



NELSON TOWN COUNCIL

MINUTES OF THE MEETING OF THE FINANCE AND GENERAL PURPOSES COMMITTEE

held at the Selina Cooper Hall, Unity Well Being Centre, Vernon Street, Nelson
on Wednesday 25th July 2018 at 6.30pm

Councillors Present: Cllr Mohammed Kamran Latif [Chair] Zeeshan Amjad [to 7.40], Majid Ali Anwar, Najaf Anwar, Mohammad Aslam [from 6.40; left 7.50], Nazeem Hayat,

Absent Councillors: Cllr Zafar Ali

Non-Councillor (without voting rights): None in attendance

Observing Councillors (not a member of the committee): Cllr George Adam [left 7.15]

Officers: Safia Kauser - Town Clerk/RFO [minute taker]

Members of the Public: Three in attendance [left 6.55pm]

2018/024 (FGP) **APOLOGIES FOR ABSENCE**
To receive and approve apologies for absence and reasons given to the Clerk prior to the meeting

Apologies were received and accepted from Cllr Zafar Ali.

2018/025 (FGP) **DECLARATIONS OF INTERESTS**
Members are reminded of the legal requirements concerning the declaration of interests. A Member must generally declare a disclosable pecuniary interest which he or she has in any item on the Agenda. A Member with a disclosable pecuniary interest may not participate in any discussion of the matter at the meeting and must not participate in any vote taken on the matter at the meeting. In addition, the Council's Standing Orders require a Member with a disclosable pecuniary interest to leave the room where the meeting is held while any discussion or voting takes place.

All present committee members declared an interest on agenda item 13 'Members allowances and travel and subsistence forms' as advised by the Town Clerk. A dispensation form was completed by the members and granted by the Clerk.

2018/026 (FGP) **ADJOURNMENT FOR PUBLIC PARTICIPATION**
To adjourn the meeting for 15 minutes to allow members of the public to make representation on the business of the agenda for the meeting. No resolutions can be under public participation.

The meeting was adjourned to allow members of the public to make representation for their respective grant applications under agenda item number 7.

Signed Chair:

Dated:

Community Wellbeing

The applicant addressed the committee informing them that although the grant application which (was approved by the committee last month) required the remainder of their grant funding to be secured prior to the town council releasing their funding, that this has not been the case. A CVS application for £500 had gone in addition to an Asda champions bid. Both grants had not yet been secured to date with the event taking place on the weekend. The applicant requested that in view of the event coming up this weekend, that the Town Council releases the funding and that the remaining monies would be supported by other means.

Migrants Association

The applicant and their representative addressed the committee. It was confirmed that the organisation had been set-up since 2017, however they had only recently adopted a constitution. The initial funding was obtained via Lancashire County Council for approx. £7,500 which included initial set-up costs. It was currently being run by volunteers and had approximately 300 service users. There was a contingency plan for charging service users if funding had not been approved by NTC.

The meeting was reconvened at the end of public participation.

2018/027
(FGP)

MINUTES

To approve the draft minutes of the Finance and General Purposes committee meeting held on 27 June 2018

Proposed by Councillor Hayat and Seconded by Councillor Aslam, and

RESOLVED: That the minutes of the Finance and General Purposes committee meeting held on the 27 June 2018 be confirmed as a true record and signed by the Chair.

2018/028
(FGP)

RFO REPORT

To receive and consider the report from the RFO including correspondence

The RFO circulated a report which included an update on the receipt books, Revive Café takings, payroll and banking arrangements.

Proposed by Councillor Latif, and Seconded by Councillor Aslam, and

RESOLVED: That due to the difficulties encountered with the bank switch, the treasures accounts remains with Lloyds bank, any income is to be banked with the Post Office.

Proposed by Councillor Latif, and Seconded by Councillor Aslam, and

RESOLVED: That any outstanding monies with the Yorkshire Bank Account is transferred to Lloyds bank and that the existing Yorkshire Bank Account is closed down.

2018/029
(FGP)

**ACCOUNTS AND SCHEDULE OF AUTHORIZED EXPENDITURE
PAYMENTS/RECEIPTS**

To note that there are no schedule of payments/receipts from the period April 2018 due no the delay in receiving bank statements. These will be provided at a future meeting.

This was noted by members.

2018/030
(FGP)

SMALL GRANTS APPLICATIONS

To consider and approve the small grants application enclosed:

- Community Wellbeing - sum of £990.00 (further documentation to be tabled)
- Migrants Wellbeing Association Lancashire – applicant to address the committee. The Town Council at the reconvened meeting held on 17 July resolved that additional information is provided in regards to the application and reassurances

obtained in regards to longer term sustainability

Community Wellbeing

It was noted that the event was being held on the 01 August and that the group needed access to the funding.

Proposed by Councillor Hayat and Seconded by Councillor Latif, and

RESOLVED: That the funding of £990.00 is released to the applicant.

Migrants Association

It was commented that the group had no long term business plan in place and the majority of their service users were EU migrants.

Proposed by Councillor Hayat and Seconded by Councillor M Anwar, and

RESOLVED: That the applicant submits a robust business plan that outlines long term sustainability for the organization.

2018/031
(FGP)

REVIEW OF GRANT FUNDING APPLICATION FORMS

To review the grant funding applications forms, criteria and associated documents:

- Small grants application form
- Ward Initiative funding
- Feedback forms (to be introduced)
- Memorandums of agreement including publicity (to be introduced)
- Grant Funding Guidance document (to be introduced)

The RFO explained to members that a number of the grant documentation did not include the grant terms and conditions or any memorandums of agreement on publicity or promotion. The current forms did not include a check list to indicate if that grant criteria was met or to indicate if the supporting documentation had been enclosed. There were currently no processes or documentation in place to follow up on grants awarded which included an audit of expenditure or any feedback forms. The RFO suggested that alongside the review of the forms, a grant funding guidance document should be introduced to assist applicants with the application.

Proposed by Councillor Latif and Seconded by Councillor M Anwar and

RESOLVED: That the RFO reviews and updates all grant documentation which is to be circulated to committee members in advance of the next meeting for members consideration.

Proposed by Councillor M Anwar and Seconded by Councillor Latif, and

RESOLVED: That the RFO introduces a feedback form, memorandum of agreement and guidance documents to be circulated to committee members in advance of the next meeting for members consideration.

2018/032
(FGP)

LOCAL AUTHORITY POWERS AND DUTIES

To consider the legal advice surrounding the legalities appertaining to the Community Wellbeing Café and VAT implications (enclosed)

The legal advice regarding the Unity Wellbeing Centre was considered by members which covered the Café, meeting room and hall hire and VAT implications.

Revive Cafe

The advice concluded that the Revive Café could (and notwithstanding section 19.1(f) constitute recreational facilities and so be lawfully provided by the Council under section 19 of the Local Government (Miscellaneous Provisions) Act 1976. The Council was also eligible to use the GPOC for a commercial purpose which would include the setting up and operating a café but where the GPOC was exercised, the Council would be required to act through a company or community benefit society. If the dominant

purpose of the Café was to generate an income stream into the Council it could then be considered for acting for a commercial purpose. However if the council agreed at the outset it's dominate purpose was for a community purpose and was covering it's costs in operating the café, then it would not be viewed as a commercial purpose. The Council's reports and minutes would provide evidence on this point. If the test was satisfied then it did not matter whether the council made a profit, which it could be criticised if it is not doing so.

Proposed by Councillor Latif, and Seconded by Councillor Amjad, and
RESOLVED: That the Clerk checks the Council's previous records including minutes to verify that the Revive Café was set up as for a community purpose/not for profit.

Meetings Rooms, Hall & Offices

The advice concluded that the main hall and meeting rooms but not the offices constitute recreational facilities. With regards to the offices, it was noted that the Council owned the Centre and had land management powers. It was considered that these powers coupled with the Council's incidental power did provide the Council the power to offer short term tenancies.

VAT Implications

The advice indicated that a local authority (which includes a parish council) must register for VAT if it was making taxable supplies and it was likely that the Council is making taxable supplies in the Café in the course of business and it is likely that exemptions would not apply and that the Council should consider registering for VAT. However the Council should seek advice about this from the Council's own accountants or financial/tax advisors.

Proposed by Councillor Hayat and Seconded by Councillor Latif, and
RESOLVED: That Pendle Borough Council accountants are approached to provide advice on VAT registration. If they are unable to provide advice then the RFO engages an accountant to assist in this matter.

2018/033
(FGP)

OFFICE SET-UP INCLUDING TELEPHONE AND MOBILE CONTRACTS

2018/033.1 - To review the contracts in place for the Council office and the Unity Wellbeing Centre and to consider a telephone line for the main office

Two contracts were in place for mobile broadband, one for the office and the other for Revive Café. The current landline used for revive café included broadband. It was explained that a landline should be provided for the office as some suppliers were unable to grant a supplier account as the Council was using a mobile number. Residents should have the option of dialing into a landline as some may not be able to afford mobile phone charges. The office mobile was useful as it was being used for text messages and whatsapp to customers.

The current office mobile had been upgraded to a new handset with a renewed two-year monthly plan of £21.86 including unlimited texts and minutes with 1GB of data.

Proposed by Councillor Latif and Seconded by Councillor M Anwar, and
RESOLVED: That Pendle Borough Council is approached to provide and install a landline to the Town Council office.

Proposed by Councillor M Anwar and Seconded by Councillor Latif, and
RESOLVED: That contact is made with Daisy Communications to establish the type of telephone and broadband contract in place at the Revive Café.

2018/033.2 - To receive an update on the office refurbishment and purchase of office equipment

Permission had been sought from Philip Mousdale to remove the existing furniture and to refurbish the office as required by NTC. The handyman painted the office and assisted with the refurb with Liberata replacing the carpet tiles. However the cost of additional electrical sockets was going to be met by NTC.

Pendle Borough Council furniture contractor has been requested to provide a quotation on new office furniture at a discounted rate. This included a desk, chair, 2 cupboards, 2 pedestals and a filing cabinet.

Proposed by Councillor Latif, and Seconded by Councillor Hayat, and
RESOLVED: That the quotation of £768.98 be authorised for the purchase of office furniture for the Town Clerk's office.

2018/034
(FGP)

TOWN COUNCIL WEBSITE

To receive an update on the new town council website

The launch date for the website was set for 06 August 2018. The draft website had been previewed by members for comment. The Clerk had worked alongside the company to assist in the design and site content. Access for the site had been given to the Clerk who had the control to build pages and add content as required. A press release was scheduled to take place and comments and feedback are welcomed for the launch of the website. Members will be consulted if they wish to have a .gov email address setup which is a separate cost of £18.00 per mailbox.

2018/035
(FGP)

EQUIPMENT LOAN AGREEMENT

To approve the Equipment Loan Agreement and recommend to Council to adopt (enclosed). This agreement is being introduced in view of the equipment that has been recently loaned out to various organisations/members of the public.

The Clerk explained that during the last few weeks a number of requests had been made via the Chair for the hire of gazebos and chairs/tables for community events. For insurance purposes, an equipment loan agreement had been developed and signed by the hirer for the use of the equipment. Members were asked to approve the form and consider if a fee should be paid for the equipment hire.

It was agreed to defer this item to the next meeting for further consideration.

2018/036
(FGP)

MEMBERS ALLOWANCES AND TRAVEL AND SUBSISTENCE EXPENSES

In accordance with the Local Authorities (Members Allowances) (England) Regulations 2003; parish councils have the discretion to introduce a members allowances scheme in addition to a travelling allowance and a subsistence allowance. The committee is required to consider the schemes.

Note: Travel and Subsistence allowances can be set by the Council however a parish basic allowance can only be set by the Council after it has considered the recommendations of the parish remuneration panel of the principal authority. It is recommended where such schemes exist, they must be outlined in a formal policy adopted by the Council.

Members agreed that a basic members allowance should not at this time be reconsidered.

Proposed by Councillor Amjad and Seconded by Councillor M Anwar, and
RESOLVED: That a draft travel and subsistence expenses policy is developed with the inclusion of NJC car allowance rates and HMRC rates for subsistence to be brought back to the next meeting for consideration.

2018/037
(FGP)

REVIEW OF FLOWER BASKETS

To review the current arrangements in place for the hanging baskets and consider any additional improvements that may be required subject to budget parameters.

It was commented that although this year the smaller baskets had increased the number of baskets erected in the town, there was room for improvement and perhaps bigger baskets should be considered as well as other locations within the Town Centre.

Proposed by Councillor Hayat and Seconded by Councillor Latif, and

RESOLVED: That consideration is given to the size of flower baskets and that the current budget is increased to accommodate the costs for the 2019/20 budget.

2018/038
(FGP)

ANY ITEMS FOR DISCUSSION FOR A FUTURE AGENDA

To notify the Clerk of any matters for inclusion on the agenda of the next meeting

- Review of grant application (draft documentation)
- Revive Café Powers & VAT registration
- Council telephone and broadband contracts
- Equipment Loan Agreement
- Draft Travel and Subsistence Policy

Cllr M Anwar raised an item regarding an unadopted highway on Portland Street. The railings were currently acting as a barrier between the houses and the canal however the railings were falling apart posing a health and safety hazard. Lancashire County Council had not accepted responsibility and the Canal and Rivers Trust were only responsible for the water. A land registry fee had confirmed this was an unadopted highway. Pendle Borough Council had ownership of half the railings which had been repaired. The costs for the remainder was in the region of £3,800 to match the existing fencing/railing. Cllr Anwar was suggesting if the Town Council could contribute towards this if match funding was sought from the Area Committee.

Action: Cllr Hayat to raise this matter at the Area Committee.

2018/039
(FGP)

DATE OF THE NEXT TOWN COUNCIL MEETING

The date of the next committee meeting was noted as Wednesday 26 September 2018 at 6.30pm, Unity Wellbeing Centre

The meeting was closed by the Chair at 8.10pm.