



FROME TOWN COUNCIL

making Frome a better place



Councillors:

Dave Anderson; Eve Berry; Carole Bullen; Graham Burgess; Adrian Dobinson; Toby Eliot; James Godman; Pippa Goldfinger; Tricia Golinski; Damon Hooton; Claire Hudson; Peter Macfadyen; Dickon Moore; Helen Sprawson-White; Helen Starkie; Mel Usher; Nick White

You are hereby summoned to attend a meeting of Frome Town Council scheduled for the following date, time and place.

Date: Wednesday 7th December 2011
Time: 7.00pm
Venue: Selwood School Hall, Berkley Road, Frome, BA11 2EF
Enquiries: Telephone 01373 465757
Website: www.frome-tc.gov.uk

AGENDA

1 PUBLIC PARTICIPATION

To receive questions and comments from members of the public

To receive a presentation from Ben Hamilton-Baillie on Shared Space (30 minutes)

To receive a presentation from Dinah Bardgett of Fairtrade Frome (10 minutes)

2 APOLOGIES FOR ABSENCE

To receive any apologies for absence

3 DECLARATION OF MEMBERS' INTERESTS

To receive any declarations of Members' Interests in any item on the agenda

4 MINUTES

To consider and approve the minutes of the Council meeting held on 12th October 2011

5 ANNOUNCEMENTS

To receive verbal announcements from Town, District and County Councillors

6 FOR INFORMATION – COMMITTEE UPDATES (2 minutes)

To receive the draft minutes of the last Internal Affairs Committee and External Affairs Committee meetings



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7 FOR DECISION – LEADER OF THE COUNCIL (10 minutes)

Report Author: Cllr Mel Usher (edited by Chief Executive)

Purpose of the report:

To seek approval for the establishment of a Leader of the Council for an experimental period until the Annual Town Council Meeting in May 2012.

Background:

The Localism Act will prove to be a turning point for local councils. The Power of General Competence and other associated parts of the Act will mean that inevitably the Town Council will take on more services, will negotiate with other tiers of local government as of a right and will need to be even more professional in its approach. Already and almost by default this has begun to happen.

There will be an increasing need to;

- provide a focal point for discussions
- represent the Council at negotiations
- interpret Council policy into action
- provide comment on the Council's activities
- provide clear leadership function for the senior officers to consult with during a period of considerable change

Previously this role has been partially undertaken by the Mayor but the prime role for the Mayoral post has always been a civic one. In the current administration the Mayor has adopted the latter role almost exclusively. As he, and previous incumbents, have found, this function in itself has proved sufficient to occupy most of his time.

The proposal:

It is proposed to establish the role of Leader of the Council. The designation is unusual but not unknown in larger town councils. For example in Lichfield there has been a leader for in excess of 20 years and my research has suggested that this has been very successful. Closer to home there is a leader at Weston Super Mare. The National Association for Local Councils provides mini conferences for leaders of larger councils.

I propose that the Council appoints a leader for an experimental period until the Annual Town Council Meeting (ATCM) in 2012 but that subsequently the post and post holder are ratified at ATCM.

It is important to stress that the post has no legal significance and the leader will have no more powers than any other councillor. There will be no right for the leader to operate with sole authority (you cannot delegate powers to an individual level at this tier of local government). Where delegated powers are necessary they will be delegated to the Chief Executive in consultation with the Leader of the Council if deemed appropriate (delegation may be in consultation with the several members through a working party or with the chairman and/or vice chairman of a specific committee).



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There are some advantages for the role of Mayor (apart from reducing time commitments) not to be the “political head” of the Council. It should help to keep him/her out of potential conflict between the civic role and contentious political issues and help him/her chair Council meetings neutrally.

I have consulted the three leaders of the political groups on the Council and they are all in favour of the proposal.

Implications & Risks:

Financial and Resource Implications

Currently there are no significant financial implications as Members do not receive allowances but there may be expenses incurred (through the normal budget process) to attend conferences. The Leader of the Council may find that they called upon to meet during working hours so there may be an implication with regard to their own work life balance.

Legal Implications and Legislative Powers

The Leader of the Council has no legal powers and as such cannot enter into any negotiations on behalf of the Council when there is no officer (who has delegated authority) present. No member of staff is accountable to any one individual Councillor as they hold no authority. This process is managed by delegation to the appropriate Committee or Sub Committee with the exception of the Chief Executive who is accountable to the Full Council.

Recommendations:

- a) That the Council appoints a Leader of Council for an experimental period until the ATCM in May 2012 when the success of the experiment is assessed.
- b) That Members elect the first Leader of the Council.
- c) That the Chief Executive be authorised to make any necessary changes to the Council Constitution.

8 FOR DECISION – STANDING ORDERS, COMMITTEE POWERS & DUTIES AND FINANCIAL REGULATIONS (15 minutes)

Author: Chief Executive

Purpose of the report:

To adopt the new model Standing Orders, agree the delegated function of the new committee structure and agree minor amendments to the Financial Regulations to reflect current appointments and practices.

Background:

At Full Council held on the 22nd June 2011 it was agreed to abolish the old committee structure and introduce new committee structures to include Internal Affairs and External Affairs Committees and a Planning Sub Committee. At the same meeting it was also agreed to appoint the Chief Executive as the Responsible Finance Officer (RFO).



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Although amendments to Standing Orders were put forward to Full Council on the 28th July 2011, it was agreed that the new model Standing Orders should be adopted after being reviewed by the Chief Executive in consultation with appointed Members.

The Financial Regulations make amendment to the RFO referencing where required and facilitate payments should the Mayor or Chairman of the Internal Affairs Committee not be account signatories.

All other constitutional documents have only had their referencing updated (e.g. former reference to Policy and Finance Committee changed to Internal Affairs Committee).

The new constitution follows the latest model standing orders as issued by the National Association of Local Councils (NALC) and apply any recent changes to legislation with regard to Financial Regulations and the Equalities Act 2011. The new committee responsibilities have now been removed from the Standing Orders and sit along side as a complimentary document making it easier to amend as and when required.

Implications & Risks:

Financial and Resource Implications

With impending changes to legislation, financial and otherwise there will be limited financial and resource implications.

Legal Implications and Legislative Powers

The Town Council has to have due regard to its powers and duties and is obliged to have an approved constitution, the Town Council is a legal entity. This forms the basis of its corporate responsibility, accountability and governance.

Recommendation

That the Council adopts the revised Standing Orders (Constitution - Chapter 2), Powers and Duties of the new Committees and Working Groups (Constitution - Chapter 2a) and agrees the amendments to the Financial Regulations (Constitution - Chapter 3) and referencing to all other constitutional documents as presented.

9 FOR DECISION – FROME TOWN COUNCIL STRATEGY (15 minutes)

Author: Chief Executive

Purpose of the report:

To adopt a new strategic plan for Frome Town Council.

Background:

Members received a draft strategy at the meeting on 12th October 2011 following the change in administration at the local elections last May.

Issued alongside this agenda is the proposed strategic plan for adoption. Once adopted, this document will become the foundation stone for the future aspirations



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and the business plan of the Town Council. Accompanying the strategy is the action plan which becomes a working document for the next 18 months. The next stages will be to examine the priorities in more detail to confirm the timelines and costings, this will be done in partnership with other expert organisations within the town and district.

Members deferred the adoption of the strategy to this meeting to allow time for further considerations and comments to be made by individual Councillors, members of the public and interested parties. These comments have now been incorporated into the plan.

Implications & Risks:

Financial and Resource Implications

As with any strategic change there will be both financial and resource implications which will become more apparent as work develops.

Legal Implications and Legislative Powers

Most of the strategic plan is within the remit of this Council (existing powers and duties) however it recognised that some of the economic activities fall outside of current legislation. Although some of the future aspirations and activities fall outside of current legislation which applies to this Council it is important to note that once the Localism Act is implemented this may become within the Town Council's power.

Recommendation:

It is recommended that the strategic plan and action plan are adopted.

10 FOR DECISION – 2012/13 ESTIMATES; PRECEPT (30 minutes)

Author: Chief Executive

Purpose of the report:

To consider and agree the financial estimates for 2012/2013.

Background and current situation:

Prior to the precept being set in January 2012 the Council, and Committees, are required to consider the estimates in advance so that agreement can be made in a timely manner.

Although Central Government ministers have stipulated that there will be no Council Tax rise for the forthcoming year they were only considering offsetting this with Treasury payments to Principal Authorities. They omitted the 7,500 parish and towns who independently set their own precept.

The headings for the estimates have been re-written to make it easier for Councillors and members of the public to follow service expenditure and no longer reflects SORP accountancy principals which are only required of councils with budgets over £6 million.



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So far officers have identified cuts in expenditure to be in the region of £101,500, they were presented to both the Internal Affairs and External Affairs Committees. Increases due to inflationary increases are expected to be in the region 5% for 2012/13.

Although the Internal Affairs and External Affairs Committees did not make any proposals to adjust the early drafts put before them, the final estimates now presented to Full Council contain new budget lines to facilitate the Council's new strategy (which is due to be adopted prior to this agenda item).

At the Full Council meeting on 22nd June 2011 it was resolved that;
"The Council notes that for the last four years the Council has been running on a planned deficit basis with annual amounts drawn from reserves amounting to 2010/11 (£117,826), 2009/10 (£4,996), 2008/09 (£47,056) and 2007/08 (£80,332). In the current year the budget set by the previous administration plans to draw £105,658 from reserves. The Council resolves that in the long run this is an unsustainable position and determines to reduce the reliance on the use of reserves for current expenditure." (minute 2011/62/FC)

These estimates take cognizance of that resolution as well as fulfilling many of the proposals contained in the approved strategy document.

New proposals:

The Chief Executive's initial report to both Committees has already highlighted the cuts that reduce the base budget for 2012/13 by £100k to £833k. In order to deliver the new Council strategy it is now intended to include the following schemes for 2012/13:

Budget Line / Strategic Action	£
Economic Development including re-marketing of town	40,000
Apprentice	8,000
Street Furniture, Interactive Map and Signage	20,000
Shared Space and Market Place feasibility	20,000
Enhanced cleaning and Town Centre improvements	20,000
Youth Council and support to youth services	10,000
Arts Strategy	5,000
Partnerships, Community Development and Grants	40,000
Re-open/extend Recycling Centre operational hours	10,000
Carbon Audit	5,000
Total	178,000

Land purchases (to secure and protect green spaces) and any extra costs to deliver the Neighbourhood Plan will be delivered from Earmarked Reserves or General Reserves.



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Here are the extended budget lines in a bit more detail:

Economic Development

This is an amount for pump priming new schemes, providing match funding, rethinking how the town markets itself and tourism. It is not enough but will allow some of the groundwork to be done and will allow the Town Council to enhance any funding provided by the Community Interest Company.

Apprentice

The Town Council already has one apprentice; this in a small way is intended to show our commitment to reducing youth unemployment. If the Council doesn't participate how can we expect others?

Town Centre

The strategy placed a great deal of emphasis on improving the Town Centre. There are a variety of elements to that including; how the centre looks, possibilities for physical improvement especially around the Market Place and ensuring that it is clean and attractive at all times by enhancing the cleansing service.

Youth

We want to look at the provision for youth in 2012/13. There are already proposals to resurrect a Youth Council. The youth service and the facilities in the town will be reviewed by the County Council in the near future.

Arts Strategy

There are proposals for the arts community to work more closely together. This amount will help them to think through their proposals and will enable some small schemes like a joint box office to proceed.

Partnership, Community Development Grants

If localism is to have any real meaning, the capacity of Frome's citizens to engage with decision makers will need to be supported and facilitated. With the reductions in funding for a wide range of services it is clear that the call on Community Grants and partnerships with local groups will increase. This is a small step towards meeting this need whilst also ensuring that ideas such as participatory budgeting are developed.

Household Recycling Centre

This is a new proposal to bring back access by Frome residents to the recycling centre. The County Council's budget cut was a poor decision, affecting many Frome residents who want to recycle as much as they can. In return for supporting this amenity, the Town Council will seek a role in managing the site and work to improve its capacity, which is barely sufficient for Frome. The recycling centre is a key part of the plans to turn Frome's waste into resources, reducing the town's carbon footprint and encouraging the growth of local resource-based businesses.

Carbon Audit

The last administration signed the Town Council up to 10:10 – a commitment to reduce carbon usage by 10% in 2010. We now need to move on from this, carrying out a baseline study on the town's use of energy and identify opportunities for reductions in both energy and cost.

Options:

Council could of course do nothing, reduce its budget back to 833k (in line with current inflation) and continue to employ officers but with fewer schemes to



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manage. There is a real need to recognise that the world is changing, localism will bring extra responsibilities and possibilities. The Council can ignore these or embrace them. It is a fact that bit by bit the County and District are withdrawing from providing local discretionary services, already we can see the implications around environmental provision, no weeding of gutters, tarmac for flagstones, a poor cleansing service and so on.

In previous times the County or District would have dealt with most of the new proposals to be included in the budget, perhaps with the exception of the apprentice, partnership and grants increase and carbon audit. The new proposals are not about empire building but more about recognising what needs replacing at a very local level and just as importantly acknowledging the vast amount of work completed by Vision for Frome and the Community Plan which is now linked to a carefully thought through Town Council strategic plan and budget.

Band D Council Tax Implications:

The Council does not intend to draw on reserves but to increase the precept for the Town Council by 37p per week or £1.59 per month for the average band D property. There will be no increases in other areas of government, police or fire so that the average Band D property paying £1,504 per annum in 2011/12 will pay £1,523 in 2012/13, an increase of £19.10 or 1.2%. Four times as many as Band D households are rated below band D, so their increase will be less 1.2%.

Further Intentions:

The majority party (Independents for Frome - IFF) have also indicated that early next year they intend to put an end to the indecision surrounding the long mooted office move and the provision of photovoltaic cells for the Cheese & Grain. Subject to the approval of the Council, and all of the other necessary permissions, the IFF signal that they will sell Palmer Street, utilise the Earmarked Reserves for office accommodation and move the Town Council office to the mezzanine floor in the Cheese and Grain where 50kw of photovoltaic cells will be installed on the roof.

This will allow for a new reception area, a proper dedicated meeting area for the Council and others, a lift, a charging point for electric vehicles, a proper landscaped link to the town centre and some merger of the reception and computer services (thus allowing other arts venues and community groups in town to use one central box office service). Tenders are already in for the provision of the PV cells and the lowest tender for this element of the work is £86k. Even at the new lower rates this will generate an income of £7k per year for 25 years, a return in the region 8%. It is possible that the tariff will be further reduced from April 1st so it is planned that this first phase be brought for approval at the January Full Council.

Reserves:

General and Earmarked Reserves will be discussed at the next Full Council on 25th January 2012 where it may be decided to re-allocate some reserves to facilitate actions arising from the new Strategic Plan.



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Implications & Risks:

Financial and Resource Implications

Town and Parish Councils are required to consider their estimates and demand their precept before a predetermined date in January 2012. It is the Council as a whole that is responsible in law for ensuring that its financial management is adequate and effective. The anticipated net effect on the annual Council Tax bill for band D properties (national indicator which the average Council Tax is based on) is 37p per week or 1.2%

Legal Implications and Legislative Powers

Local councils are local government bodies, and can only do that which they are empowered to do by law. The introduction of the Localism Act widens those powers which are expected to be enacted in April 2012.

Risk Assessment

As a safeguard to the proper discharge of accountability, external auditors in the public sector give an independent opinion on public bodies' financial statements. They may also review and report on aspects of public bodies' arrangements to ensure the proper conduct of their financial affairs, and those to manage their performance and use of resources.

Recommendations:

Estimates 2012/13 - that Full Council considers and approves the final estimates as presented.

Precept 2012/13 - if Members agree the proposed budget, it is recommended that the precept demand is set at £964,609 (£107.71 per band D household).

11 FOR DECISION – VICTORIA PARK OFFICE, GREENHOUSES AND OPEN LAND BEHIND (15 minutes)

Author: Chief Executive

Purpose of the report:

To consider the transfer of the Victoria Park office block, greenhouses and land behind to the Frome Steiner Free School.

Background and current situation:

On the 11th October 2011 it was nationally reported that the Steiner Free Academy is due to open on the former Frome hospital site on Park Road in September 2012.

It is anticipated that the school will accommodate approximately 640 students when fully operational. The Steiner organisation has, to the best of the Chief Executive's knowledge, acquired rights to the old hospital site, the mental health unit behind and the medical practice site. It is also known that they have put in expressions of interest for the Somerset County Council building on the junction of Park Road and Christchurch Street West and the Parish Hall in Park Road.

A representative of Steiner Free Schools, Mr Guy Marson, has approached the Town Council to establish whether or not it would be willing to transfer the main park offices, the greenhouses and the open land behind to them. This site sits adjacent to the main park and is not accessible by the public as it is used for the



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maintenance and operation of the park. The grounds maintenance team, park wardens and senior manager reside there.

Should the Council be minded, in principle, to approve such a transfer negotiations can then take place to find sufficient space to store and maintain all of the grounds maintenance equipment and new office could be built adjacent to the bowling club which could benefit both parties. This may help overcome the problem currently experienced with storage of grounds maintenance equipment which is stored separately and is insufficient for future needs. Should the Town Council take on more localised outside services such as street cleaning and other grounds work it will require greater storage space and facilities.

Mr Marson has stated in his early approach that the buildings, greenhouses and open land behind would remain as part of their learning curriculum and ethos.

Implications & Risks:

Financial and Resource Implications

At the moment there are no financial implications but should a legal agreement be entered into any costs arising must not be a financial burden to the electorate. Due consideration will also be given to relocating personnel and equipment.

Legal Implications and Legislative Powers

The Chief Executive would employ an appropriate legal advisor to assist with the transfer and he could ensure that covenants are put in place to prevent development of this land.

Risk Assessment

The establishment of a Frome Steiner Free Academy is likely to stir emotive arguments for and against its existence and location. If the Town Council is minded to transfer the land adjacent to the park it should be sensitive to needs and desires of the electorate to mitigate any perceived risks and fears from the public

Recommendation:

That the Town Council considers the Steiner School's proposal and authorises the Chief Executive to enter into detailed discussions with a view to transferring the park office, greenhouses and land behind to the Steiner organisation.

12 FOR DECISION – GRANT APPLICATION; FOREGROUND (15 minutes)

Author: Chief Executive

Purpose of the report:

To consider a late community grant application by Foreground.

Background and current situation:

At the External Affairs Committee held on the 9th November 2011, Foreground gave a presentation on their latest project which has received an Arts Council grant subject to further match funding.



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At that meeting they revealed that they would like the Town Council to deliver the match funding of £3,000 for their 'Notes from Nowhere' project. Although the Chief Executive advised that the current years grant scheme was oversubscribed and closed, it was suggested that Foreground may wish to formerly apply for the grant which would be duly considered at this meeting of Full Council. (Grant application and financial statement attached and for Members of the Council only).

Implications & Risks:

Financial and Resource Implications

The current year's grant budget is set at £60,000 and the Council has so far over committed this by a further £2,500 excluding the one-off grant of £5,000 to the Chamber of Commerce to enable them to promote and deliver a creative business opportunities fair in March 2012.

Legal Implications and Legislative Powers

The Council has the power to support arts so long as it is satisfied that it directly benefits the parish.

Risk Assessment

Foreground produce creative arts to which some people find both interesting and offensive due to the extreme nature of what is produced. Many people may have the view that producing art based 'notelets/postcards' in Frome is a good project to support. However to send these cards out to non residents (the example given in their presentation was to send postcards to Londoners telling them to 'Evacuate London') could lead to issues about spam mail (especially when a recipient has elected not to receive unsolicited mail) and members of the public may question what the real benefit or value is.

Recommendation:

That the Town Council gives fair consideration to Foreground's grant application and decides whether or not to support the application for £3,000.

13 FOR DECISION – COMMUNITY INFRASTRUCTURE LEVY CONSULTATION RESPONSE (15 minutes)

Author: Jane Llewellyn, Planning Administrator

Purpose of the report:

To consider the response to the Community Infrastructure consultation document.

Background and current situation:

Members were emailed a copy of the consultation document on 26th October 2011, and asked to submit any comments in response the consultation questions for consideration at Full Council. No comments have so far been received. The closing date for responses is 30th December 2011. Attached to this agenda is a list of suggested responses, which I believe take into account the views of the Planning Sub Committee.

Recommendation:

It is recommended that the proposed responses be agreed and a formal response is sent to Department of Communities and Local Government.



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14 FOR DECISION – ENDORSEMENT OF SUMMARY OF SAXONVALE PLANNING BRIEF (5 minutes)

Author: Deputy Chief Executive

Purpose of the report:

To consider a request by the Frome Civic Society to endorse their summary of the Saxonvale Planning Brief and to consider a possible contribution towards the printing of this document.

Background and current situation:

Cllr Graham Burgess has requested that Council endorse a summary of the Saxonvale Planning Brief recently produced by The Frome and District Civic Society. A summary of a highly regarded but complicated document would aid public understanding and inform the debate on the future of Saxonvale. The document is attached to the agenda. By endorsing this document there is no risk to the Council as it is a factual summary of the full planning brief adopted by MDC.

Cllr Burgess may like to propose that this Council contributes towards the printing of this document. It is estimated that the cost of printing this document in-house with the Civic Society collating it would cost approximately £1000 for 1000 copies.

Members should note that the Town Council has no allocated budget and that the grants budget is exhausted for this year. It is not normal practice for the Town Council to pay for printing of a publication from an outside body.

Recommendation:

It is recommended that this document is endorsed and placed on the Council's website to help inform the public debate.

Members also need to decide whether to bear the cost of the printing for an outside organisation.

15 DATE OF NEXT MEETING

Wednesday 25th January 2012, venue TBA

Vernon Anderson
Town Clerk / Chief Executive

Frome Town Council
5 Palmer Street
Frome
BA11 1DS

1st December 2011



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