

CHESHAM TOWN COUNCIL

MINUTES of the meeting of the **POLICY AND RESOURCES COMMITTEE**

held on Monday 27th September 2010

PRESENT Councillor V.M. Abraham, Chairman (Presiding)

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|------------|------------------|------------|-------------------|
| Councillor | A.K. Bacon | Councillor | Mrs J.C. Fulford. |
| " | Ms J.E. Bramwell | " | F.G. Holly |
| " | M.E. Brand | " | M.W. Shaw |
| " | N.L. Brown | " | P.W. Yerrell |
| " | M. Fayyaz | | |

In Attendance

Councillors E.L. Bamford, M.Z. Bhatti, D.J. Lacey, Mrs C. Littley, Mrs M. Molesworth and C.H. Spruytenburg

Officers: W. Richards – Town Clerk
 S. Pearson – Finance and Contracts Manager

Apologies for absence were received from Councillor Mrs C.M. Michael.

17. **DECLARATIONS OF INTEREST**

There were no declarations of interest that were brought to the Chairman's notice.

18. **MINUTES**

It was

RESOLVED

that the Minutes of the meeting of the Policy and Resources Committee held on 6th September 2010 be confirmed and signed by the Chairman as a true record.

19. **CHESHAM ACTION PARTNERSHIP**

Members received the Minutes of the meeting of the Chesham Action Partnership held on 27th July 2010.

It was

RESOLVED

that the Minutes be noted.

20. **DEVOLVED SERVICES UPDATE**

The Committee considered the current position on the devolved services initiative emanating from Buckinghamshire County Council.

Following a query from a Member, it was agreed that checking and re-arranging of the barriers as requested by Buckinghamshire County Council due to safety concerns of the culvert under the Market Square needed to be covered when the regular operative was on leave. The Clerk reported that the Environment Agency was convening a meeting of all riparian owners whose land was adjacent to the culvert on the 5th October 2010 to inform them of the repairs required.

It was

RESOLVED

that the Report be noted.

21. **RISK ASSESSMENT UPDATE**

The Committee was asked to consider the annual Risk Assessment update.

The Committee noted that there were now over 100 risk assessments covering the majority of the Council's activities and these are conducted by the Policy and Projects Officer with assistance from the relevant heads of sections. Members endorsed the actions proposed by officers to catch up on some of the risk assessments which had fallen behind schedule and agreed that a limited use of Chiltern District Council's paid professional support would be acceptable to assist with the process.

It was

RESOLVED

that the report be noted and the principle of buying in Chiltern District Council's Health and Safety Officer's expertise on an infrequent basis be approved.

Note: Councillor Brown arrived at the meeting at 7.45pm

22. **STAFF APPRAISAL PROCEDURE**

The Committee reviewed the staff appraisal system.

The Town Clerk advised that the current system for appraisals has remained largely unchanged since the adoption of the report produced by the previous Town Clerk in 1998. It was noted that the system was set up in association with ACAS (the Advisory, Conciliation and Arbitration Service) and the Clerk opined that the system seemed to work well with no major conflicts or issues of contention.

While the Committee agreed that there appeared little reason to change the process, Councillor Brand suggested that the paperwork could be altered in some way so the tasks of officers could more readily reflect the aims and objectives of the Council.

Members then discussed the appraisal of the Town Clerk. Councillor Bacon advised the Committee that, in his previous career, he was aware of various tensions between senior managers and appraisers when these were done on a one-to-one basis, often due to personality clashes. He recommended therefore that more than one Member undertook the Clerk's appraisal. The Committee agreed with this suggestion and, in the interests of political balance, it was further agreed that one of the appraisers be from the leading group and one from the opposition.

It was

RESOLVED

that the Committee note the current appraisal system and the Chairmen of the Recreation and the Arts and the Policy and Resources Committees nominate two Members to undertake the Town Clerk's appraisal with one being from the ruling group and one being from the opposition.

23. **LOCAL PRODUCERS' MARKET UPDATE**

Members noted the current position in respect to the local producers' market set up by the Council and Transition Town Chesham and paid tribute to both officers and Transition Town Chesham for creating and sustaining such a successful event.

In respect to the contract for the regular Wednesday and Saturday markets, Councillor Lacey advised that Chiltern District Council was proposing to finalise its plans within the next two months with a view to going out to tender at the end of the year.

It was

RESOLVED

that the Report be noted.

Note: Councillor Bamford arrived at the meeting at 7.50pm and Councillor Bhatti arrived at the meeting at 7.55pm.

24. **REVIEW OF WAYLEAVES**

The Committee discussed whether the Council should be charging for wayleaves (commonly defined as the right of way over somebody else's property, for which payment is usually made) and, if so, at what level they should be set.

The Committee agreed that it would be sensible to continue to charge wayleaves to avoid the possibility of prescriptive rights over Council land. However there was no consensus as to what would be a reasonable charge for both vehicular and pedestrian access over Council land and whether some flat administration fee should be charged. Accordingly officers were requested to investigate what other Councils charged and to report back.

It was

RESOLVED

that comparable wayleave charges set by other Councils be investigated and reported back to a future Committee.

25. **FINANCIAL REPORT FOR FOUR MONTHS TO 31ST JULY 2010**

The Financial Report for four months to 31st July 2010 was presented.

Councillor Brand commended officers for their quick response in releasing funding to allow the erection of a fence at Co-op Field which had already significantly reduced anti-social behaviour in the vicinity.

It was

RESOLVED

that the Report be noted.

26. **EXCLUSION OF PUBLIC AND THE PRESS**

It was moved by the Chairman and

RESOLVED

that the public and the Press be excluded from the following item in accordance with the Public Bodies (Access to Meetings) Act 1960, as matters which are considered to be confidential are about to be discussed.

27. **BOILER SERVICING CONTRACT**

Officers advised Members on issues pertaining to heating systems at the Chesham Moor Swim and Gym Centre and the Elgiva and informed the Committee of details in respect of the Council's proposed maintenance contract.

It was noted that, due to problems with previous engineers who were on a service maintenance contract, the Council had recently been using engineers to undertake the servicing of boilers and heating on an 'as and when' basis, but a new maintenance contract had just been awarded which would cover the systems at the Town Hall, the Elgiva and the Chesham Moor Gym and Swim Centre.

The Committee accepted why the emergency works for the door heaters at the Elgiva had to be authorised by the Chairman and Vice-Chairman of the Recreation and the Arts Committee over the summer. Members also noted that the new boilers at the Chesham Moor Gym and Swim Centre would be subject to an independent report due to the on-going problems with the new boilers installed less than eighteen months ago. The Committee expressed the view however that, dependent on the report's conclusions, recompense should be sought from the suppliers for any loss of income at the Chesham Moor Gym and Swim Centre and the warranty invoked if necessary.

It was

RESOLVED

that the report be noted and the proposals for a maintenance service agreement covering all three main facilities be endorsed.

28. **CHRISTMAS LIGHTS CONTRACT**

The Committee considered the Town Centre Christmas lighting scheme for 2010.

The Committee noted the quotations from the two companies bidding for the contract and, cognisant of these quotations, together with the wish of Members to support a business based in Chesham which had already proved its competence, it was

RESOLVED

that the Council continue with the current contractor for the next three years at the agreed price of £5,825 per annum but with the proviso that the agreement will be terminated should the Council decide to change or reduce the current festoon lighting scheme for whatever reason.

29. **LAND REGISTRY AND ADVERSE POSSESSION CLAIM**

The Committee considered the report by officers in regard to a recent incident concerning

adverse possession of a piece of land by a local resident. The report explained that numerous deeds and paperwork has been forwarded by officers to the Land Registry in light of the Council's decision to proceed with its registration of land and the Land Registry has now completed this task to the officers' knowledge. However, due to the severe enormity of the task, it was reported that officers have not checked the registrations in absolute detail and there was a possibility of the existence of some small manorial waste land being left over from local government reorganisation in 1974 still being unregistered. This lack of total registration had resulted in the Council receiving a recent letter from the Land Registry informing it of an application by a resident to register a small area of land in the north-east of the town which the residents claimed they had acquired the title to by adverse possession.

Members understood the administration difficulties in officers checking all the old maps which were not absolutely clear in any case and accepted that there was little that could be done in respect of the most recent adverse possession claim referred to in the officers' report. However it was agreed that the Council had a duty not to give up any of its land unless it expressly wished to do so and, accordingly, the Committee discussed how best to tackle this issue.

The Committee was in agreement that checking land where ownership was ambiguous was something Members could lead on in their own wards. It was agreed that Members should do an audit of their wards and request sight of any maps at the Town Hall if they were unsure if it was the Council's land or not. Moreover it was suggested that officers request any pertinent maps from Chiltern District Council that may give further details to land passed over to the Council during the 1974 local government reorganisation.

It was

RESOLVED

that Members audit their local wards and highlight any pieces of land that they believe may belong to the Council and that officers attempt to verify such ownership through Chiltern District Council and/or the Land Registry.

30. **CLOSE OF MEETING**

The meeting closed at 8.20pm.

CHAIRMAN