

HEREFORD CITY COUNCIL

FINANCE AND POLICY COMMITTEE 26th November 2013

MINUTES OF MEETING

Present : The Right Worshipful the Mayor and Councillors Tawn, Michael, Oliver and Chave. Councillors Boulter and Kenyon (not member of the Committee) also attended the meeting.

Officers Attending : Steve Kerry Town Clerk, Lesley Bruton, Finance Officer

F2013/14.53 APOLOGIES FOR ABSENCE

Apologies were received from Councillors Wilcox, Toon and Chappell

F2013/14.54 APPOINTMENT OF SUBSTITUTES

There were none.

F2013/14.55 DECLARATIONS OF INTEREST

Councillor Tawn confirmed the disclosable pecuniary interest he has already declared relating to the Butter Market (item 8 on the agenda) and that he would withdraw from the debate.

F2013/14.56 MINUTES

It was proposed by the Mayor, seconded by Councillor Tawn and

RESOLVED That the minutes of the meeting of 15th October be signed as a true record of the meeting.

F2013/14.57 ACCOUNTS PAID

The Finance Officer presented a schedule of payments made since the last meeting of the Committee. There being no questions the schedule was noted by the Committee.

F2013/14.58 ISSUES ARISING FROM PROPOSED ASSET TRANSFERS AND SERVICE REDUCTIONS BY HEREFORDSHIRE COUNCIL

The Town Clerk presented a report on the implications and possible response of the City Council to proposals relating to the Old House Museum, public toilets and Hereford in Bloom.

Having been involved in an initiative with some local churches concerning public toilets, Councillor Kenyon was given permission to address the meeting by the Chairman. Councillor Kenyon updated the meeting on discussions he had undertaken with three local churches and then, at their suggestion, with Vennture the local trust that brought street pastors to Hereford.

In discussion the following points were identified :

Maintaining some public toilet provision is vital for the retail economy and tourism.

The Community Toilet Scheme is fragile as owners of business premises are beginning to react negatively to costs, queues and the possibility of vandalism and anti-social behaviour on their premises.

It would be reasonable for Herefordshire to hand over public toilets with coin operated locks installed to enable revenue to be raised to cover costs.

The Council should not entertain leasing toilets but should seek freehold ownership, possibly with a claw back agreement on capital receipts if they are subsequently closed and sold off.

Herefordshire Council would be unlikely to transfer toilets if they were to remain closed, but would be more likely to seek to dispose of them on the open market.

Other groups than local churches should be considered if they were willing to work within a Council and voluntary sector partnership.

There was still uncertainty about actual costs of each unit, no information about usage and no commitment yet about installing coin collection on the doors.

The operation of public toilets is the proper business of local authorities and there is an argument that this should be retained under direct Council control and operation.

The order of items in the proposed resolution should be amended for greater clarity.

It was necessary to give a steer on the level of financial commitment the Council would be prepared to make, and based on current information and reasonable assessments of potential income a net cost of £35,000 appears to be reasonable to maintain three key sites.

The Committee then considered briefly the position on the Old House Museum, noting that at its previous meeting it had declined to set funds aside for supporting this as it was beyond the Council's means to do so. The Clerk reported that he had responded to a consultation deadline from Herefordshire Council in line with what had been said but sought formal ratification of the views he had expressed, which had been informed by an email consultation with members and had incorporated their comments. It was noted that although the Museum was staying open next year there was considerable doubt about the resourcing and future operation of this important attraction and this was of concern given its prominent position in High Town.

The Committee then considered the position regarding Hereford in Bloom and the recent discussions regarding commercial sponsorship, recognition of the Council's contribution, the reducing cost of watering and possible support from Balfour Beatty.

After discussion it was Proposed by the Mayor, seconded by Councillor Oliver and

RESOLVED

That the Committee affirms that the Old House Museum is an important site within the City and should be kept open.

That the Committee would support the use of suitably knowledgeable volunteers to assist in maintaining the Old House.

That the Committee authorises the Town Clerk to communicate to Herefordshire Council a strong interest in supporting the provision of public toilets and seeks a moratorium on further closures within this financial year while options for funding the service are fully explored.

That the Committee authorises the Finance Officer to include in the new year budget estimates a sum of £35,000 to support this activity.

That the Committee endorses in principle the idea of community groups being approached to adopt public toilets in order to maintain these services across the City.

That the Committee endorses the proposals from Hereford in Bloom for making the best provision of flowers and hardy perennials on key sites and authorises the Finance Officer to include in the new year budget estimates the sum of £12,000 to support the purchase of flowers for the Town Hall tubs, those baskets in High Town not covered by commercial sponsorship and the watering of tubs and baskets by a suitable contractor.

F2013/14.59 APPOINTMENT OF A MEMBER TO CHAIR THE MEETING FOR THE NEXT ITEM

Councillor Tawn indicated that his previously declared disclosable pecuniary interest in the next item required him to vacate the Chair and take no part in the Committee's deliberations. As the Vice Chairman, Councillor Toon, had sent apologies the Committee would need to nominate one of its members to take the Chair.

It was proposed by Councillor Oliver, seconded Councillor Chave and

RESOLVED That the Mayor take the Chair of the Committee for the next item.

F2013/14.60 UPDATE ON DISCUSSIONS RELATING TO THE BUTTER MARKET

The Town Clerk introduced his report and gave further details of discussions with officers at Herefordshire Council.

The Mayor added an update on the meeting he had attended at the invitation of the Chairman of Herefordshire Council with the Chief Executive and Service Director responsible for the market issue. It was noted that his invitation had been only to the Mayor and the town mayors. He had raised there the issue of a possible liability falling on new owners of the Market of around £220,000 to buy out existing long

leases before any refurbishment could take place. This was not, in his view, an acceptable proposition for the City Council to entertain.

Discussion moved on to the draft heads of agreement suggested by the Clerk in his report, and Committee agreed an alteration of the wording of item four on that list. It was also considered as to whether the Council should insist on taking over all markets and fairs activity to bring the whole service to a coherent whole, although it was also noted that this could end any discussion with Herefordshire Council as they had already indicated at a very early stage that this was not something they would agree to.

It was noted that there had been some premature and not entirely accurate comment in the local press and at meetings by Herefordshire Council concerning the City's position and that the Clerk ought to have suitable press releases prepared for every eventuality.

Following discussion of the details of a possible negotiating position the proposed heads of agreement were identified as :

The asset should be transferred as an unencumbered freehold. The City would not take a head lease and a rent liability contingent on future market income as this would be an unacceptable risk to the City purse.

Herefordshire must either transfer an appropriate and sufficient sum to buy out long leases held by stall holders to enable reconfiguration, refurbishment or renewal of the Butter Market, or extinguish those leases and settle any compensation liabilities with stall holders, before the asset is transferred.

The Council would prefer to accept an asset transfer when it has a signed agreement with a developer to carry out necessary works, using their own funds, and to take over the management of and operation of the market to raise revenue to recover that capital expenditure.

The City will not seek to borrow money at cost to its own resources to renovate or otherwise develop the Butter Market, nor will it seek to become a direct market operator.

The City will seek full disclosure from Herefordshire Council of any and all option appraisals, designs and consideration of alternative strategies for the Butter Market in order to inform the process of developing a plan with a suitable organisation for the future of the facility.

The City requires urgent clarification of the precise boundaries of the asset to be transferred, and clarification of the extent and detail implied in any listed building or other restrictions that might apply to development of the asset.

The City wishes to see a comprehensive and jointly agreed market strategy for the City to include both the indoor and outdoor facilities to ensure that competition is

encouraged, a varied and attractive consumer offer is maintained and vibrancy is encouraged.

It was proposed by Councillor Michael, seconded by the Mayor and

RESOLVED

That the Committee endorses the broad principles outlined above to be the basis for ongoing negotiation with Herefordshire Council.

That the Committee authorises officers and members of the Council to continue discussions with Herefordshire Council, and possible developers/operators of the Butter Market in line with the principles set out above.

That the Committee affirms the Council's strong interest in a possible transfer on the principles set out above.

That the Clerk prepares suitable press releases concerning the Council's position.

At this point the Mayor left the meeting and Councillor Tawn resumed the Chair.

F2013/14.61 DONATION – CLOSE HOUSE “EPICS”

The Clerk introduced his report and members present on Remembrance Day added their expressions of appreciation for the work the youngsters from Close House had done to support this very important and high profile event.

It was proposed by Councillor Michael seconded by Councillor Chave and

RESOLVED that the Committee approves a donation of £100-00 to Close House for the work undertaken by the “Epics”.

F2013/14.62 ITEMS FOR FUTURE MEETINGS

The following items were agreed to be on the agenda for the next meeting of the Committee :

Quarterly Financial Statement for 31st December 2013

Budget for 2014/2015

A detailed breakdown of the cost of each of the City Events (possibly as an appendix to the Financial Statement)

The Clerk reported a request from Councillor Wilcox for an item on changing Financial Regulations to cover the process of charging for Council services to third parties and the issue of retrospective and unilateral invoicing. After discussing this it was proposed by Councillor Chave, seconded by Councillor Michael and

RESOLVED that all matters relating to the appropriate use of Mayor's expenses the relationship between the Council and its finances and the Mayor's Charity Appeal

and any related issues regarding Standing Orders should be taken as a single item to Governance and Procedures Committee before any changes to Financial Regulations need to be considered by Policy and Finance Committee.

F2013/14.63 DATE OF NEXT MEETING

Tuesday 14th January 2013 at 6 PM

The meeting closed at 7.35 pm

Signed Chairman

Date