

**MINUTES OF THE COUNCIL MEETING
HELD ON THURSDAY 6 DECEMBER 2007**

Present: Cllr P La Broy - Mayor

Cllrs J Blatchford, J Bryson, P Dolphin, L Emo, T Macey, L Moores, P Moores,
F Partridge, H Partridge, H Phillips, L Sharratt

Mrs C Kett – Town Clerk

Mrs S Smith – Accounts Officer

C/159/07

To receive and accept apologies for absence

Cllrs E Greenwold, K Harris, R Rowland, N Tucker

C/160/07

To receive Members Declarations of Interests

Cllr H Phillips (as prospective user of gallery) declared a personal interest in the approval of the Heritage & Culture Committee minutes: gallery booking conditions
C/162/07

Cllr P Dolphin (as Vice President of NCCC) declared a personal and prejudicial interest in the Properties Committee budget and particularly items relating to NCCC

C/161/07

To receive, confirm and sign the minutes of the Council meeting held on 1 November 2007

Resolved: That the minutes are a true and accurate record and they should be signed by the Mayor

C/162/07

To receive and consider reports and minutes of the following committee meetings and adoption of any recommendations contained therein:

Resolved: That consideration of all the committee minutes be deferred until after C/172/07 - the 2008/2009 budget discussions

It was proposed (Cllr P Dolphin) and seconded (Cllr L Sharratt) that discussion of item C/172/07 be taken next. The proposition was defeated

C/163/07

(a) **Correspondence Received: for information**

- (i) NCDC: Local Action for North Cornwall (*copy of letter to all cllrs*)
Noted
- (ii) NCDC: Local Plan, saved policies (*copy of letter to all cllrs*)
Noted
- (iii) CCC: Highways Structures Assessment and Strengthening Programme consultation (*copy of letter to all cllrs*)
Noted

(b) **Correspondence Received: action required**

- (i) St Petroc's School: cross country event 8 February 2008; request for permission to use Summerleaze Downs for this event
Resolved: That permission be granted to St Petroc's School for this event to take place on Summerleaze Downs on 8 February 2008
- (ii) Cornwall & Isles of Scilly NHS: Application for preliminary consent to be included in the pharmaceutical list – Assura Pharmacy, Retail & Medical Centre Development, off Stratton Road, Bude (*cover letter sent to all cllrs: application available in BSTC office*)
Resolved: That this be referred to the Planning Committee meeting on 20 December 2007
- (iii) RNLI – request for consent to erect RNLI tent in Castle Grounds 22 August - 1 September 2008 for Lifeboat Week and also permission to use Shalder Hill for firework display on 25 August 2008 (*item deferred from meeting on 1 November 2007- awaiting additional information*)
Resolved: That permission be granted to the RNLI for the use of The Castle Grounds from 22 August – 1 September 2007 subject to the conditions imposed in 2008 (including closure of the tent following the firework display)
Resolved: That permission be granted to the RNLI for the use Shalder Hill for the firework display on Monday 25 August 2008

subject to the RNLI informing the residents of The Crescent of the display and subject to the RNLI clearing away from the Shalder Hill any debris created by the display

- (iv) Cornwall & Isles of Scilly Community Safety Partnership: 2007 Crime, Drugs and Disorder Audit Consultation (*copy sent to all cllrs*)
Noted

C/164/07 **Maximum 15 minutes for electors present to put questions or make observations concerning the business of the Council**

Resolved: That Standing Orders be suspended

Several electors commented upon the recommendation for the level of precept which had been made by the FS&GP Committee on 29 November 2007 together with the subsequent report of this meeting in the Bude & Stratton Post. Discussion followed

Resolved: That Standing Orders be resumed

C/165/07 **Opportunity for CCC cllrs present to discuss CCC issues relevant to BSTC**

None present

C/166/07 **Opportunity for NCDC cllrs present to discuss any NCDC issues relevant to BSTC**

Cllr N Pearce (NCDC) commented upon the Local Development Framework consultation, litter bins and the proposed 49% increase in BSTC's precept
Cllr P Dolphin (NCDC) stated that unitary elections would take place in 2009 with the next town and parish council elections scheduled for 2013 - thus bringing the elections for the unitary and parish in line with each other

C/167/07 **CCC/One Cornwall: Parish & Town Council Survey; formulation of consultation response re issues such as devolved services, local asset management and ownership, the role of community network areas etc** (*copies of letter and survey circulated to all clls*)

Resolved: That an extra ordinary Council meeting be convened at 7pm on 13 December to consider this agenda item

C/168/07 **NCDC: North Cornwall Local Development Framework; formulation of consultation response re the preferred options development plan documents** (*copy of covering letter and memo sent to all cllrs – copy of documents in BSTC office*)

Resolved: That an extra ordinary Council meeting be convened at 7pm on 13 December to consider this agenda item

C/169/07 **Annual Return to 31 March 2006; re-approval of Section 1 of the Annual Return (previously approved by Council 7 September 2006) following adjustments required by the Audit Commission** (*report sent to all Cllrs - attached as an appendix to these minutes*)

Resolved: That, with the adjustments required, Section 1 of the Annual Return to 31 March 2006 be approved by the Council

C/170/07 **NCDC (Off Street Parking Places) (Amendment) Order 2008: consultation response required by 20 December 2007** (*copy of schedule to all Cllrs*)

Resolved: That BSTC request that NCDC consider the introduction of the first 30 minutes being free of charge in the Crescent Car Park, Bude

Cllr P Dolphin requested that her abstention be recorded

C/171/07 **Financial Report**

Resolved: That consideration of the financial report be deferred to the end of the meeting

C/172/07 **2008/2009 Budget: Consideration of the annual estimates of income and expenditure for 2008/2009 prepared by the committees together with the recommendation from the FS&GP Committee meeting held on 29 November 2007 that the draft budget for 2008/2009 is recommended for adoption by the Council and that the precept for 2008/2009 be set at £783,448 - this being an approximate increase of 49% on the current financial years precept** (*copy of recommended annual estimates of income and expenditure and the summary of the draft budget for 2008/2009 supplied with agenda to all Cllrs*)

The Mayor opened this item by stating that he felt that pride should be taken in what BSTC had achieved at The Castle and the facility should be supported so that it could achieve its potential. A period of stabilisation was required so that BSTC could prepare for the coming of the unitary authority. The Mayor expressed concerns regarding the recommendation for a 49% increase in the precept and, following discussions with the Town Clerk, he has a proposal which would deliver a 4.7% increase on the precept figure. This was seconded.

An amendment was tabled that the increase on the precept be set at 19%. Discussion followed

A recorded vote was requested

For the amendment: Cllrs T Macey, L Moores, P Moores, F Partridge, H Partridge

Against the amendment: Cllrs J Blatchford, J Bryson, P Dolphin, L Emo, P La Broy, H Phillips, L Sharratt

The amendment was lost

An amendment was tabled that the increase in the precept be set at 16%. Discussion followed

A recorded vote was requested

For the amendment: Cllrs J Blatchford, T Macey, L Moores, P Moores, F Partridge, H Partridge

Against the amendment: Cllrs J Bryson, P Dolphin, L Emo, P La Broy, H Phillips, L Sharratt

The Mayor used his casting vote against the amendment

The Mayor detailed his proposal which involved the removal of £215,000 from the Properties Committee 'Property Enhancement Programme' budget; the removal of £5,000 from the Properties Committee 'Buildings RAM' budget; deferral of £5,000 from the Recreation Committee 'Projects: Decorative Lighting (Rattenbury)' budget; removal of £5,000 from the 'Parkhouse Centre: Building RAM' budget; removal of £2,000 from the 'Administration: Equipment, Furniture & Materials' budget

A recorded vote was requested

Resolved: That the increase in the precept be set at £551,448 (approximately 4.7% increase) and this be achieved by the removal of £215,000 from the Properties Committee 'Property Enhancement Programme' budget; the removal of £5,000 from the Properties Committee 'Buildings RAM' budget; deferral of £5,000 from the Recreation Committee 'Projects: Decorative Lighting (Rattenbury)' budget; removal of £5,000 from the 'Parkhouse Centre: Building RAM' budget; removal of £2,000 from the 'Administration: Equipment, Furniture & Materials' budget

For the proposition: Cllrs J Bryson, P Dolphin, L Emo, P La Broy, T Macey, H Phillips, L Sharratt

Against the proposition: Cllrs L Moores, P Moores, F Partridge, H Partridge

C/162/07
CONT

To receive and consider reports and minutes of the following committee committee meetings and adoption of any recommendations contained therein:

- (i) **Properties Committee 8 November 2007**
Resolved: That the report and minutes be adopted by the Council
- (ii) **Planning Committee 15 November 2007**
Resolved: That the report and minutes be adopted by the Council
- (iii) **Heritage & Culture Committee 15 November 2007**
Resolved: That the report and minutes be adopted by the Council
Cllr J Bryson requested that her vote against be recorded
- (iv) **FS&GP Committee 15 November 2007**
Resolved: That the report and minutes be adopted by the Council
Resolved: That the recommendations contained in FS/88/07 be adopted by the Council
- (v) **Recreation Committee 22 November 2007**

- (vi) **Resolved: That the report and minutes be adopted by the Council FS&GP Committee 29 November 2007**
Resolved: That the report and minutes be adopted by the Council
Resolved: That the recommendation contained in FS/97/07 be adopted by the Council
Cllr H Phillips, as per her previously declared personal interest, requested that her abstention be noted
- (vii) **Planning Committee 6 December 2007 (tabled)**
Resolved: That the report and minutes be adopted by the Council

C/173/07

Resolved: Public Bodies (Admission to Meetings) Act 1960 S1(2) & S1(6)
“That in relation to the following item publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted and the press and public are instructed to withdraw”. The following item is confidential and the meeting will proceed ‘in committee’

The following minutes are considered confidential and as such are only currently available to councillors

COUNCIL
6 December 2007

Agenda Item 11; Annual Return to 31 March 2006; re-approval of section 1 of the Annual Return (previously approved by the Council 7 September 2006) following adjustments required by the Audit Commission

1. Background

The Annual Return to 31 March 2006 was agreed by the Council in September 2006 and subsequently submitted to the external auditor, the Audit Commission, in October 2006

2. Current Situation

In August 2007 the Audit Commission identified some adjustments to Section 1 of the Annual Return (copy attached) which needed to be resolved prior to the conclusion of the audit for 2005/2006; they are:

- The Annual Return should only include actual income and expenditure. Box 3 (other receipts) and box 6 (other payments) include notional transactions i.e. capital charges and depreciation. Notional figures should be excluded from the Annual Return. Therefore, box 3 & box 6 for the years ending 31 March 2005 and 31 March 2006 have been adjusted
- The loan received from the PWLB needs to be included in box 3 of the year ending 31 March 2006
- The adjustments required above have a knock on effect on box 7. Therefore the balances carried forward to the year ending 31 March 2006 has also required adjustment

I have discussed these adjustments in detail with the Internal Auditor. It would appear that the matters have arisen because SORP (Statement of Recommended Practice) compliant accounts were prepared which included all the capital entries required for larger councils. Currently this standard of accounts is not required of BSTC according to the Accounts & Audit Regulations 2003 (as amended 2006) as at the time the gross income/expenditure had not exceeded £1 million or more for 3 consecutive years (i.e. larger local council standard). BSTC was only required to produce accounts in the form of the Annual Return issued by the External Auditor (i.e. medium local council level). The information required for the Annual Return was extrapolated from the more detailed accounts but the capital account entries had not been stripped out as they should have been.

Please note: from next year BSTC will, once again, be required to produce SORP compliant accounts as it will have had a gross income or expenditure of £1 million or more for that year and also for each of the two preceding years. Those who have been councillors for some time will recall that up until the 2006 amendments to the Accounts & Audit Regulations 2003 the threshold was £500,000 (and BSTC fell into this bracket). The 2006 amendment increased the threshold to £1 million, so BSTC fell back into the medium local council range, but it was decided to continue to produce the more detailed accounts as it was likely that at some point in the near future BSTC would break that threshold in three consecutive years – which indeed it will do in 2008

3. Recommended

The Audit Commission has asked that, having made the adjustments required, the Council should re-approve Section 1 of the Annual Return. The Audit Commission will then be in a position to conclude the audit for 2005/2006

Please note: The Annual Return for the year ended 31 March 2007 will, in due course, also be returned as the balances carried forward at 31 March 2006 (box 7) has been adjusted

Christine Kett
Town Clerk
27 November 2007

The Mayor closed the meeting at 9.15 pm

SIGNED:DATED:.....