

MINUTES
OF THE MEETING OF
HYTHE TOWN COUNCIL'S
FINANCE & GENERAL PURPOSES COMMITTEE
HELD ON THURSDAY 19TH MARCH 2009

Present: Councillor J A Schoner (In the Chair)

Councillors Mrs K T Belcourt, R H Carroll, A J Ewart-James,
Mrs Z Harris, S W Hayward, A Smith and R Watson

Also Present: The Town Clerk

Apologies: Councillors A Mayne and Mrs A Mayne

387/08 MINUTES OF THE FINANCE AND GENERAL PURPOSES COMMITTEE
MEETING HELD ON 12TH FEBRUARY 2009

It was

PROPOSED BY: Councillor R H Carroll
SECONDED BY: Councillor A Smith and

RESOLVED – That the Minutes of the Meeting held on the 12th February 2009, having been circulated, be confirmed as a correct record and signed by the Chairman.

388/08 DECLARATION OF INTERESTS

Councillor A Smith declared a prejudicial interest in Min No 398/08 – EDF Easement – Employee of Murphy's, agents for EDF Energy.

Councillor S W Hayward declared personal interests in Min Nos 403/08 & 405/08 – Age Concern Licence & Arts, Culture & Leisure Fund – Private Member of Age Concern.

Councillor D Owen declared a prejudicial interest in Min No 406/08 – Friends of St Leonard's Church – Treasurer of St Leonard's Church.

Councillor Mrs K T Belcourt declared a personal interest in Min No 399/08 – Access Gate on the Green, Licence Agreement – Governor of Hythe Bay Primary School.

Councillor J A Schoner declared personal interests in Min Nos 403/08 & 405/08 Age Concern Licence & Arts, Culture & Leisure Fund – Private Member of Age Concern.

389/08 ADJOURNMENT OF MEETING FOR PUBLIC INCLUSION IN
ACCORDANCE WITH STANDING ORDER NO. 70

There was no adjournment.

390/08 APPROVAL OF PAYMENTS FOR THE PERIOD TO 28TH FEBRUARY 2009

It was

PROPOSED BY: Councillor R H Carroll
SECONDED BY: Councillor D Owen and

RESOLVED – That the payments for the period to 28th February 2009, covering cheque numbers 011283 - 011307 be authorised, as appended to these Minutes.

391/08 APPROVAL OF BUDGET STATEMENT TO 28TH FEBRUARY 2009

It was

PROPOSED BY: Councillor R H Carroll
SECONDED BY: Councillor R Watson and

RESOLVED – That the Budget Statement to 28th February 2009 be approved.

392/08 APPROVAL OF BALANCE SHEET & INCOME & EXPENDITURE ACCOUNT TO 28TH FEBRUARY 2009

It was

PROPOSED BY: Councillor A Smith
SECONDED BY: Councillor D Owen and

RESOLVED – That the Balance Sheet and Income & Expenditure Account to 28th February 2009 be approved.

393/08 REPORT OF RECEIPTS TO 28TH FEBRUARY 2009

It was

PROPOSED BY: Councillor R H Carroll
SECONDED BY: Councillor A Smith and

RESOLVED - That the Receipts for the period to 28th February 2009 be accepted.

394/08 YEAR-END TRANSFERS

Details of these had been previously circulated to Members.

It was

PROPOSED BY: Councillor R H Carroll
SECONDED BY: Councillor D Owen and

RESOLVED – That the year-end transfers be approved, as appended to these Minutes.

395/08 SEEDA SPORTS PAVILION STEERING GROUP

(i) Minutes of the SEEDA Sports Pavilion Steering Group Meeting

It was

PROPOSED BY: Councillor R H Carroll
SECONDED BY: Councillor A J Ewart-James and

RECOMMENDED – That the Minutes of the SEEDA Sports Pavilion Steering Group Meeting of the 20th February 2009 be received and the decisions taken therein be endorsed.

(ii) Notes of the SEEDA Pavilion Steering Group Meeting, 27th February 2009

It was

PROPOSED BY: Councillor A J Ewart-James
SECONDED BY: Councillor J A Schoner and

RECOMMENDED – That the Notes of the SEEDA Sports Pavilion Steering Group Meeting of the 27th February 2009 be received.

(iii) Reports on the Meetings held on the 13th and 18th March 2009
The Chairman updated Members on the current position.

It was

PROPOSED BY: Councillor Mrs K T Belcourt
SECONDED BY: Councillor R H Carroll and

RESOLVED – That:

- 1 The Town Clerk be authorised to arrange the hedge removal at Wakefield Walk following on from permission received from Shepway District Council.
- 2 The Town Clerk obtain quotations for the supply of mains water to the new football pitch area and for a supply to the Twiss Road allotments.

(iv) Licence – Temporary Vehicle Crossing of Wakefield Walk

It was

PROPOSED BY: Councillor A Smith
SECONDED BY: Councillor R Watson and

RESOLVED – That the form of licence as sent by Shepway District Council be agreed and signed accordingly.

(v) Project Technical Team

Details of the fee structure (based upon a % of the overall contract as detailed and costed in the Quantity Surveyor's Feasibility Report No 4).

It was

PROPOSED BY: Councillor A J Ewart-James
SECONDED BY: Councillor Mrs K T Belcourt and

RESOLVED – That:

- 1 The appointment of the individual members of the Project Technical Team be agreed on the following percentile basis:

Managing Architects	6.25%
Quantity Surveyor	2.25%
Structural Engineer	0.9%
CDM Agent	0.6%
Mechanical & Electrical	1.2%
Building Regulations	0.3% – 0.4%
Hythe Town Council Agent	1.0%
- 2 The Town Clerk be authorised to undertake the preparation of contracts with all professionals on the above fee proposal, as submitted by CTM Architects.

The Chairman congratulated all concerned with the Sports Pavilion Project, especially the Town Clerk and staff.

396/08 REVISED INCOME & EXPENDITURE ACCOUNTS

Members discussed the revised Income & Expenditure Accounts in respect of the proposed fee structure which had been presented to the SEEDA Steering Group on the 18th March 2009. The Town Clerk reported that there had been very good representations from the football and crickets clubs at the meeting.

It was

PROPOSED BY: Councillor J A Schoner
SECONDED BY: Councillor R H Carroll and

RESOLVED – That the fees structure and the Income & Expenditure forecast be approved as stated below:

(i) Football Fees

£50.00 inc VAT per match.

£35.00 inc VAT per match – for teams with Charter Standard (representing a 30% discount).

£25.00 inc VAT per match – Juniors (i.e. under 18's) with a 30% discount for teams with Charter Standard status.

£15.00 inc VAT per match – for mini-soccer teams (i.e. under 18's) with a 30% discount for teams with Charter Standard status.

(ii) Cricket Fees

(i) The cricket fees to be in line with the football fees (but not including upstairs) with a reduction of 30% for teams carrying the cricket equivalent of Charter Standard status.

(ii) A £15.00 charge for the use of the first floor facility, subject to the team's opening and closing the Pavilion and leaving the premises "as found".

Upper Floor Charges

It was

PROPOSED BY: Councillor A Smith
SECONDED BY: Councillor R H Carroll and

RESOLVED – That the hourly charges be approved as follows:

£7.50 inc VAT – Charity Rate

£12.50 inc VAT – Private Rate

£25.00 inc VAT – Commercial Rate

A flat caretaking/cleaning charge for all users at £25.00 (excluding cricket).

397/08 ASSETS WORKING GROUP MEETING

The Minutes of this Meeting had been previously circulated to Members.

It was

PROPOSED BY: Councillor Mrs K T Belcourt
SECONDED BY: Councillor R Watson and

RESOLVED – That:

- 1 The Minutes of the Assets Working Group Meeting held on the 23rd February 2009 be received and the recommendations contained therein be endorsed.
- 2 Company B be appointed as the Town Council's insurance provider for a cost of £11,929.37 p.a. (the other received prices were £13,030.60 and £13,624.48 respectively).
- 3 Councillor D Owen be thanked for his work on this matter.

Councillor A Smith left the Chamber at this juncture.

398/08 EDF ENERGY – DEED OF GRANT

Members discussed the previously circulated Deed of Grant in respect of the EDF Energy easement on the Green.

It was

PROPOSED BY: Councillor A J Ewart-James

SECONDED BY: Councillor R H Carroll and

RECOMMENDED – That the Deed of Grant in respect of the EDF Energy easement on the Green be agreed subject to the provision of the solicitor's letter to cover the breakdown of the total of £6,600 that had actually been paid, together with legal fees and surveyor's fees being ascribed to EDF Energy.

Councillor A Smith returned to the Chamber.

399/08 ACCESS GATE ON THE GREEN – LICENCE AGREEMENT

Members discussed the amendments to the wording of the Licence Agreement between Hythe Town Council and Hythe Bay Primary School in respect of the access gate on the Green. These amendments had been circulated in advance of the meeting.

It was

PROPOSED BY: Councillor A J Ewart-James

SECONDED BY: Councillor S W Hayward and

RECOMMENDED – That the amendments to the wording of the Licence Agreement to be made between Hythe Town Council and Hythe Bay Primary School in respect of the access gate on the Green be authorised.

400/08 GATES ON THE GREEN – RESOLVED MIN NO 360/08 REFERS

The Chairman reported back to Members, in accordance with the above resolution. Two gates had been identified, one of which had been subject of a licence with Shepway District Council in error since, presumably, Local Government Re-organisation in 1974.

It was

PROPOSED BY: Councillor S W Hayward

SECONDED BY: Councillor A Smith and

RECOMMENDED – That:

- 1 The Town Clerk writes to the other gate owner to establish the requirement for a licence.
- 2 Councillor C J Capon be advised of the position.

401/08 HYTHE CRICKET CLUB

Members discussed the previously circulated letter from the Hythe Cricket Club, in respect of the use of land to the north of the Skatepark.

It was

PROPOSED BY: Councillor Mrs K T Belcourt
SECONDED BY: Councillor R Watson and

RECOMMENDED – That:

1. A separate 21 year lease be prepared with the Cricket Club so as to retain access to the land north of the Skatepark by the Town Council.
2. The new lease not to be tied to the existing lease.
3. The first two years of the lease period to be charged at a peppercorn rent of £5.00 per year so as to reflect the Cricket Club's investment, to be subsequently followed by the institution of the District Valuer's recommendations and thence subsequent rent reviews every five years.

402/08 BACS PAYMENTS

Advice from KALC had been received on this matter. This item was deferred pending NALC's further advice on the central government position as regards a proposed amendment to primary legislation (LGA1972 refers).

403/08 AGE CONCERN LICENCE

Members discussed the licence in respect of Age Concern in regard to its becoming a Company Ltd by Guarantee as from the 1st April 2009. A new lease was to be negotiated in time for implementation from January 2012.

It was

PROPOSED BY: Councillor R H Carroll
SECONDED BY: Councillor A Smith and

RECOMMENDED – That:

1. Hythe Town Council agrees to the Deed of Variation and Licence to assign.
2. All costs to be borne by Age Concern.

404/08 FIREWORKS SOCIETY – RESOLVED MIN NO 287/08 REFERS

Councillor M J Lyons reported on progress to date. A bank account had been opened with the signatories being Councillor D Owen – Treasurer, Councillor M J Lyons – Secretary and Mr H Newland – Chairman. Restaurants, clubs and shops were to be approached for funding a fireworks event which was hoped to be staged on Hythe seafront. Councillor Lyons was to report back to Council every month via the Finance & General Purposes Committee. Councillor Lyons was thanked for his report.

405/08 ARTS, CULTURE & LEISURE FUND

Members discussed the previously circulated request for funding from Age Concern.

It was

PROPOSED BY: Councillor Mrs K T Belcourt
SECONDED BY: Councillor D Owen and

RECOMMENDED – That a grant of £200.00 be made to Age Concern, to be carried forward to the next financial year from the Conley Bequest, subject to the usual conditions’ being met.

Councillor D Owen left the Chamber at this juncture.

406/08 FRIENDS OF ST LEONARD’S

Members considered the previously circulated request from Mr Doug Amans.

It was

PROPOSED BY: Councillor A J Ewart-James
SECONDED BY: Councillor Mrs K T Belcourt and

RECOMMENDED – That a £10.00 donation be given to the Friends of St Leonard’s.

Councillor D Owen returned to the Chamber.

407/08 PHOTOCOPIER

The Chairman reported on received the quotations for a replacement photocopier as follows:

Company A £1,923
Company B £1,632
Company C £1,999

It was

PROPOSED BY: Councillor Mrs K T Belcourt
SECONDED BY: Councillor D Owen and

RECOMMENDED – That the quotation from Company B be accepted and the funds to be derived from Capital, as agreed in the Revenue Budget provisions.

408/08 LEASE OF ALLOTMENTS, EATON LANDS

Members discussed the previously circulated draft lease in respect of the above.

It was

PROPOSED BY: Councillor A J Ewart-James
SECONDED BY: Councillor R H Carroll and

RECOMMENDED – That the draft lease in respect of the allotments at Eaton Lands be approved.

409/08 HYTHE LAWN TENNIS CLUB – TOWN CLERK’S REPORT 14/08 REFERS

Members discussed the previously circulated letter from the Hythe Lawn Tennis Club requesting to gain access for the construction of its new Pavilion across Hythe Town Council’s land.

It was

PROPOSED BY: Councillor A J Ewart-James
SECONDED BY: Councillor R Watson and

RESOLVED – That the Town Clerk’s recommendations be accepted as follows with the addition of recommendation 4:

- 1 Subject to detailed negotiations in respect of a licence agreement the Hythe Lawn Tennis Club be granted access across Hythe Town Council’s land for the purpose of a temporary access and egress so as to enable the construction of the new Tennis Pavilion and associated premises.
- 2 The legal costs of this agreement be borne by the Hythe Lawn Tennis Club.
- 3 The licence to contain details of amelioration of any damages on the land north of the Skatepark for which the Club would be wholly responsible and the Club to share 50% of the costs of the restoration of the land at South Road Recreation Ground.
- 4 Subject to the Club’s cleaning up of the land of north of the Skatepark of dumped material as previously indicated to the Club.

It was then

PROPOSED BY: Councillor A Ewart-James
SECONDED BY: Councillor R H Carroll and

RESOLVED: That the Press and Public be excluded due to the confidential nature of the business under Section 1 Sub Section (2) of the Public Bodies (Admission to Meetings) Act 1960 from the following item:

410/08 GROUNDS MAINTENANCE CONTRACT – TOWN CLERK’S REPORT 13/08 REFERS

Members considered the Town Clerk’s report 13/08 and the recommendations contained therein. Ten firms’ submitted tenders and the five lowest prices were invited to attend interviews.

Company A	£53,471.00
Company B	£41,410.50
Company C	£35,031.00
Company D	£43,387.84
Company E	£48,993.99

It was

PROPOSED BY: Councillor A J Ewart-James
SECONDED BY: Councillor S W Hayward and

RESOLVED – That the Town Clerk’s recommendations be approved as follows:

- 1 In the light of the above received prices and following an assessment of their value, Company D be awarded the Hythe Town Council’s grounds maintenance contract for the period 1st April 2009 – 31st March 2010. The cost of £43,387.84 per annum to be paid monthly in arrears.
- 2 Subject to regular six monthly review and assessment of performance by the Town Council at the end of the first six month period, Company D be offered a further extension of two years, on the basis of the annual CPI.

It was then

PROPOSED BY: Councillor A J Ewart-James
SECONDED BY: Councillor R H Carroll and

RESOLVED – That the meeting be re-convened.

411/08 HYTHE GREEN PRESERVATION SOCIETY

Members considered the previously circulated letter from the Hythe Green Preservation Society in respect of the purchase of litter pickers.

It was

PROPOSED BY: Councillor S W Hayward
SECONDED BY: Councillor A J Ewart-James and

RECOMMENDED – That:

- 1 10 litter pickers be purchased by Hythe Town Council on behalf of the Hythe Green Preservation Society.
- 2 The litter pickers to remain the property of Hythe Town Council
- 3 The volunteers be added to the Council's public liability insurance.

Meeting closed at 8.56 p.m.

Dated the Day of 2009

.....CHAIRMAN