

*(All remaining members of the public exited the meeting at 10.44pm.)*

## C86/08/14 Appeals Sub-Committee

Members considered confidential report 96/14.

- C86.2** It was **RESOLVED** to **APPROVE** a Special Appeals Sub-Committee being created comprising of three members, consisting of Cllr Lord, Cllr Cork and one external professional expert, and to further on **DELEGATE** power to the Special Appeals Sub-Committee to consider any appeal and deal with it to its conclusion whatever this may be.
- C86.3** It was **RESOLVED** to **DELEGATE** authority to the Interim Town Clerk in conjunction with the Appeals Sub-Committee to co-opt an individual to the Sub-Committee to act as professional support and Chair, and the power to reconstitute the Sub-Committee if necessary.
- C86.4** It was **RESOLVED** to **DELEGATE** full power to the Disciplinary Sub-Committee to deal with disciplinary matters.
- C86.5** It was **RESOLVED** to **DELEGATE** full power to the Appeals Sub-Committee to consider any future appeals and deal with it to its conclusion whatever this may be.
- C86.6** It was **RESOLVED** to **APPROVE** the changes in delegation being reflected in the Scheme of Delegation.



**C87/08/14 Golf Pro Shop**

Members considered confidential report 86/14.

**C87.2** It was **RESOLVED** that the proposal to approve the compensation requested be **NOT CARRIED**.

**C87.3** It was **RESOLVED** that the proposal to increase the retainer to be **NOT CARRIED**.

**C87.4** It was **RESOLVED** to **APPROVE** giving authorisation to the Interim Town Clerk to review introducing a bonus scheme to increase profits at the golf facility and report back to Full Council.

The meeting closed at 11.44pm.

  
Councilor Mark Brown  
Mayor of Seaford

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