



# Stanley Town Council

## NOTICE OF MEETING

I hereby give notice that an Ordinary meeting of Stanley Town Council will be held on Tuesday, the 20th December at 6.30 pm at Stanley Masonic Hall, Scott Street, Stanley, DH9 8AD.

### TO ALL MEMBERS of STANLEY TOWN COUNCIL

J. Nicholson (Chair)	A. Clegg	G. Graham	C. McKee	C. Thompson
W. Nixon (Vice-Chair)	T. Davinson	R. Harrison	D. McMahon	D. Tully
C. Bell	L. Elliott	D. Marshall	D. Mills	D. Walker
J. Charlton	R. Ferris	L. Marshall	B. Nair	M. Wilkinson

You are hereby summoned to attend an **ORDINARY MEETING** of Stanley Town Council to be held in Stanley Masonic Hall, on Tuesday the 20th December at 18.30 in order to transact the following business:

Yours sincerely,

Alan Shaw  
Town Clerk  
15th December 2016

Please turn off all mobile phones or set to silent mode  
Please refer to the Policy for recording proceedings

## A G E N D A

### 1 APOLOGIES FOR ABSENCE

To **RECEIVE** any apologies and reasons for absence.

### 2 DECLARATIONS OF INTEREST

Members are invited to **DECLARE** disclosable pecuniary interests and other interests, along with the nature of those interests, in relation to any item on this agenda.

### 3 PROCEDURAL AND APPROPRIATE ANNOUNCEMENTS FROM THE CHAIR

To **RECEIVE** any announcements from the Chair or Town Clerk.

#### 4 PUBLIC PARTICIPATION

An adjournment will be allowed at the direction of the Chairman to allow for public comment and response in relation to items on this agenda or to consider written questions from the public submitted in advance of the meeting (*Individuals will be permitted a maximum of three minutes each. Total time for this session is limited to fifteen minutes*).

#### 5 CONFIRMATION OF COUNCIL MINUTES

To **APPROVE** as a correct record and sign the minutes of the following meeting:

15th November 2016 Full Council

(ATTACHMENT A)

#### 6 MINUTES OF COMMITTEE MEETINGS

To receive the minutes of the following Committee meetings:

5th December 2016 Personnel

(ATTACHMENT B)

6th December 2016 Finance & General Purposed

(ATTACHMENT C)

#### 7 RECOMMENDATIONS OF COMMITTEE MEETINGS

The following **RECOMMENDATIONS** of Committee meetings held since the last Ordinary Council meeting in November 2016 require consideration by Full Council:

##### (a) PERSONNEL

At a meeting held on 5th December 2016, the Personnel Committee made the following **RECOMMENDATION** to Council:

##### (i) Staffing

The Council should reduce the overall level of budget allocated to staffing in the 2017/18 Budget to £341,875. A more detailed review of the required staffing establishment should be carried out by Committee once the programme for the next year has been discussed and finalised.\*

*\* Note: Due to a procedural error, a member of Council who had not been formally co-opted to the Personnel Committee took part in the vote in respect of this recommendation. . The Council's constitution permits any member of Council to be co-opted to any of Council's Committees at the discretion of the elected member. The elected member had discussed joining the Committee in advance of the meeting with the Town Clerk but had not informed the Chairman that he wished to be co-opted before taking part in the vote. This is a process issue. The member was entitled to join the Committee and has now done so and the debate and vote was conducted in accordance with normal standing orders.*

Council must **DECIDE** whether or not to accept the **RECOMMENDATION** on this basis.

## (b) FINANCE & GENERAL PURPOSES

At the meeting held on the 6th December 2016, the Finance & General Purposes Committee made the following **RECOMMENDATIONS** to Council:

- (i) **VAT on ticket sales** - The current Civic Hall fees should now be advertised as exclusive of VAT and VAT should be added in the circumstances where it is payable. and that the
- (ii) The booking form should be amended to allow community groups to declare that their profits will be put back into the community group so they can obtain exemption from VAT for future bookings
- (ii) **Budget** - The changes to the draft budget put forward by the Finance Committee were as follows:
  - ~ Council to reduce the Moria Con budget to £5,000
  - ~ Christmas Decorations budget be reduced to the actual figure which should be around £18,000
  - ~ Chairmans Expenses budget be renamed as Chairmans Fund
  - ~ Any budget surplus from reducing budgets elsewhere should be added to the Full Council Grants budget,
  - ~ As a balanced budget is achievable, there should be no increase in the Parish precept for 2017/18

Council is requested to **CONSIDER** these **RECOMMENDATIONS** and **DECIDE** what to do.

## 8 CDALC PROPOSAL

At the AGM of CDALC held on the 22 October 2016 two motions were discussed and approved by members present at the AGM.

The first concerned diversity and details are shown below. All councils are being encouraged to adopt such a motion at a local level to make it clear that our Council will not tolerate any form of prejudice and to reassure all members of your community that they are valued.

"We are proud to live in a diverse and tolerant society. Racism, gender prejudice, xenophobia, homophobia, religious intolerance and hate crimes have no place in our community. Stanley Town Council condemns all such intolerance and hate crimes unequivocally."

## 9 MEMBER'S MOTIONS

The following motions have been put forward for Council to consider:

### (i) Motion from Cllr R Harrison

*The Council have for some time expressed a wish to have the Kitchen next to the Bamburgh Suite and the dumb waiter refurbished and the Toilets made suitable for public use and brought up to standard.*

*The motion is, therefore that "The Clerk be instructed to forthwith obtain three estimates for each of the above and report back to the January Meeting so that the members can*

*select the suitable estimates at which point the Clerk will be instructed that the works be carried out with the minimum delay.”*

## BACKGROUND

The Town Clerk has advised Cllr Harrison that the Council's current position was that quotes for all the works required in the building, both in the auditorium and the other areas would be presented at the same time to enable Council to make informed decisions about what the priorities are for the building.

The Council's current decision on the subject of Civic Hall refurbishment was made at the Ordinary Meeting held on 21st June 2016 (*Minute #75 of 2016/17 refers*) is that:

“Members **RESOLVED** to agree the outline brief, subject to the approval of a further report breaking down the cost of the technical works required to the auditorium at a future meeting.”

## RECOMMENDATION

The Clerk accepts that it has been six months since the Council took the decision relating to Civic Hall refurbishment. There have been a number of factors that have prevented this matter being progressed, principally obtaining a copy of the survey on the steels in the roof space which resulted in the removal of the original fly tower and staffing levels reducing capacity for development work. Once the panto season is over in January and the budgets are set we will be into our quieter period and have more capacity to focus on moving the works forward.

It is the Clerk's view that dealing with matters in a piecemeal way is likely to result in matters that are priorities not being dealt with if the remaining loan is spent singling out individual works without taking the bigger picture into account. I also believe that the timescale is unrealistic. It will be impossible to obtain the required quotes in time for the January meeting for the dumb waiter. We already have a number of quotes for the toilets, but we do not know what the budget will be until we know the costs of the theatre tech and other works.

I **RECOMMEND** that this matter is **DEFERRED** until the full list of required works can be presented to Council for consideration.

### (ii) Motion from Cllr D McMahon

Councillor McMahon has tabled the following motion for consideration by members:

*“STC should remove the ability to hold secret / paper ballots from its standing orders so as to be open and transparent to the public and all votes should be by a show of hands so that Councillors are accountable for their decisions”*

## BACKGROUND

The standing orders are ratified by **RESOLUTION** at each AGM. It is permissible to amend the wording of standing orders through a member motion once six months has elapsed from the ratification at the AGM or if there is a legal reason to do so, or if a Committee makes a **RECOMMENDATION** to do so. Secret ballots are permitted by the legislation but it is also permitted for Council to **RESOLVE** not to have them.

Our existing standing orders make no specific mention of secret ballots as they are based on a template produced by NALC but there are dozens of examples I have found from (usually small) Parish Councils who have not adopted the NALC template where there is specific provision made for secret ballots, usually in respect of voting for the co-option of Councillors (no doubt to protect sitting Councillors from experiencing embarrassment by voting against people standing for co-option who are known to them) and in some cases for the election of Chairs of Committees, for similar reasons.

Council is **REQUESTED** to **CONSIDER** this matter and **DECIDE** what to do.

## 10 SAFEGUARDING POLICY

(ATTACHMENT D) Interim Safeguarding Policy

(ATTACHMENT E) November 2013 Safeguarding Policy

(ATTACHMENT F) Interim Complaints Handling Procedure

The Town Clerk advised members on Friday 9th December 2016 that he had been unable to locate a copy of the Town Council's Safeguarding Policy for children and as such he had implemented an interim policy based on a template provided by the NSPCC until the matter could be discussed by Council. (ATTACHMENT D). The Clerk also implemented an interim Complaints Handling Procedure. (ATTACHMENT E).

Subsequently, the Council's previously adopted policy has been located. (ATTACHMENT F). However, this Policy dates back to 26th November 2013. Since the policy could not be found when requested the policy was clearly not effective. The Councils should regularly review and update the safeguarding policy to ensure it remains relevant and fit for purpose and staff should be made aware of it.

## RECOMMENDATION

The 2013 policy was targeted at children and vulnerable adults. Whilst the Council should have in place

I would also recommend that The Council has a separate Safeguarding Policy for dealing with Vulnerable adults.

## 11 ASSET TRANSFER

**Statutory Basis:** Localism Act 2011, s. 81; Local Government Act 1972, s.101

A number of issues that relate to potential asset transfer/ service transfer from the County Council to Stanley Town Council have been raised for consideration by Council:

(i) **Annfield Plain Community Room** (ATTACHMENT G)

At the Full Council meeting on 18th October 2016 it was **RESOLVED** that the Clerk pursue asset transfer of the Old Man's Hut in Annfield Plain, on behalf of the Council.

The Town Clerk has prepared a draft business case for consideration by Council to be submitted to Durham County Council to progress this matter.

Council is **REQUESTED** to **CONSIDER** this matter and **DECIDE** what to do.

(ii) **Council Offices, Front Street.**

**(ATTACHMENT H)**

At the Full Council meeting on 18th October 2016 it was **RESOLVED** that the Clerk be authorised to find out if it was feasible for the Town Council to take over the old DCC offices on Front Street.

The marketing period has now begun and the Town Clerk has prepared a draft supporting statement/ business case for submission to the County Council if the Town Council decides to progress this matter further.\*

Council is **REQUESTED** to **CONSIDER** this matter and **DECIDE** what to do.

*\* Please note Council must not discuss the value of any cash offer in open session as this is a commercially sensitive sealed bid process. If Council decides to make a bid for the building, the value of that bid must be discussed after the exclusion of the press and public.*

## 12 BUDGET SETTING - FINAL DRAFT

**Statutory Basis:** Local Government Finance Act 1992, s.50

### **(ATTACHMENT I) - Draft Budget**

The Council has a duty to calculate its budget for the forthcoming year so that it can submit a precept demand to Durham County Council in January for the year 2017/18. Members have been asked to consider the projects and initiatives they would like the Town Council to deliver in 2017/18.

A final draft budget has been prepared taking into account the stated wishes of Council and the operational costs and overheads required to run the Council's administration and services.

Council is **REQUESTED** to **CONSIDER** this matter and **DECIDE** what to do.

### **RECOMMENDATION FROM FINANCE COMMITTEE:**

The draft budget is balanced and does not propose any increase in the Council Tax payable to the Town Council in 2017/18. Council is **RECOMMENDED** to agree the draft budget and the proposed freeze of Council Tax for 2017/18.\*

*\*Committee's Recommendation was made prior to the announcement in Parliament that Parish Councils would not be included in the referendum principles for the coming financial year.*

## 13 EXCLUSION OF PRESS AND PUBLIC\*

**\*Any members recording the proceedings must stop at this point.**

To **RESOLVE** that under the Public Bodies (Admission to Meetings) Act 1960, the public and representatives of the press and broadcast media be excluded from the meeting during the consideration of the following items of business as publicity would be prejudicial to the public interest due to the confidential nature of the business to be transacted.

*Justification for excluding the public and press from consideration of the following items:*

*Item 13: The matter is commercially sensitive.*

*Item 14: The consideration of staffing matters needs to be held in closed session to preserve the privacy of staff.*

#### **I4 ASSET TRANSFER**

**(ATTACHMENT J)**

Subject to the decision of Council in relation to item 10 (ii); Council needs to determine the value of a cash bid for the purchase of the Council Offices.

Council is requested to **CONSIDER** this matter and **DECIDE** what to do.

#### **I5 STAFFING REPORT**

**(ATTACHMENT K)**

The Town Clerk has prepared a report relating to the Council's staffing structure for consideration by Council.

Council is requested to **CONSIDER** the report and **DECIDE** what to do.

#### **I6 DATE, TIME AND VENUE OF NEXT MEETING**

Tuesday 24th January 2017, 6.30 pm.  
Civic Hall, Front Street, Stanley.

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*In accordance with the Public Bodies (Admission to Meetings) Act 1960, members of the public and press are welcome to attend the meeting. Members of the public will only be permitted to speak at the beginning of the meeting during Public Question Time.*