

Holme Valley Parish Council

MINUTES OF THE COMMUNITY ASSETS SUPPORT COMMITTEE MEETING HELD ON MONDAY, 29 JANUARY 2018

Those present:

Chairman: Cllr D Bellamy

Councillors: Cllrs K Bellamy, J Brook, E Bunbury, JG Cropper, TW Dixon, R Hogley and J Roberts

Officer: Mrs S S Barber

1718 83 Public Bodies (Admission to Meetings) Act 1960 amended by the Openness of Local Government Bodies Regulations 2014

As Parish Council meetings can now be recorded, the Chairman checked if anyone wished to record the meeting, to ensure reasonable facilities could be provided. No-one wished to do so, but the Clerk recorded the meeting (for Minute purposes only) and the recording would be deleted once draft Minutes had been ratified.

1718 84 Public Question Time

Three members of the public were present.

1718 85 To accept apologies for absence

Apologies for absence were accepted from Cllrs S Baggott and G Christofi.

1718 86 To receive Members' personal and disclosable pecuniary interests in items on the agenda

Cllrs JG Cropper and J Roberts declared a personal interest in any items relating to Holmfirth Civic Hall.

Cllrs DK Bellamy and E Bunbury declared a personal interest in any items relating to Honley Library.

1718 87 To consider written requests for new DPI dispensations

None received.

1718 88 To consider whether items on the agenda should be discussed in private session

It was agreed that part of item 8(2) (Honley Library – Community Asset Transfer) be taken in private session, owing to the confidential matter of items to be discussed.

1718 89 To confirm Minutes of the previous Committee meetings

Members considered the accuracy of the Minutes of the previous CASC meeting held on 11 December 2017. Cllr E Bunbury (and Cllr S Baggott) had requested an amendment to Minute No. 1718 78(3) because of the use of the words 'collective responsibility' which should be deleted. Cllr Bunbury felt that, in the political world, the discipline of collective responsibility implied that a gagging order was to be imposed but she wanted the right to continue commenting in public if she did not agree with a decision made by the Council. She therefore felt that advice should be sought from YLCA as to the lawfulness of using the terminology 'collective responsibility' in the Council's Minutes, any legal standing and relevance to elected members of a Local Council (as opposed to Central Government or even

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a District Council), particularly as the Parish Council does not have a Cabinet or anyone in a ministerial role.

Members debated the other Members' concerns about the terminology and the Chairman of the Council summed up by stating that to equate it to some sort of dictatorship was untoward and it was not correct to suggest that there was any implication that this could become a dictatorship. The Council is a democracy and Members should be free to say whatever they wish, inside Council meetings. Although they had to accept the democratic decision, it should not stop them saying that they voted against it because they didn't agree with whatever the issue was, but the Council was definitely not trying to impose a dictatorship.

A further amendment, to the resolution of Minute No. 1718 81(1) was also considered, because it was agreed that any increase in other committees' budgets (as agreed by full Council) would be taken out of the CASC budget so that the precept can be frozen next year (2018-19).

RESOLVED: (1) That the Minutes of the Committee meeting held on 11 December 2017, numbered 1718 70 to 1718 82 inclusive be confirmed, subject to two amendments:
(i) Minute No. 1718 78(3) - That part of the sentence containing the words "collective responsibility" should be deleted, although Members should recognise the democratic process and accept that their view, however ardently felt, may be in the minority.
(ii) That the resolution in Minute No. 1718 81(1) be amended to read as detailed above.
(2) That the Clerk be authorised to seek advice from YLCA/NALC on the legality of use of the terminology "collective responsibility" by the Council (on the basis of the views and concerns detailed above).

1718 90 Honley Library – Community Asset Transfer

(1) Progress of Honley Library Asset Transfer Working Group: Standing orders were suspended to allow a representative of Friends of Honley Library (FOHL) to address Members on progress being made by the Honley Library Asset Transfer Working Group. Two meetings had been held so far, the Expression of Interest was now ready to send (subject to approval by the Parish Council this evening), the Group was considering setting up a Charitable Incorporated Organisation and working on the first draft of a Business Plan. Service Level Agreements would also be required, with the Parish Council and Kirklees Council Library Services.

Kirklees Council were now consulting on the Library Services review and it was clear that Kirklees Finances were not in a good place and cut backs would have a detrimental impact on library services across the District.

Standing Orders were resumed.

RESOLVED: That the Expression of Interest, as drafted, be approved and submitted (by the Clerk) to Kirklees Council immediately; Members of the Working Group to be copied into the acknowledgement to be requested from Kirklees.

1718 91 Exclusion of Public and Press

RESOLVED: That the business of the Council now to be transacted be not open to the public or press on the grounds that the matters to be considered are of a confidential nature.

1718 92 Honley Library – Community Asset Transfer

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Cllr R Hogley entered the meeting at the start of this item.

(2) Building, electrical and other surveys: A number of quotations for detailed surveys had been circulated, so that the Group and the Council (as potential owner of the building) would know the full extent of what was being taken on in the Asset Transfer.

The Group had also commissioned a condition report on the current heating system and other areas of the building to identify any efficiency related upgrades which could be made. The heating system was satisfactory but would benefit from an upgrade to the controls system to offer better energy reduction.

The Clerk suggested that contact should also be made with the Green Building Company (who had previously advised the Council on cost savings to be made on Holmfirth public conveniences) to assess any further cost savings/efficiencies that could be achieved. The Clerk to provide contact details.

RESOLVED: (i) That Broadbent Chartered Surveyors be appointed to carry out a full structural building survey of Honley Library; the Clerk to instruct the contractor on behalf of the Council, for the account to be submitted (and settled) by the Parish Council (not FOHL). (ii) That the Clerk be authorised to provide the names/contact details for one or two electrical contractors, for further comparative quotations to be sought by the Group; subject to three quotations being provided, delegated authority be given to the Clerk (through liaison with the Chairman of this Committee (Cllr D Bellamy) and Cllr J G Cropper) to appoint an appropriately qualified (NICEIC registered) contractor, within a budget of £450 (excluding VAT) to carry out a full electrical survey and make their recommendations on any work necessary. (iii) If any urgent works are revealed in the surveys, an approach should then be made to Kirklees Council to pay for such works, before the asset transfer is completed.

Cllr DK Bellamy left the meeting briefly. Cllr TW Dixon took the Chair in her absence.

Three members of the public were thanked for their attendance and left the meeting.

1718 93 Re-admittance of the Public and Press

RESOLVED: That the public and press be re-admitted to the meeting.

1718 94 Honley Library – Community Asset Transfer

(3) Members considered the Council's response to a Libraries Consultation Survey with the deadline for views by Monday, 2 April 2018.

RESOLVED: That all Members of the Council be encouraged to complete the survey if possible (and a reminder made to mention at the forthcoming full Council meeting on 5 February 2018).

Cllr DK Bellamy re-entered the meeting and took the Chair.

1718 95 Holmfirth Public Conveniences

(1) The Clerk had nothing to report on the day-to-day running of the public conveniences.

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RESOLVED: Nothing to report.

(2) Members noted that building works to part of the public conveniences had been due to start in the first week of February 2018, but due to a number of issues raised by the appointed contractor during an initial site meeting (involving Cllrs S Baggott and J G Cropper), a number of suggestions had been made by the contractor to layout changes. Cllr Baggott, who was not able to attend this meeting, had circulated his written report of the initial site meeting and summarised the issues. Members were not entirely satisfied with the revised plan provided by the contractor, any additional costs were unacceptable at this stage (after the tender process) and Members did not want any proposed changes to have a negative impact on the existing planning permission.

As the Clerk had already been appointed Project Manager, to be assisted by Cllrs S Baggott and J G Cropper on management of this project, and as the Council could only delegate authority to the Clerk, a Committee or Sub-Committee (or another authority), not individual councillor(s), it was

RESOLVED: (i) That delegated authority be given to the Clerk to make decisions (within the Budget already set) so that any issues do not have to be fed back to CASC for decision and delay the project.

(ii) That a further site meeting should be held with the contractor as quickly as possible, to resolve any issues, without the need for a revised planning application. Due to Cllr Baggott's current ill-health, it was acceptable for two out of three Council project management team to attend the site meeting; the Clerk to liaise with the contractor accordingly (and to establish a revised start date - if later than the original date suggested and details of the proposed phasing of the works to have as little impact as possible on users of the toilet facilities).

(iii) That it be stressed to the contractor that they must deliver the plan as approved by Kirklees Council (and previously quoted for) without the need for a revised planning application and any substantial increase in costs, ideally by the end of March 2018 (i.e. before the town's many outdoor festivals and special events).

Cllr P Davies entered the meeting as an observer.

1718 96 Holmfirth Civic Hall

(1) Members noted receipt of copies of the final version of the lease (between the Parish Council and Holmfirth Civic Hall Community Trust (HCHCT) regarding responsibility for the building and its day-to-day running and management) ready for authorised signatures.

RESOLVED: That the lease be signed, by the Clerk and two of the Council's authorised signatories, as soon as possible.

(2) Members considered a number of queries from the Council's appointed solicitor on the Underlease (Sub-lease) between HCHCT and the Council regarding the anchor tenancy. However, contrary to the preference of the Finance & Management Committee, Members of CASC would prefer to continue using the Exhibition Room for meetings and the small office off for the Council's Officers to work from.

RESOLVED: (i) That the Office/Meeting Room Accommodation matter be referred to full Council, to decide which Committee should have overall delegated authority to come up with a solution for the Council, that fits in with HCHCT's longer term aims and objectives for the building.

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- (ii) The Committee with overall responsibility for the project (and delegated authority to manage the project, within an appropriate budget) should then continue to look at all the options (Exhibition Room or Lesser Hall Stage, with appropriate office spaces off) and sound-proofing of those areas and any other parts of the building that would benefit from such works, but for regular updates to be made to full Council on progress being made.
- (iii) That access to the current Council Office should be restricted to the Council's representatives on the HCHCT Board, possibly via a keybox temporarily installed in the Exhibition Room, until such time as the Council has its own dedicated space (if possible).
- (iv) That, when Cllr Baggott is feeling better, he and the Clerk should liaise to review the solicitor's queries regarding the Underlease, so that a response can be provided in due course (but any Budget implications can also be considered, if necessary).

(3) There were no other priority matters relating to Holmfirth Civic Hall or HCHCT.

RESOLVED: That the above be noted.

1718 97 Grants to support Community Assets

(1) Grant Governance: Cllr S Baggott's views on his concerns re grant governance had been circulated (as he was unable to attend this meeting). When any Council grant has been awarded, the total amount is paid to the recipient (community group or organisation) up front and for Finance & Management grants of up to £1,000 this is not a major issue. However, it was agreed that for larger grants, such as the Community Asset grants, with more substantial amounts involved, the Council should impose more controls over what the monies are spent on (to ensure they are not expended on items not covered by the grant) and how the recipient must report on the monies spent, and repay any underspend.

RESOLVED: (i) That stage payments be considered for any Community Asset grants in the future, and a request to any applicant to provide regular progress reports, details of targets achieved and updated financial statements.

(ii) That such reports be requested from HCHCT on the funding already provided to date (to be provided at next week's Council meeting, when they will be in attendance) and on any further grants approved (possibly later in this meeting).

(2) Members considered a further request for funding from Holmfirth Civic Hall Community Trust (HCHCT) towards one year's Staffing costs.

RESOLVED: That £60,000 be approved in principle, subject to a satisfactory progress report and financial statements being provided by HCHCT at next week's Council meeting, for the Council to ratify this further funding; the £60,000 to be paid in four stage payments, the first on 31 March 2018, the second payment three months later, i.e. 30 June 2018, the third payment a further three months later (i.e. 30 September 2018) and the fourth and final payment of this grant on 31 December 2018.

1718 98 Other Community Assets in the Holme Valley

(1) Cllr T W Dixon updated Members on what he had heard about Kirklees College's plans for the Holmfirth Adult Education Centre and the suggestion that they might attempt to get the covenant lifted, so that the building could be sold (to raise funds for Kirklees College).

RESOLVED: That all interested parties be invited to a future Special CASC meeting, with this one main item on the agenda; that a recommendation be made to full Council for the addition to the Schedule of Meetings and time for the Clerk to make the necessary

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arrangements for the meeting and any associated invitations to attend and publicity for it.

(2) Other community assets in the Valley at risk of disposal by Kirklees Council: Members noted that a meeting still had to be rescheduled with a Kirklees Officer regarding the short term/longer term future of Holmfirth Market Hall. A query was also raised as to the necessary changes of use for the old Council Offices, which were now being used for residential purposes. An enquiry had also been forwarded to Kirklees Corporate Landlord regarding a plot of land in Holmbridge, that might be suitable for use as allotments.

RESOLVED: That the Clerk would progress matters on these community assets and report accordingly at the next CASC meeting.

1718 99 Freedom of Information Act 2000 – to agree what information will be made available to the public

RESOLVED: That, under the Council's Publication Scheme, supporting papers for any item within the public session of the meeting be made available, if requested, after confirmation of the minutes.

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Chairman