

5. FINANCE AND STRATEGY COMMITTEE CLERK'S REPORT – For Information – Update on Resolutions from 17 May 2016

Item	Update
BT Broadband	The Museum and Tourist Information Centre have had BT Broadband installed.
Liskeard Lights Up Application	The 21 st June 2016 Town Council meeting resolved the recommendation of the Finance and Strategy Committee that Liskeard Lights Up receive financial support to a level of £3,500.
Bunting Application	The applicant has been informed of the Committee's decision.

8. NALC NATIONAL PAY AWARD 2016 – 2018 – To receive and adopt the NALC National Pay Award 2016 - 2018.

Background – The National Joint Council NJC negotiations on Town and Parish Council pay awards for 2016 – 2018 have been completed. NALC have supplied the pay award details which are attached. This covers two financial years 2016/2017 and 2017/2018. Budgetary provision was made in setting the current financial year 2016/2017 for the increases. The funding includes provision to back date the award to 1st April 2016.

RECOMMENDATION: That the pay award is adopted and back dated to 1st April 2016.

9. PROPOSED COUNCIL AND COMMITTEE SCHEME OF DELEGATION AND TERMS OF REFERENCE – to receive, consider and recommend to Council the adoption of the Council and Committee Scheme of Delegation and Terms of Reference

Background – The Council appointed a suitably experienced consultant to advise on a range of issues. The proposals included the Council and Committee structure and operations. The Consultant's proposal's for a new set of Council and Committee Scheme of Delegation and Terms of Reference are attached.

RECOMMENDATION: That the Committee Recommends to Council that the Council and Committee Scheme of Delegation and Terms of Reference are adopted.

10. GENERAL POWER OF COMPETENCE – LOCALISM ACT 2011 – to receive an update on the General Power of Competence. To recommend to Council that the Council resolves to adopt the General Power of Competence.

Background – The Town Clerk has passed 15th July 2016 the Certificate In Local Council Administration (CiLCA.) The enables the Town Clerk to be considered qualified under the eligibility criteria of the General Power of Competence.

Notes on the General Power of Competence – Localism Act 2011 Section 1(1) further defined by the statutory instrument Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012.

The General Power of Competence (G.P.C.) gives eligible Town and Parish Councils “the power to do anything that an individual might generally do” provided it does not break other laws.

The eligibility criteria are:

1. The number of elected Councillors must equal or exceed two-thirds
2. The Clerk must be qualified.

The Council must decide that it meets the eligibility criteria. It remains eligible by clear resolutions recorded in the minutes at every annual meeting after ordinary elections.

Restrictions:

- the Council remains subject to existing statutory duties – e.g. Allotments Act.
- if another authority has a statutory duty, it remains their duty to provide the service e.g. Education.
- The Council is still subject to a range of other legislation e.g. Health & Safety.
- Council must act ‘reasonably’ when using the power.

Activities (examples of some of the things that an eligible Council might consider doing:

- The Council can run a community shop or post office (but must abide by the relevant rules).
- The Council can invest in a local business to support the local economy, however, it must follow Government investment guidance.
- The Council can set up a company or co-operative to trade but must comply with company law.

Town Councillors The Town Council has 15 Councillors. Thirteen of whom were elected in the 2013 elections. Two of the present Town Councillors have joined the Town Council since 2013 by co-option following vacancies that have arisen.

The ratio of 13 out of 15 Councillors being elected equates to 87% of Councillors. This meets and indeed exceeds the 66% eligibility criteria set out in the Localism Act 2011.

Conclusion The Town Council meets the eligibility criteria required to enable it to resolve to adopt the General Power of Competence (G.P.C.).

RECOMMENDATION: That the Committee recommend to the Council that it adopts the General Power of Competence.

11. ELLIS WHITTAM - HEALTH AND SAFETY POLICY STATEMENT – to receive and adopt the policy.

Background – Ellis Whittam our Health and Safety consultants have conducted their annual inspection. The property related elements have been reported to the Property Committee for adoption and implementation.

Ellis Whittam have also supplied a new Health and Safety Policy Statement for the Council to adopt. This is attached.

RECOMMENDATION: That the Committee recommends to the Council that it adopts the Health and Safety Policy Statement.

12. PAYMENTS SCHEDULE – to receive and approve the payments schedule.

RECOMMENDATION: That the Payments Schedule is approved.

13. FINANCIAL REGULATIONS – to receive and adopt a proposed modification to Regulation 5.5 a).

Background – On 20th October 2015, the Council adopted a new set of Financial Regulations. One element which has been used since the start of the 2016/2017 financial year is the change to the way in which the Council deals with the Payments Schedule. Instead of the Council “noting” the Payments Schedule it is now “approved” by the Council. This has the important effect of delaying payments sometimes by up to one month. This is not an issue for larger organisations, such as

suppliers and contractors. However, there are instances where delay in making payments can have a cash flow issue. Instances that have arisen since 1st April 2016 are:

- Grants approved by Finance Committee – often where the application was submitted by a Community Group with very tight timescales. The grant cheque would not normally now be paid until after the following Council meeting.
- Museum Volunteers / Staff / Councillors reimbursement of previously incurred costs. – for example, purchasing of materials and supplies and other already incurred costs.
- Small Local Contractors (typically too small to be VAT registered and frequently one person businesses)

Under Regulation 5.5.a. as outlined below, early payment can be made and then reported subsequently, in the context of avoiding interest charges.

“5.5. The Clerk and RFO shall have delegated authority to authorise the payment of items only in the following circumstances:

a) If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled Meeting of council, where the Clerk and RFO certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of the Finance Committee.”

It is recommended that 5.5.a is modified to include the three additional instances outlined above.

RECOMMENDATION: That Committee recommends to Council that Financial Regulation 5.5.a is modified to include:

- i. Grants approved by Finance Committee**
- ii. Reimbursement of previously incurred costs by Museum Volunteers, Staff and Councillors**
- iii. Payments to Small Local Contractors.**

14. COMMUNICATIONS AND ENGAGEMENT COMMITTEE 2015/2016 FINANCIAL YEAR UNDERSPENDS – to receive and adopt recommendations from the Communications and Engagement Committee.

Background – The Communications and Engagement Committee at its 7th June 2016 meeting considered the budget sheet for the Committee and the information below. The Committee discussions and minute reference are below.

Communications and Engagement Committee Underspend 2015/2016

Item	Approved Budget	Spend	Underspend
Newsletter (Town Crier)	£4,000	£1,336	£2,864
Marketing and Consultation	£3,000	£444	£2,556
Signage	£3,000	£161	£2,839
Town Centre Map & Leaflet	£4,500	£0	£4,500
Total			£12,759

44/16 BUDGET REPORT TO 31 MAY 2016

The budget sheet showed that from the 2015/2016 financial year a nominated reserve carryover of “£5,500 Brown Signs” had been set aside. This was based upon the decision of the 1st December 2015 Communication and Engagement Committee meeting minute 515/15. The complete minute showed “Councillor Purdon proposed, and Councillor J Shrubsole seconded and the Committee RESOLVED that the unspent 2015/2016 budget for brown signs, signage, and the town maps and boards be transferred to a nominated reserve for those items”.

From the information previously sent to Councillors these amounts were:

Signage - £2,839

Town Centre Maps and Leaflets - £4,500

Following discussion, it was also recognised that the review of the format of the Newsletter (Town Crier) had resulted in an underspend in that 2015/2016 budget heading of £2,864.

Councillor Brooks proposed and Councillor Pike seconded and the Committee **RESOLVED** that the Town Crier underspend of £2,864 in the 2015/2016 financial year be added to the list of items approved by the 1st December 2015 Communications and Engagement Committee. That list including Signage £2,839 and Town Centre Maps and Leaflets £4,500.

Conclusion – It should be noted that the Communications and Engagement Committee has been conducting a fundamental review of the nature and format of how the Town Council undertakes the marketing of itself and the Town as a whole to a wider audience. This has generated the underspends identified above. It is recommended, that the relevant amount £12,759, is taken from general reserves and allocated as nominated reserves within the Communications and Engagement Committee budget.

RECOMMENDATION: To Council that £12,759 is taken from the General Reserve and allocated to as Reserves to the Communications and Engagement Committee budget.

15. CORRESPONDENCE - CARD OF THANKS – Number One Short Break Service