

LYDNEY TOWN COUNCIL

FULL COUNCIL MEETING – 2012/10/11 – TBA 85

MINUTES OF THE EXTRA ORDINARY TOWN COUNCIL MEETING held in the Council Chamber, Claremont House, Lydney on Thursday 11 October 2012 at 7.00 pm.

PRESENT: Cllrs B Berryman (Chairman), D Biddle, D Cooksley, D Edwards, C Harris and G Thompson

Two members of the public
Mrs J Smailes – Chief Executive Officer (CEO)
Miss C Wheeler – Executive Officer (EO)

Cllr Berryman informed all present that no practice fire evacuation had been scheduled for the duration of the meeting. All attendees were then informed of the locations of the nearest fire exits.

1. **APOLOGIES**

Apologies for absence were received from Cllrs Hobman, Matthews, W Osborne, S Osborne, Pearman and Thomas and duly accepted.

Cllr Berryman then proceeded to read out an e-mail which had been received from Cllr Matthews in which she questioned why the Council was required to sign off the Town Hall Accounts for the year ended 31 March 2012, when the Town Hall Trust Management Committee (Management Committee) was now responsible for running the Town Hall. In her e-mail Cllr Matthews stressed that the Management Committee included four Councillors (now also Management Trustees) who had participated/signed off in-house checks, which had included said accounts. Furthermore, Cllr Matthews tendered her resignation as the Council's appointed representative to the Management Committee. The contents of Cllr Matthews's e-mail was noted. **Proposed by Cllr Biddle. Unanimous.**

It was agreed that the CEO would inform the Chairman of the Management Committee of Cllr Matthews's resignation and that the appointment of a replacement Councillor would be an agenda item for the November Full Council meeting.

Action by – the CEO

2. **DECLARATIONS OF INTEREST**

Cllr D Edwards – Agenda item 4 – Financial Matters (Public Committee Member of Lydney Town Hall Trust Management Committee)

Cllr D Cooksley – Agenda item 4 – Financial Matters (Public Committee Member of Lydney Town Hall Trust Management Committee)

Cllr C Harris – Agenda item 4 – Financial Matters (Town Council appointed representative on Lydney Town Hall Trust Management Committee)

3. **OPEN FORUM**

Mr W Owen, 3 Augustus Way, Lydney – following receipt of a leaflet advertising wrestling at the Town Hall on which "free parking" had been advertised, Mr Owen questioned where the parking would be situated; if Dial-a-Ride's minibuses would be moved out; if they would be charged for the temporary relocation, etc. Cllr Berryman explained that parking for the event would be offered at Lydney Town Hall; that Dial-a-Ride's minibuses would be temporarily relocated from the Town Hall car park to the car park of one of its Trustees; that such temporary parking would be provided free of charge.

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4. FINANCIAL MATTERS

Prior to the meeting Councillors were provided with a copy of the accounts, together with a letter which the CEO had issued to the appointed External Auditor for the Trust. The letter explained that whilst the accounts for two of the Charitable Trusts had been approved, the approval of the Town Hall accounts were still outstanding following a recent meeting of the Management Committee.

Cllr Harris expressed her displeasure that Councillors had been summoned to attend a meeting to approve the accounts, a matter which she felt could have been resolved at a Management Committee meeting the previous week. Whilst Cllr Harris had not been able to attend the meeting through ill health, she felt that the accounts could have been proposed and seconded by those Councillors who had attended the meeting as Trustees, with all other Committee members abstaining from voting. Cllr Harris stressed that members of the public had been provided with a copy of the Town Hall's accounts when the Management Committee had taken over the running of the Town Hall; that such members had been granted an opportunity to peruse the accounts and had been given sufficient time to conduct a review of same however, no questions had been raised at that time and the accounts were therefore transferred.

Cllr Edwards informed fellow Councillors that he had been present at the Management Committee in question; that a request to sign the accounts for the year ended 31 March 2012 had been presented to the Management Committee and all had voted against approving the accounts as they related to the financial year when the Town Council was the Trustee for the building. Cllr Edwards reported that the request for the Management Committee to approve the accounts was questionable.

The CEO advised Councillors that she had spoken to the Chairman of the Management Committee and had not gained the same understanding as given by Cllr Edwards. Members were then reminded that when the Town Council held Sole Managing and Custodial Trustee status it was also responsible for the management of its accounts. Accordingly, Councillors were provided with monthly accounts and a rolling rota of in-house checks was conducted. Furthermore, that the Management Committee had been set up at the request of the Council/Lydney Town Hall Trust. The CEO confirmed that at the inaugural meeting of the Management Committee all present were provided with a breakdown of the accounts and no questions had been raised. As the Town Council had now moved away from its Sole Managing Trustee position (and did not hold any meetings in this capacity), the CEO could see no reason why Cllrs Edwards and Cooksley could not have voted to approve the accounts. Cllr Edwards felt that Councillors were being criticised; he highlighted that the accounts were for the year ended 31 March 2012 whereas the Management Committee had taken over the Town Hall in May 2012 and questioned the delay between the two periods. Councillors were reminded that each of the charitable Trusts for which the Council was responsible had appointed its own External Auditor and that the Town Council's staff did not produce the year end accounts (these being produced by the auditor). The CEO advised all present of the need to approve the accounts as failure to do so would result in the Town Hall Trust facing a fine for a delay in submitting on-line.

Cllr Cooksley stressed that no animosity had been voiced over the accounts at the Management Committee meeting, rather it had been felt that the accounts should have been forwarded to the Town Council in order that they could be signed off as the building had been managed under its remit at the time. Accordingly, Cllr Cooksley could not see a

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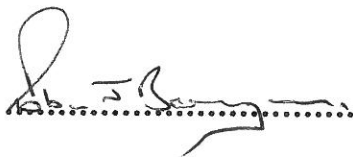
reason why the accounts could not be signed off at the current meeting. Cllr Berryman stated that he could not understand why the Management Committee had not signed off the accounts and he highlighted that four Town Councillors were also members of the Management Committee and said Councillors had also been responsible for the running of the Town Hall when the Town Council operated as Sole Managing Trustee. Cllr Harris questioned why Cllr Cooksley was now happy to approve the accounts, rather than approve them at the Management Committee meeting and Cllr Cooksley replied that 16 other people had been present at Management Committee meeting who had decided against approving said accounts.

Cllr Edward advised that legally Trustees could not be instructed to abstain from voting on a matter and he stressed that members of the Management Committee had not been instructed to vote against approving the accounts. Furthermore, that the Management Committee had included members of the public with high integrity in financial matters who had raised questions over the practice.

At this point **Cllr Berryman, as Chairman, proposed** acceptance of the accounts. The matter was put to a vote which was carried, with one abstention.

Councillors were then asked to formally approve the minutes of the meeting. The Executive Officer was asked to read back her handwritten meeting notes to all present. **Cllr Biddle proposed** acceptance of the handwritten notes. **Seconded by Cllr Harris.** The Chairman was then asked to sign and date each page of the Executive Officer's handwritten notes as acceptance that the minutes were approved.

Meeting closed at 7.22 pm

Chairman 

Date 11/10/2012