

ANNUAL TOWN COUNCIL MEETING
19 May 2015

Present: Councillors Beck, Briggs, Campbell, Draper, Edwards, Jones, McIntyre, Mellows, Morris, Nicholson, Riley, Swift, Upson, Westmorland & Wootton.

No members of the public were in attendance.
2 Police Officers were in attendance.

Councillor Upson opened the meeting by thanking past Councillors for their service to the Town Council and welcoming the new Councillors.

01 Election of Chairman

In accordance with the provisions of the Local Government Act 1972, the first item on the agenda is to appoint the Chairman of the Town Council for the ensuing year.

Councillor Draper proposed Councillor Upson for the position of Chairman. This was seconded by Councillor Westmorland.

RESOLVED: That by a unanimous vote Councillor Upson was appointed Chairman of the Town Council for the ensuing year.

Councillor Upson thanked members for voting for him and stated that he would endeavor to do his best for the Town Council and the Community.

02 To receive the Chairman's Declarations of Acceptance of Office

Councillor Upson duly signed the acceptance of office as specified by statutory instrument No. SI. 1990/2447.

03 To confirm delivery by Councillors of their declarations of acceptance of office

The Clerk informed the meeting that all Town Councillors elected at the recent elections had signed their declarations of acceptance of office.

East Ward Robert Barnes Anderson McIntyre, Jonathon Morris & Ray Riley

Fitzwilliam Ward Alan Draper, Colin Nicholson & Ann Westmorland

Kinsley Ward Dave Edwards, Melanie Jones & Doreen Swift

South Ward Harry Beck, Tony Upson & Frank Wootton

West Ward John Briggs, Darren Campbell & Win Mellows

It was agreed that the information be noted.

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04 Election of Vice-Chairman

Councillor McIntyre proposed Councillor Draper for the position of Vice Chairman. This was seconded by Councillor Swift.

RESOLVED: That by a unanimous vote Councillor Draper was appointed Vice Chairman of the Town Council for the ensuing year.

05 Public question time

To receive questions from Members of the Public as per the Town Council's Standing Orders - 1 d & e.

The Chairman informed the meeting that no questions had been submitted.

06 Police Representation at Town Council Meetings

PC Rae gave a brief report to members on the changes occurring in relation to staffing and plans for the NPT. PC Rae went on to explain about plans on local policing and the increase in crime reports relating to shop lifting, theft from vehicles and house burglaries.

The Chairman thanked PC Rae for his report.

07 Declarations of Interest

Councillors should disclose pecuniary or non-pecuniary interest/s in any item/s on this agenda.

The Chairman read out the following statement. Members are referred to, and shall observe, the provisions of the Hemsworth Town Council's Code of Conduct. If a Councillor has a Disclosable Pecuniary Interest he/she must, unless a dispensation has been granted, withdraw from the meeting room and take no part in the discussion or vote. If any interest (Pecuniary or Non-Pecuniary) has not been entered in the Town Council's register then you must disclose it at the meeting and inform the Monitoring Officer within 28 days of the date of initial disclosure. Failure to abide by the provisions of the Code in regard to Disclosable Pecuniary Interests now amounts to a criminal offence.

No declarations were made.

08 To fix the amount of the Chairman's allowance in pursuance of section 15 (5) of the Local Government Act 1972.

RESOLVED: That the allowance of £800 as agreed in the budgets be approved.

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09 To appoint or otherwise determine the Committee structures in accordance with the agreed terms of reference

Members discussed the Town Clerk's report which was circulated with the agenda.

Councillor McIntyre proposed that the recommendation in the report to adopt the proposed committee structure, membership and terms of reference be approved. This was seconded by Councillor Westmorland.

RESOLVED: That by a unanimous vote the proposal to adopt the proposed committee structure, membership and terms of reference was approved.

10 To determine and appoint members to serve on Committees.

RESOLVED: That the following Councillors be elected to serve on Committees;

Leisure

Councillors Beck, Briggs, Campbell, Draper, Edwards, Jones, McIntyre, Morris, Nicholson, Riley, Swift, Upson, Westmorland & Wootton.

Recreation

Councillors Beck, Briggs, Campbell, Draper, Jones, McIntyre, Nicholson, Swift, Upson, Westmorland & Wootton.

Finance

Councillors Beck, Briggs, Campbell, Draper, Jones, McIntyre, Morris, Nicholson, Swift, Upson, Westmorland & Wootton.

Policy

Councillors Beck, Briggs, Campbell, Draper, Edwards, Jones, McIntyre, Mellows, Morris, Nicholson, Riley, Swift, Upson, Westmorland & Wootton.

11 To agree dates, times and venue of meetings

RESOLVED: That the proposed timetable that had been circulated to all Town Councillors be approved (Page 09 of these minutes).

12 The Council's Financial Regulations

RESOLVED: That the Council's Financial Regulations as circulated to all Town Councillors be adopted.

13 The Council's Standing Orders

RESOLVED: That the Council's Standing Orders as circulated to all Town Councillors be adopted.

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14 Final Accounts (Annual Return) 2014/15

Members discussed in depth the Town Clerks report that had been circulated with the agenda and reviewed and confirmed their actions in carrying out the annual review of the effectiveness of their internal audit system.

RESOLVED: That by a unanimous vote the following recommendations were approved:

That the Town Clerk's report be received and noted.

That the Annual Return for 2014/15 be received and approved subject to any comment or observation by the External Auditors (Littlejohns LLP) and signed by the Chairman and Town Clerk.

That approval is given to the Risk Register.

That the checklists – Appendix C (Internal Audit) of the report were reviewed and actions confirmed so as to meet the regulations that this Town Council has carried out its annual review of the effectiveness of their internal system.

That the Annual Governance Statement is approved and signed by the Chairman and Town Clerk.

That the appointment of Yorkshire Audit for the next 12 months be approved along with their Terms of Reference.

That Members noted the advertising arrangements re: Notice of the appointment of date for the exercise of electors rights for the accounts – year ended 31st March 2015 (Statutory requirement).

15 Financial Statements for the year ended 31 March 2015

Members discussed the Town Clerks report that had been circulated with the agenda.

It was agreed that the information be noted and the report be approved.

16 Bankers Mandate

The Town Clerk informed members that all 15 Town Councillors had signed the mandate and she was just awaiting completed ID forms to be returned and then the details would be forwarded to the bank.

It was agreed that the information be noted.

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17 General Power of Competence

The Clerk informed members that the Town Council still meets the criteria to take on the General Power of Competence (an eligible council with at least two thirds of its members being declared elected and the Clerk holds the CiLCA qualification).

It was proposed by Councillor Westmorland and Seconded by Councillor Swift that *“This Council resolves that from this date, until the next relevant annual meeting of the Council, that having met the conditions of eligibility as defined in the Localism Act 2011 and The Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012 No. 965, it will adopt the General Power of Competence.”*

RESOLVED: That by a unanimous vote the proposal to adopt the General Power of Competence was approved.

18 To appoint representatives on outside bodies.

It was agreed that Councillors Briggs, Jones & Riley be appointed as representatives for the YLCA.

19 Review of inventory of land and assets including buildings and office equipment

The Town Clerk informed members that it is now advisable to undertake an updated review on all Town Council properties and to instruct consultants to provide a valuation of portfolio of properties within the Town Council’s ownership.

It was agreed that the information be noted and the Clerk obtains 3 quotations for the work and reports back to the Finance committee.

20 Review and confirmation of arrangements for insurance cover in respect of all insured risks

The Town Clerk informed members that a review of all insurance needs was undertaken prior to the budget meeting in February and approval was given at the meeting to accept the quotation from WPS for a 3 year term.

It was agreed that the information be noted.

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21 Correspondence

The Town Clerk reported on the following items of correspondence received:

- a. WMDC – Civil Parking Enforcement Powers

It was agreed that the information received be noted and the Clerk to confirm that this Town Council has no objections.

- b. YLCA – White Rose Update

The Clerk gave details of the general information received and detailed training courses available for members.

It was agreed that the information be noted and that any Councillor wishing to undertake any training should contact the Clerk direct.

- c. Wakefield Strategic Housing Market Assessment

It was agreed that the information received be noted.

22 Planning Matters

The Town Clerk reported on the following:

- a. Weekly planning lists, applications, acknowledgment of comments and notification of decisions

It was agreed that the information be noted and that weekly planning lists would be circulated to Councillors Jones, Westmorland & Wootton.

23 Licensing

It was agreed that the details provided by the Clerk be noted.

24 Town Council Meeting

RESOLVED: That the Minutes of the meeting held on 24 March 2015, as detailed in Minute book No. 7, pages 243 – 245, be confirmed as a true record.

25 To approve the signing of the Minutes as a correct record by the person Presiding

RESOLVED: The Chairman signed the minutes as a true record.

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26 Committee & Sub Committee Meetings

RESOLVED: that the minutes of committees and sub committees, as detailed in Minute Book No. 7, be adopted.

The minutes were moved as a true record.

Page No.	Committee	Date
246 – 255	Leisure	14 April 2015
256 – 261	Recreation	21 April 2015
262 – 265	Finance	28 April 2015
266	Finance Sub	17 March 2015
289 – 290	Policy	05 May 2015

N.B. Payments re: February & March 2015 are detailed on pages 267 – 288.

27 Accounts for Payment

RESOLVED: That in accordance with Minute No. 351 (14/11/95), the accounts for payment as examined and approved under Minute 349 of the Finance Committee held on 28 April 2015, be confirmed for payment.

28 Exclusion of Press & Public

RESOLVED: That in view of the confidential nature of business to be transacted, it is advisable, in the public interest, that the public and press are excluded and they are instructed to withdraw

29 Hemsworth Community – Strategic Planning Strategy

Further to Minute No. 382, Members considered the Town Clerk's briefing note on the contractual & legal issues relating to the sale of land at Kirkby Road which had been circulated with the agenda. The Clerk gave additional details of the legal advice received and members discussed the options and considered necessary action to deal with the outstanding matters.

It was proposed by Councillor Westmorland and seconded by Councillor Swift that this Town Council accepts the payments re; new S106 agreement as highlighted in the Town Clerks briefing note and that this document is signed prior to the conclusion of the outstanding contractual matter.

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29 Hemsworth Community – Strategic Planning Strategy - continued

RESOLVED: That by a vote of 14 for and 1 against, the proposal was approved; To accept the payments re; new S106 agreement as highlighted in the Town Clerks briefing note and that this document is signed prior to the conclusion of the outstanding contractual matter.

Members went on to discuss the outstanding matter (£1.4 million payable to the WY Residuary Body) and the advice received relating to taking legal proceedings as highlighted in the briefing note.

Councillor Upson proposed that following the legal advice received that members agree to the next step forward in finalizing the contract by agreeing to `Item a` of the briefing note. This was seconded by Councillor Swift.

The proposal was then put to the vote;

RESOLVED: That by a vote of 14 for and 1 against, the proposal was approved; That following the legal advice received that members agree to the next step forward in finalizing the contract by agreeing to `Item a` of the briefing note.

Meeting closed @ 8.25 p.m.

T A Pattison
Town Clerk
19 May 2015
Ref: TC 020515-M3.10