

MINUTES
OF THE MEETING OF
HYTHE TOWN COUNCIL'S
FINANCE & GENERAL PURPOSES COMMITTEE
HELD ON THURSDAY 1ST NOVEMBER 2007

Present: Councillor J A Schoner (In the Chair)

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

Also Present: The Town Clerk

Apologies: Councillors A Mayne and D Owen

**207/07 MINUTES OF THE FINANCE AND GENERAL PURPOSES
COMMITTEE MEETING HELD ON 4TH OCTOBER 2007**

It was

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

RESOLVED – That the Minutes of the meeting held on the 4th October 2007, having been circulated, be confirmed as a correct record and signed by the Chairman.

208/07 DECLARATION OF INTERESTS

Councillor R H Carroll declared a prejudicial interest in Min No 217/07 (ii) – Related to the Shepway Gospel Choir Applicant.

Councillors S W Hayward, Mrs L Oliver, Mrs K T Belcourt and A J Ewart-James declared prejudicial interests in Min No 223/07 (ii) – Shepway District Councillors.

Councillors Mrs K T Belcourt and A J Ewart-James declared prejudicial interests in Min No 215/07 (ii) – Members of Hythe Against Crime.

Councillors Mrs K T Belcourt, S W Hayward, J A Schoner and the Town Clerk declared personal interests in Min No 217/07 (i) – Members of the Hythe Twinning Association.

**209/07 ADJOURNMENT OF MEETING FOR PUBLIC INCLUSION IN
ACCORDANCE WITH STANDING ORDER NO. 70**

There were no written or verbal questions from the public.

210/07 APPOINTMENT OF VICE-CHAIRMAN

The Chairman thanked Councillor A Mayne for his role as Vice Chairman over the past six months. It was then

PROPOSED BY: Councillor A J Ewart-James
SECONDED BY: Councillor Mrs L Oliver and

RESOLVED – That Councillor R H Carroll be appointed as Vice-Chairman of the Finance & General Purposes Committee, following the resignation of Councillor A Mayne.

211/07 APPROVAL OF PAYMENTS FOR THE PERIOD TO 30TH SEPTEMBER 2007

It was

PROPOSED BY: Councillor R H Carroll
SECONDED BY: Councillor S W Hayward and

RESOLVED – That the payments for the period to 30th September 2007, covering cheque numbers 010652 – 010678 be authorised, as appended to these Minutes.

212/07 APPROVAL OF BUDGET STATEMENT TO 30TH SEPTEMBER 2007

It was

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

RESOLVED – That the Budget Statement to 30th September 2007 be approved.

213/07 APPROVAL OF BALANCE SHEET & INCOME & EXPENDITURE ACCOUNT TO 30TH SEPTEMBER 2007

It was

PROPOSED BY: Councillor A Smith
SECONDED BY: Councillor J Oliver and

RESOLVED – That the Balance Sheet and Income & Expenditure Account to 30th September 2007 be approved.

214/07 REPORT OF RECEIPTS TO 30TH SEPTEMBER 2007

It was

PROPOSED BY: Councillor A Smith
SECONDED BY: Councillor Mrs K T Belcourt and

RESOLVED - That the Receipts for the period to 30th September 2007 be accepted.

215/07 AUTHORISATION OF TRANSFER OF FUNDS FROM CAPITAL TO REVENUE

(i) South Road R/R Fund – to fund works to Pavilion (estimated at £1k).

It was

PROPOSED BY: Councillor S W Hayward
SECONDED BY: Councillor R H Carroll and

RECOMMENDED – That the transfer of funds from Capital (South Road R/R Fund) to Revenue to fund works to the Pavilion (estimated at £1k) be authorised.

Councillors Mrs K Belcourt and A Ewart-James left the meeting for the following item and vote thereon:

- (ii) Balance of CCTV payment – to fund costs in regard to previously agreed works in the SDC Control Room (£6,950.00).

It was

PROPOSED BY: Councillor S W Hayward
SECONDED BY: Councillor Mrs A Mayne and

RECOMMENDED – That the transfer of funds from Capital (CCTV Sinking Fund) to Revenue to fund costs in regard to previously agreed works in the SDC Control Room (6,950.00) be authorised.

**Councillor Mrs Z Harris entered the Chamber at this juncture.
 Councillors Mrs K Belcourt and A Ewart-James returned to the Chamber.**

216/07 CONCURRENT SERVICES – RESOLVED MIN NO 40/07 REFERS

The Town Clerk reported to Members on the details of the presentation to the Clerks at the 8th October 2007 meeting.

It was

PROPOSED BY: Councillor J A Schoner
SECONDED BY: Councillor J Oliver and

RECOMMENDED – That:

1. SDC be requested to restore the concurrent grant in some form.
2. Reasons be given to Shepway District Council as to why the grant should be restored and give an indication of to what statutory purposes it could be put towards.

217/07 APPLICATION TO THE ARTS, CULTURE & LEISURE FUND

Members discussed the previously circulated applications in respect of the Hythe Twinning Association and the Shepway Gospel Choir.

- (i) Hythe Twinning Association

It was

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

RESOLVED – That £138.00 be granted to the Hythe Twinning Association in respect of the x 4 students' visit to Berck to attend the Remembrance Day Commemoration, subject to the usual conditions' being met.

Councillor R H Carroll left the Chamber at this juncture.

- (ii) Shepway Gospel Choir

It was

PROPOSED BY: Councillor Mrs K T Belcourt
SECONDED BY: Councillor Mrs Z Harris and

RECOMMENDED – That £200.00 be granted to the Shepway Gospel Choir in respect of the purchase of specialist microphones, subject to the usual conditions' being met.

Councillor R H Carroll returned to the Chamber.

218/07 INTERNAL AUDIT REPORT – HALF-YEAR TO 30TH SEPTEMBER 2007

The Internal Auditor's half-year report had been previously circulated.

It was

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

RECOMMENDED – That the Internal Auditor's Report for the half-year to 30th September 2007 be received.

219/07 EXTERNAL AUDIT 2006/7

The Town Clerk reported to Members on the conclusion of the last financial year's audit which had been concluded, without qualification. Congratulations were given to the Town Clerk and Finance Clerk for their work in assisting the External Auditor.

It was then

PROPOSED BY: Councillor S W Hayward
SECONDED BY: Councillor J Oliver and

RECOMMENDED – That the External Auditor's Report and completed Audit Return be received.

220/07 RENT REVIEW

Members reviewed the current rent of EDF Energy in regard to its Sub-Station located on the South Road Recreation Ground. The current lease had been made available in the Office for Members' perusal.

It was

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

RECOMMENDED – That the rent of EDF Energy be increased to £302.70 per annum, in accordance with the provisions of the lease arrangements for the ensuing 5 year period.

221/07 ASSETS REGISTER

Members considered a review of the Town Council's assets. A copy of the Register had been made available in the Office or by email.

It was

PROPOSED BY: Councillor Mrs A Mayne
SECONDED BY: Councillor J Oliver and

RECOMMENDED – That a formal review of the Assets Register be carried out by an Assets Working Group comprising the Chairman of F & G P, Vice-Chairman and Councillor S W Hayward.

**222/07 REVIEW OF GROUNDS MAINTENANCE CONTRACT – RESOLVED
MIN NO 116/07 REFERS**

Members considered any additions or deletions from the current contract. Member's attention was drawn to the fact that the degree of detail for South Road Recreation Ground might be liable to change. The tendering of the contact would be via the provisions of the Town Council Standing Orders.

It was

PROPOSED BY: Councillor R H Carroll
SECONDED BY: Councillor S W Hayward and

RECOMMENDED – That the grounds maintenance contract details be placed out to tender, as modified.

223/07 TOWN GREEN APPLICATION

(i) Town Green Inquiry

The Town Clerk reported on the position in respect of the recent Town Green Inquiry. Councillor Mrs L Oliver gave an observer's account of the proceedings.

It was

PROPOSED BY: Councillor J A Schoner
SECONDED BY: Councillor Mrs Z Harris and

RECOMMENDED – That thanks be given to the Town Clerk, Staff and Witnesses for their partaking in the Inquiry.

(iii) Source of Funding in respect of the Town Green Inquiry

Members discussed the source for the funding of Counsel's costs in respect of the Inquiry.

It was

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

RESOLVED – That:

1. The source for the funding of legal costs be taken from revenue reserve for the time being.
2. The amount to be included in next year's budget as a revenue budget item.

Councillors Mrs L Oliver, Mrs K T Belcourt and S W Hayward left the Chamber at this juncture.

It was then

PROPOSED BY: Councillor J A Schoner
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:

It was then

PROPOSED BY: Councillor R H Carroll
SECONDED BY: Councillor J Oliver and

AGREED – That Councillor A J Ewart-James, who had declared a prejudicial interest in this item, be allowed to speak in accordance with Standing Order No 70 (see attachment at the end of the Minutes).

Councillor A J Ewart-James left the Chamber at this juncture.

It was then

PROPOSED BY: Councillor R H Carroll
SECONDED BY: Councillor J Oliver and

AGREED – That the Meeting return back to closed session.

(ii) Reimbursement of Costs from Shepway District Council in respect of the Town Green Application

It was

PROPOSED BY: Councillor J A Schoner
SECONDED BY: Councillor J Oliver and

RESOLVED – That the Town Clerk write to Shepway District Council stating that:

1. Legal advice received by the Town Council had indicated the District Council's extant contractual obligations in respect of the payment of Hythe Town Council's costs in respect of the Town Green application on South Road Recreation Ground.
2. Negotiations be entered into with Shepway DC, prior to further actions' being undertaken.

It was further

PROPOSED BY: Councillor A Smith
SECONDED BY: Councillor Mrs A Mayne and

RESOLVED – That the Chairman, Vice-Chairman and Town Clerk enter into negotiations with Shepway District Council if the negotiation route were to be agreed by the District Council.

The Meeting closed at 8.15 pm.

Dated the Day of 2007

.....CHAIRMAN

Councillor Alan Ewart-James

Councillor A J Ewart-James advised Members that Shepway District Council had taken legal advice and had apparently been advised that it had not breached the Contract, which was contrary to the advice received by the Town Clerk. He considered that negotiations should first be attempted/entered into with the District Council and thence to an independent arbitrator before the third course of legal action being proceeded with.