



HAILSHAM TOWN COUNCIL

NOTICE IS HEREBY GIVEN of a meeting of the HAILSHAM TOWN COUNCIL to be held in the Fleur-de-Lys Council Chambers, Market Square, Hailsham on

Wednesday, 24th September 2014 at 7.30 p.m.

Prior to commencement of the formal business of the meeting a period of not more than 15 minutes will be assigned for the purpose of permitting members of the Public to address the Council, or ask questions on matters relevant to responsibilities under the direction of this Council, at the discretion of the Chairman.

The order of formal business to be transacted will thereafter be as follows:

1. **APOLOGIES FOR ABSENCE:** To receive apologies for absence of elected members.
2. **DECLARATIONS OF INTEREST:** To receive notice of declarations of personal and prejudicial interest in respect of items on this agenda.
3. **CONFIRMATION OF MINUTES**
 - 3.1 To resolve that the Minutes and Reports of the **Meeting of Hailsham Town Council** held on 23rd July 2014 (Ref: HTC/14/2/126 - 145) as printed and circulated, may be taken as read, confirmed as a correct record, and signed by the Chairman.
 - 3.2 **Matters Arising**
4. **COMMITTEE and PANEL REPORTS**

(A list of committee/panel minutes attached – Please notify the Town Clerk [email: john.harrison@hailsham-tc.gov.uk telephone: 01323 445731] as soon as possible if you wish to reserve an item on any of the following committees or panels)

 - 4.1 To (a) note the reserved paragraphs (minutes) of the Committee/Panel Reports notified to the Town Clerk prior to the meeting, and
 - (b) receive request to reserve any additional paragraphs (minutes) of the Committee/Panel Reports
 - 4.2 To receive “unreserved” paragraphs (minutes) of the following Reports of Committees/Panels (as printed and circulated), and approve and adopt the recommendations contained therein.
 - A. Finance, Budget and Resources Committee Meetings** (16th July and 10th September 2014)
 - B. Planning and Development Committee Meetings** (5th August, 26th August and

16th September 2014)

C. Business Enterprise Committee Meeting (4th September 2014)

D. Festivities and Events Committee Meetings (9th September 2014)

E. Parks, Open Spaces and Sports Committee Meeting (3rd September 2014)

F. Council Projects and Assets Committee Meeting (15th September 2014)

5. UPDATE ON MATTERS IN PROGRESS

To receive an oral report from the Town Clerk on matters in progress.

6. MAURICE THORNTON OUTDOOR GYM EQUIPMENT

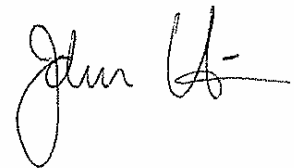
To consider making an application to Awards for All for funding for an Outdoor Gym at the Maurice Thornton, as part of a project in partnership with The Hailsham Trust the Town Farm Residents' Association.

To consider making the formal planning application for the installation of the gym equipment at Maurice Thornton Playing Field.

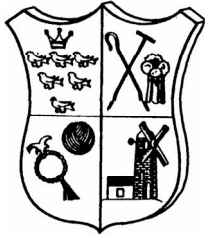
7. OPEN AND ACCOUNTABLE LOCAL GOVERNMENT – DECISIONS BY OFFICERS

To consider and agree the level of expenditure which would require the formal recording of a decision by an officer to 'award a contract or incur expenditure' as outlined in the recently published guidelines on Open and Accountable Local Government.

8. COUNCILLORS' QUESTIONS/INFORMATION FORUM
(at the Chairman's discretion).



JOHN HARRISON
Town Clerk



HAILSHAM TOWN COUNCIL

MINUTES of the Meeting of Hailsham Town Council, held at the Fleur-de-Lys Council Chambers/Meeting Rooms, Market Square, Hailsham, on Wednesday 24th September 2014 at 7.30 p.m.

Public Question Time

Prior to commencement of the formal business of the meeting a period of not more than 15 minutes had been assigned for the purpose of permitting members of the public present to address the Assembly, or ask questions (on matters relevant to the responsibilities of the Town Council) at the invitation and discretion of the presiding Chairman.

Mr. K. Hinton and Mr R. Boxer of Willow Gardens Residents' Association were present. They said that there were a number of concerns about safety to children in the area; the recently installed play park was not fenced nor was a brook on the development. This was particularly a concern as the number of Southern Water lorries and tankers in the location was far greater than anticipated.

The Residents' Association advised that they have tried to engage with Wealden District Council and East Sussex County Council, and had met with the Highways Department on site. Both Councils were of the opinion that the access location was safe but the Residents' Association were not convinced.

The Willow Gardens Residents' Association asked for Hailsham Town Council support in voicing their concerns to the other Councils.

Councillor G. Rowe said that he had visited the area and was struck by the number of lorry movements and by the lack of a fence around the play area.

Councillor W. Bentley asked the Residents' Association had taken part in any discussions with Redrow Homes, who he believed were still the owners of the estate. Mr Hinton replied that they had, but representatives of Redrow Homes were too busy to attend a site meeting.

Councillor M. Ryan, Chairman of the Planning and Development Committee said that concerns about access to the area had been given to Wealden District Council.

Councillor W, Bentley suggested arranging a meeting to discuss this situation more fully.

The Chairman proposed that she, the Chairman of Planning and Development and

the Town Clerk write a letter to Wealden District Council raising these safety concerns. This was agreed.

HTC/14/
3/146 **Present:** Councillors: Mrs. S. J. Bentley (Chairman), W. A. Bentley, J. L. Blake, Mrs. M. Burt, Ms C. V. Collinson, N. A. Collinson, N. S. Coltman, W. F. Crittenden, R. T. Grocock, Mrs. S. E. Henstock, Mrs. B. Holbrook, P. S. Holbrook, Ms A. O' Rawe (Vice Chairman), G. G. Rowe, Mrs. M. Rowe, Mrs. D. Ryan, M. Ryan Mrs. M. Skinner and C. Triandafyllou.

147 **Officers in Attendance:** J. Harrison (Town Clerk), D. Saxby and T. Hall.

148 **Apologies for Absence:**

Apologies for absence were received and accepted from Councillors Mrs. J. Cook and B. Marlowe.

149 **Declarations of Interest**

Councillor W. Bentley said he had a number of Declarations of Interest, both personal and prejudicial, on matters raised in committees. He would declare them if they were called over.

150 **Confirmation of Previous Minutes**

RESOLVED that the Minutes and Reports of the meeting of the Annual Meeting of Hailsham Town Council (Ref: HTC/AM14/2/126-145) held on 23rd July 2014 were confirmed as a correct record, and signed by the Chairman.

151 **Matters Arising**

None.

Committee and Panel Reports

152.1 Councillor W. Bentley noted that some of the committee minutes for this meeting were not yet on the council's website.

152.2 Councillor W. Bentley noted that he had not been sent a draft copy of the Council Projects and Assets Committee held on 15th September 2014.

152.3 **RESOLVED** to defer receiving the minutes for the meeting of the Council Projects and Assets Committee held on 15th September 2014 until the next Town Council meeting, with the exception of minute 20 – Office Christmas Opening Times, which was correct and needed to be ratified by Council to enable staff to make arrangements.

152.4 **RESOLVED**, after consideration in accordance with Standing Order 18(e), to receive the following reports of Committees and minute 20 of Council Projects and Assets Committee held on 15th September 2014 – Office Christmas Opening Times, to approve and adopt the recommendations contained therein and the actions taken as reported therein.

G. Finance, Budget and Resources Committee Meetings (16th July and 10th

September 2014)

H. Planning and Development Committee Meetings (5th August, 26th August and 16th September 2014)

I. Business Enterprise Committee Meeting (4th September 2014)

J. Festivities and Events Committee Meetings (9th September 2014)

K. Parks, Open Spaces and Sports Committee Meeting (3rd September 2014)

F. Council Projects and Assets Committee Meeting - minute 20 only: Office Christmas Opening Times, (15th September 2014)

Finance, Budget and Resources Committee – 16th July 2014

153 Minute 22 – Terms of Reference

Councillor W. Bentley asked the Town Clerk if a reply had been received from SALC in respect of whether the Grants Sub-Committee should be a public meeting or should it be a closed meeting.

The Town Clerk responded that SALC had replied, and their advice was that it should be a public meeting.

Councillor W. Bentley said that in light of this advice the Finance, Budget and Resources Committee should look at this issue again at its next meeting.

154 Minute 23 – Meeting Date – 6th May 2014

Councillor W. Bentley asked the Town Clerk if SALC had provided an answer to question of whether the meeting date for the Finance, Budget and Resources Committee to be held on 6th May 2014 would be affected by the rules on Purdah.

The Town Clerk responded that the rules state that the dates of meetings are not affected during periods of electoral purdah.

Finance, Budget and Resources Committee – 10th September 2014

155 Minute 33.8 and 33.9 – Accounts and Audit – Budget for 2015-2016

Councillor W. Bentley asked what had been resolved on the areas of discussion noted under these minutes.

The Town Clerk advised that there had not been a resolution, these had been discussion points in the meeting.

156 Minute 34 - Accounts and Audit – Budget for 2015-2016

Councillor W. Bentley stated that it was his understanding that it had not been specifically resolved at the meeting that it would be necessary to increase the

Council's precept by 2% in 2015-16.

Councillor Triandafllou said that he had not approved a draft copy of the minutes of the Finance, Budget and Resources Committee held on 10th September 2014.

RESOLVED to amend the minute to read "Cllr Triandafllou advised that it may be necessary to increase the Council's precept"

Festivities & Events Committee – 9th September 2014

157 Minute 39 – Tour of Britain

Councillor W. Bentley said that the Tour of Britain event in Hailsham was a great success. It was pleasing to see so many people turn out to cheer on the cyclists. He also praised local businesses, shops, food and drink outlets, the market and Hailsham Festival of Arts and Culture for their input.

Councillor W. Bentley thanked the Council's staff for their work in making the day a success.

Councillor P. Holbrook said that the voluntary marshals should also be thanked. Cllr Mrs J. Bentley (Chair of Council and Chair of Parks, Open Spaces and Sports Committee) said this had already been done.

Update on Matters in Progress

158.1 The Town Clerk reported on progress on areas of work of the Town Council. These were:

158.2 Quinnell Drive Play Area – the work was due for completion early next week, all factors allowing.

158.3 North Street Bus Shelter – the work had started and would be completed in approximately 5-6 weeks (all factors allowing).

158.4 The clerk noted that he had made an executive decision, as granted to him under financial regulation 3.4, to incur expenditure of approx £900 for the Outdoor Works Team to repair the Oak Footbridge at Orchard Park, as it was in a state of disrepair and could present a safety risk. The Chair and Vice-Chair of council had approved of the clerk's decision. A budget allocation had subsequently been identified for this use (monies left to the council specifically for the development and upkeep of the Orchard Park area)

158.5 Public Toilets – Report of a third act of vandalism/damage.

158.6 Councillor W. Bentley said that any incidence of vandalism should be publicised on social media.

158.7 Councillor Grocock said that there had been vandalism to the floral display at the War Memorial and to the Dennis King Memorial Sensory Garden and this should be

publicised as well.

- 158.8 MASHH – The proposed improvements to the High Street and town centre roads had been approved by Cllr Carl Maynard, the East Sussex County Council Lead Member for Transport and the Environment
- 158.9 Councillor N. Collinson said that the equivalent work to Uckfield town centre had started and the detrimental effect on town centre traffic had been huge. It was noted that the MASHH steering group had been mindful of the potential affects on thee town and would address this as much as possible
- 158.10 Fleur de Lys – removal of posts – The structural survey report had been received and the clerk was currently consulting with the conservation officer on the feasibility of the design proposals
- 158.11 Community Interest Company – The Clerk and Councillors W. Bentley and Ms A. O’Rawe had met with the head of Highways at ESCC and Project Manager to discuss possibilities. The next steps are to organise a visit to visit Burgess Hill Town Council to examine the ‘Burgess Hill model’ in more detail and to begin liaison with neighbouring and nearby parishes and towns to ascertain their willingness to collaborate with Hailsham Town Council.
- 158.12 Sale of land near Hailsham Retail park to H. Ripley metal Recycling –The transfer of land was now complete and payment for the sale had been received.
- 158.13 4 Market Square –the property was now being marketed through a commercial agent. There had been interest from one potential client.

Maurice Thornton Outdoor Gym Equipment

- 159.1 The Town Clerk referred members to the officer’s report circulated with the agenda and as Appendix HTC/14/3/159A to these minutes.
- 159.2 Councillor M. Ryan said it was counter-productive for Hailsham Town Council to do the work on this application and for Hailsham Trust to get the credit. It was far too much work for the Council to take on in respect of the funding application, the planning application and on-going maintenance of the equipment. He also noted that there was an associated cost with making a planning application
- 159.3 Councillor N. Collinson said that other areas of the town were more in need of facilities than the Hailsham East area, which had already received considerable levels of funding from other sources.
- 159.4 Councillor Ms C. Collinson asked how much work would be involved in the process and in the maintenance of the equipment.
- 159.5 The Town Clerk responded that most of the work required for the funding and the planning applications had already been undertaken including liaison between the Hailsham Trust, the Town Farm Residents’ Association, and the Hailsham Town Council Outdoor Works Team Manager, including consultation with local residents.

- 159.6 The Town Clerk explained that it was impossible to say exactly how much maintenance time would be required from the Outdoor Works Team on the equipment. However the Outdoor Works team had been instrumental in choosing the equipment, which was considered to be of a robust nature and require a minimum amount of maintenance.
- 159.7 Councillors Blake and Crittenden spoke in favour of Hailsham Town Council making the formal funding application and planning application for the installation of the gym equipment.
- 159.8 Councillor W. Bentley noted that the council had not identified a requirement for this equipment itself and did not consider that it should make an application or receive funding on behalf of another organisation.
- 159.9 He proposed that Council decline the request for Hailsham Town Council making the funding application to Awards for All or the planning application on behalf of the Hailsham Trust and Town farm residents Association. This proposal was seconded by Councillor G. Rowe.
- 159.10 **RESOLVED** that the request for Hailsham Town Council to make the formal funding application to Awards for All and the planning application for the installation of gym equipment on the Maurice Thornton Playing Field be rejected, but that the Hailsham Trust are advised to approach Wealden District Council to ascertain if they would do it. It was agreed that Hailsham Town Council would be prepared to allow the installation of the equipment on the playing field and would take responsibility for the maintenance of the equipment should a funding bid be successful.
- 159.11 Councillors Blake and Crittenden asked that their opposition to the resolution be recorded.
- 159.12 Cllr Mrs J Bentley abstained from voting on the resolution and asked that it be noted.

Open and Accountable Local Government – Decisions by Officers

- 160.1 The Town Clerk spoke in respect of the officers report as circulated with the agenda and as Appendix HTC/14/3/160A to these minutes.
- 160.2 **RESOLVED** that:
1. All such decisions made under Financial Regulation 3.4 are recorded according to the guidelines contained in the document, as circulated with the agenda and as Appendix HTC/14/3/160A to these minutes, and
 2. that any decisions made under Financial regulations 11.1 (b) and/or Financial Regulation 11.1 (g) could not be deemed to “*materially affect .. the council’s position*” as long as there was a budget allocated for their purpose, whether these decisions were made by officers or members in committee/council and therefore need not be recorded according to the guidelines.
- 160.3 Councillor W. Bentley said he wanted to examine whether there were any potential child protection concerns with regard to decisions taken by officers in respect of youth

services. He requested a report at the next meeting of Hailsham Town Council.

Councillors' Questions/Information Forum

Future Meetings

Councillor W. Bentley requested that in the light of the new Openness and Accountability Guidelines, that the Town Clerk to investigate the options for recording future Council meetings, with the potential for live streaming on to its website.

Hailsham Retail Park

Councillor P. Holbrook advised that a national retailer, Topps Tiles would soon be trading on Diplocks Way

Hailsham Herald

Councillor G. Rowe said that the Hailsham Gazette would be changing its name to the Hailsham Herald and would be inviting the public to feed in articles in a pull-out insert in the publication entitled 'My Herald'.

Councillor W. Bentley said that the Council would need to be more responsive in its approach to the media. The Town Clerk and Communications officer noted that they had begun discussions with the editor of the new publication and were due to schedule a meeting to include discussing the potential for a Town Council contribution to the "My Herald" section. The Town Clerk should request a right of response.

There being no other business, the meeting closed at 9.23pm.

CHAIRMAN

Global/Minutes and Agendas/DS/ HTC Minutes 24th September 2014.

Report to: Hailsham Town Council

Date: 24th September 2014

By: John Harrison, Town Clerk

Title of report: Maurice Thornton Outdoor Gym Equipment

PURPOSE:

To consider making an application to Awards for All for funding for an Outdoor Gym at the Maurice Thornton, as part of a project in partnership with The Hailsham Trust the Town Farm Residents' Association.

To consider making the formal planning application for the installation of the gym equipment at Maurice Thornton Playing Field.

BACKGROUND.

An initial meeting was held between the Hailsham Trust and representatives from the Town Council, including the Chair and Vice Chair of the Council's Parks, Open Spaces and Sports Committee, the Town Clerk and the Outdoor Works Team Manager some months ago.

The Hailsham Trust was seeking support for its work with the Town Farm Residents' Association to put forward a bid to fund the purchase and installation of an outdoor gym on the Maurice Thornton Pavilion, which is of course controlled by the Town Council on a long-term lease.

A way forward was agreed that necessitated the Hailsham Trust liaising closely with the Council's Outdoor Works manager to agree on the details of the equipment.

The Hailsham Trust has been liaising with the TRFA and HTC's Outdoor Works Team Manager as well as the Youth Council and also local residents to agree to the equipment they want, including a design and manufacturer approved by the OW Team Manager, and where it will be placed

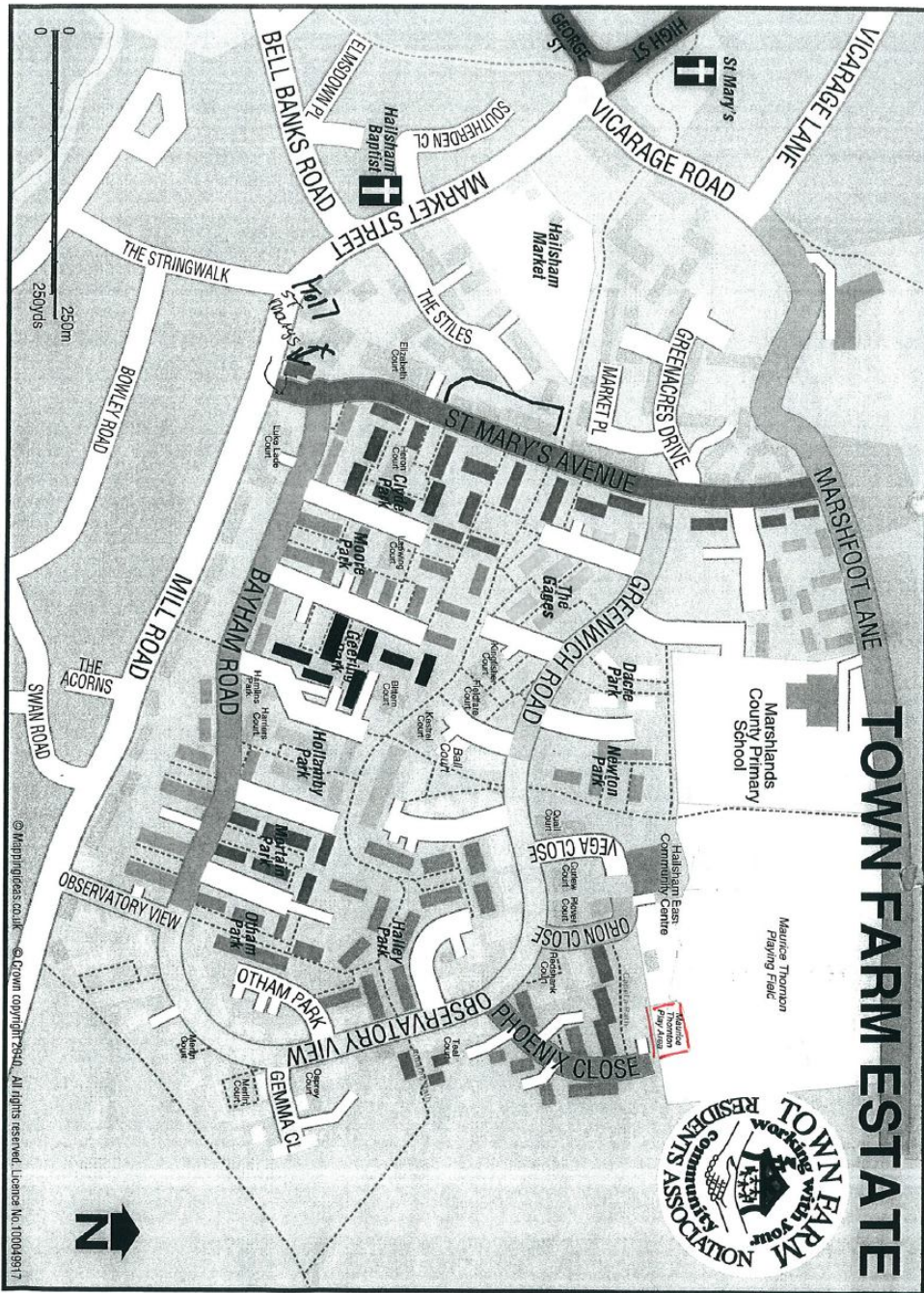
They have subsequently completed the majority of the application to Awards for All for £10K funding to pay for the supply and installation of gym equipment and have also completed the

substantive part of the required Planning Application. *(The incomplete application is attached as an appendix to this report).*

CONSIDERATIONS.

Location

The proposed location of the equipment has been carefully considered in collaboration with all of the affected parties and has been identified as in the maps below, in close proximity to the existing Play Area.



TOWN FARM ESTATE





Directly quoted from the application:

The first and greatest advantage of an outdoor gym located on a community playing field is that it is easily accessible, freely available to all and usable in a variety of different fashions, to widely varying levels, according to the requirements of the participant: the wider community – everyone – will therefore be welcome to make use of the equipment in any (safe) way they like.

The social aspect of using the equipment is also an important factor and many people will, hopefully, attend with friends and family – exercising with others is commonly associated with being more confident and getting more enjoyment from the workout. Although the aim is to persuade as many Town Farm residents and people from the wider Hailsham community as possible to make use of the gym, there will also be efforts made to ensure that the harder-to-reach in society are encouraged to join in the activities: the training sessions will be aimed at inducting people with no little or no experience of using gym equipment; the community champions will be supported to contact people who would not normally participate, and specific, targeted training will be made freely available wherever possible.

Local Community Involvement

Directly quoted from the application

The TFRA meeting of April 8th 2014 was the source of the initial suggestion that an outdoor gym would be a great resource for the local people. The residents studied product brochures and made recommendations on the choice of gym items.

A meeting of the Hailsham Youth Council endorsed the need for more exercise equipment for children and young adults and also gave opinions on equipment choice. A survey of approximately 200 residences in a part of Town Farm indicated that 100% of respondents would like to see better play park facilities in Hailsham, suggestions for improvement being: “Better equipment, more things to do”; “Improved play equipment and better maintained”; “Make better use of Maurice Thornton”; “Better facilities for young children and teenagers. Hailsham is growing so needed NOW!”. 79% of respondents wanted to see more healthy activities and several suggested ‘sports themed events on the Maurice Thornton’. The 44 residences closest to the proposed site of the outdoor gym were door-knocked (Capella Path, Phoenix Close, a small section of Observatory View): of those that answered, 18 were in favour, 2 maybe, 1 opposed (due to the possibility of anti-social behaviour).

The Project and Equipment Chosen

The Hailsham Trust’s involvement with the project will not end with the installation of the equipment. It is intended that they will work directly with the TFRA and other elements of the community to make best use of the facility

Directly quoted from the application

This project plans to install a family outdoor gym of 5 pieces of equipment – a ski stepper, a power push, a health walker, a handle boat and a push hands assembly ...

... local residents would like the additional benefits of an outdoor gym for use by both children and adults. The outdoor gym would be open to all – not just people from the estate but anyone

in the Hailsham area who travels to the Children's Centre, nearby primary schools or to use the playing fields, thereby allowing everyone to have a go at improving their health in a simple but effective fashion. It would provide an easy activity for adults while their children are playing safely nearby, for older children using the playing fields, for walkers passing by.

Once the equipment is installed, an experienced fitness trainer will begin a regular weekly program of health demonstrations making use of the equipment and the rest of the playing field. These would be free and open to all, and run through the spring and summer of 2015. The Town Farm residents' association would assist in the development of community based projects and groups making use of the equipment. The aim is to support healthy lifestyle choices and address barriers to health, i.e. people making better use of all the local amenities and open spaces. For example, the project will provide opportunities for local primary schools to bring classes of students to the gym, to attend supervised taster training sessions for young people to use the equipment safely and effectively. The building of an outdoor gym would, therefore, be a springboard to starting a whole range of health-related community activities on the Town Farm estate, for the whole of Hailsham to participate in and enjoy.

The residents' association expects approximately 1,000 different people will use the outdoor gym over the course of the first year. Following installation [it is planned to] hold an opening event, inviting all the residents of Hailsham, along with the local press (Sussex Express, Eastbourne Herald etc.), radio (Sovereign FM, BBC Sussex etc.) and television (Meridian News). Both the launch event and the program of fitness training events will be publicised via leaflets and posters on the Town Farm estate, advertisements throughout Hailsham (on community noticeboards, in the Wealden Eye and Town Crier magazines etc.) and via social media (Hailsham Town Council 'What's On' web page, the Hailsham Trust website, Twitter and Facebook pages etc.). Inevitably, given the nature of the project, much of the promotion and publicising will happen as people walk by the equipment as it is being used! As part of another health-related project – Shouts About Health – the Hailsham Trust is recruiting local community champions to take the lead in promoting healthy lifestyles within their own communities: these champions will publicise the outdoor gym and the opportunities for fun activities that it provides.

The preferred equipment chosen is as follows:

SKI STEPPER

This Ski Stepper offers a low impact workout which helps to develop stronger calf and thigh muscles as well as improve cardiovascular fitness, balance and co-ordination.



POWER PUSH

This Power Push is part of a classic work out regime in the gym. Here in the outdoors you can tone upper body muscles such as the chest, shoulders and triceps using own body weight as counterpoint. It also helps strengthen core muscles and general flexibility.



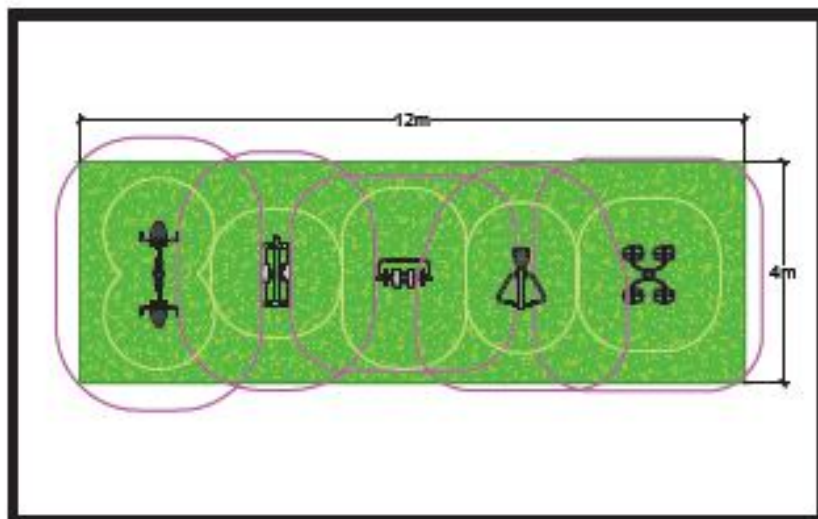
PUSH HANDS

This ingenious Push Hands exerciser is not only fun, especially with two people in counter play operation, but it is very effective in developing upper body flexibility and co-ordination from the waistline to the tops of the shoulders. Its unique design allows wheelchair users to be able to access the lower push hands making this a fully inclusive piece of exercise equipment.



HEALTH WALKER

This Health Walker primarily provides essential cardiovascular exercise and promotes deeper, stronger breathing. As well as improving stamina, balance and overall body co-ordination, it helps to develop calf and thigh muscles.



HANDLE BOAT

This Handle Boat equipment actually works most of the major muscles in the body including the legs, arms, torso and stomach using up more calories than most other exercise machines. It is excellent cardiovascular exercise as well.



Financial Considerations:

The Hailsham Trust has identified that as the controllers/owners of the land, the bid must be made by Hailsham Town Council in order to be successful. The application form itself specifically mentions Town and Parish councils and therefore we would not be disqualified from making such a bid. The council would be required to fully complete the form including financial information and formally 'sign off' the application.

The proposed bid is for £10,000 from Awards For All. This includes the Purchase, Installation and delivery of the gym equipment and a post-installation by ROSPA.

Two other quotes for the supply and delivery of the equipment have been obtained by the Hailsham Trust and are available to the council to ensure compliance with the Financial Regulations. The decision on the preferred equipment and supplier was made in collaboration between the Hailsham Trust, TFRA and the Council's Outdoor Works Team Manager (according to criteria including the type of equipment and its robustness).

There would be no further financing required for the delivery and installation of the equipment from the Town Council.

In the event that only some of the required funding was awarded, The Hailsham Trust and TFRA would seek out other sources of funding. It is not anticipated that the Town Council would be expected to meet any funding 'gap'. However the Hailsham Trust have informed the Clerk that bids to this specific body have usually awarded the entire amount or not at all.

It is anticipated that the Town Council would assume responsibility for the maintenance and repair of the equipment. The equipment selected has been done with this in mind and is of a standard of strength and robustness deemed appropriate by the Council's Outdoor Works Manager

The council also took on responsibility for the repair and maintenance of the facility at the Western Road Recreation Ground. That equipment is considered to be of a lower level of strength and robustness to this, but to date has not required extensive repairs.

It is anticipated that any significant damage to the equipment in the future, that requires a level of expenditure, beyond that of the council's budget set for repairs and maintenance, would require liaison and agreement with the Town Farm Residents' Association and Hailsham Trust to reach agreed levels of expenditure and to explore whether a joint agreement could be made. It is **not** anticipated that the Town Council would meet the costs of any extensive damage or replacement of the equipment should that become necessary,

CONCLUSION.

The Council is asked if it would agree to formally make the application to Award for All, as part of a joint project with the Hailsham Trust and the Town farm resident's Association. Assuming success, The council would then be required to purchase the equipment and work in partnership with the Hailsham Trust and the TFRA to deliver its installation.

The council is also asked to make the required Planning Application to Wealden District Council, again in partnership with the Hailsham Trust and TFRA.

Report to: Hailsham Town Council

Date: 24th September 2014

By: John Harrison, Town Clerk

Title of report: Open and Accountable Local Government – decisions by Officers

PURPOSE:

To consider and agree the level of expenditure which would require the formal recording of a decision by an officer to 'award a contract or incur expenditure' as outlined in the recently published guidelines on Open and Accountable Local Government.

BACKGROUND.

The department for Communities and Local Government published new guidelines on Openness and Accountability for Local Government in August 2014.

These guidelines state that certain decisions taken by council officers must be recorded in a publicly accessible record and on council websites.

The relevant extract from the guidelines is as follows:

Decisions by officers

Can an officer take decisions on matters that are the parish or town council's responsibility?

Yes, where the parish or town council's rules allow this.

Are there means of knowing about decisions made by individuals?

Yes. The rules require the recording of certain decisions taken by officers acting under powers delegated to them by a parish or town council, its committees or sub-committees or a joint committee. The written record should include:

- The decision taken and the date the decision was taken;
- The reason/s for the decision;
- any alternative options considered and rejected; and
- any other background documents.

You can see these records of decisions made by officers along with any other background papers because they have to be available for inspection at the council's offices and on its website as soon as is reasonably practicable after the decisions are made.

The relevant parish or town council must retain and make the written record of their officers' decisions available for inspection for six years beginning from the date of the meeting. The background papers should also be available for inspection for four years beginning from the date of the meeting. These may be kept in electronic format.

Can I see all decisions made by my parish or town council's officers?

No. The requirement to record applies to all decisions taken by officers whilst acting under a specific express authorisation, and only to three categories of decision taken whilst acting under a general authorisation. These categories cover decisions to "grant a permission or licence"; that "affect the rights of an individual" (i.e. to change an individual's legal rights); or to "award a contract or incur expenditure which, in either case, materially affects that relevant local government body's financial position".

Officers take many administrative and operational decisions on how they go about their day to day work within the council's rules. These decisions will not need to be recorded.

You will not be able to inspect some recorded decisions if the whole or part of the records contains confidential information or any other information, which its publicity would be prejudicial to the public interest.

Examples of decisions that should be recorded could include:

- Decisions about awarding contracts above specified individual/total values (the values will vary according to the relevant parish or town council); and
- decision to renew a lease to an Allotment Association.

Where decisions are already required to be published by other legislation, they do not need to be recorded again provided the record published has the date the decision was taken and the reasons for the decision.

Decisions that do not need to be recorded might include the following examples:

- Routine administrative and organisational decisions such as the purchase of office supplies or repairs;
- a decision to sign an allotment tenancy agreement;
- decisions to allocate burial plots; and
- decisions to book rooms or sports grounds; and decisions to approve works undertaken by a contractor.

These are a few selected examples and not an exhaustive list. It is for the council to decide what information should be recorded.

Therefore the Council is asked to consider what information should be recorded according to these guidelines.

CONSIDERATIONS

The phrase above “award a contract or incur expenditure which ... materially affects that relevant local government body’s financial position” is entirely open to interpretation. The council is asked to consider whether it deems any expenditure for which there is already an agreed budget as ‘materially affecting’ the council

The council’s financial regulations currently state as follows:

Financial regulation 3.4 –

3.4 The Clerk, in consultation with the Chairman of the Council may incur expenditure on behalf of the Council which is necessary for the smooth operation of the Council to carry out any repair replacement or other work which must be done in advance of any Council meeting, whether or not there is any budgetary provision for the expenditure, subject to a limit of £2500. The Clerk shall report the action to the Council as soon as practicable thereafter.

With regard to the offering of tenders and contracts:

Financial Regulation 11.1 -

(b) Where it is intended to enter into a contract exceeding £25,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk shall invite tenders from at least three firms to be taken from the appropriate approved list. In addition at the discretion of the Council alternative companies maybe invited by three (3) weeks public notice to apply to be included within the tendering process.

(g) When it is to enter into a contract for expenditure between £2,001 and £25,000 (excluding VAT) in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk shall obtain 3 quotations (priced descriptions of the proposed supply).

In reality the overwhelming majority of decisions made under Financial regulations 11.1 (b) and 11.1 (g) will be made by council, committees or sub-committees and will in any case involve expenditure of monies already budgeted for that purpose.

RECOMMENDATIONS:

1. The council is recommended to resolve that all such decisions made under Financial Regulation 3.4 are recorded according to the guidelines above.

2. The council is asked to consider whether it deems any decisions made expressly by the Clerk or Officers themselves under Financial regulations 11.1 (b) and/or Financial Regulation 11.1 (g) can be deemed to “materially affect .. the council’s position” and therefore should be recorded according to the guidelines above (considering such

decisions would always be done 'on budget')