

STRATFORD-UPON-AVON TOWN COUNCIL

TOWN COUNCIL MEETING

26 JANUARY, 2021

TOWN CLERK'S OPEN REPORT

1) Funding Requests – 2021/2022

- **To consider three funding requests for the ensuing year which should be determined before the 2021/2022 budget is set**

1.1 Community Catalyst – requirement £6,000 - £10,000

(i) Introduction

Harnessing and developing skills, assets and resilience at an individual and community level is an important social inclusion imperative. The ability of individuals and communities to 'bounce back' and even flourish when faced with adversity, enabling people to live healthier and more fulfilled lives, is even more important due to the impact of COVID-19.

The proposal, being put forward by Councillor Fojtik, representing the Clopton Community Action Group (Ken Kennet Community Centre), a nominee from the Bishopton Community Centre and Chris Freeman from CAVA (the author of the report attached as **Appendix 'A'**), outlines how two of the most deprived communities as identified in the Index of Multiple Deprivation (IMD) 2019 in Stratford on Avon District can be supported to 'bounce back' and thrive in the future.

The communities of Clopton and Bishopton fall within two of the most deprived Lower Super Output Areas (LSOA) within the District, Maybird and Stratford Mount Pleasant East within the IMD. It should be noted that there is not one or two wards or standard geographical definitions that neatly cover these areas and that electoral wards and LSOA can provide official misleading information i.e. the Clopton and Welcombe Hills LSOA includes the affluent ward of Welcome.

There is significant evidence that the very characteristics of social exclusion including unemployment, education attainment, financial hardship, social isolation, health and wellbeing etc. are most pronounced in the most deprived areas of the District. COVID-19 is only going to accentuate and worsen these issues.

Two key assets within these communities are Bishopton Community Centre and Ken Kennet Community Centre which are both run by a limited number of dedicated volunteers, very committed to their communities. However, both groups have, and are, going through significant change not least in responding to COVID-19, which puts these important community assets at greater risk than before due to reduced revenue streams as community group usage has declined.

(ii) Community Catalyst Proposal

To minimise the likelihood and impact of social and financial exclusion in Stratford on Avon District and increase community resilience through adopting an asset-based community development approach through the appointment of a Community Catalyst (CC) for the Clopton and Bishopton communities who will deliver improvements in Stratford on Avon District Social Inclusion Partnership (SIP) priorities in the local communities.

The CC would also enable the partners with the SIP to work in two key communities in a more effective way, enabling a sustainable solution to be provided to leave a legacy of a more robust community and services offer.

The aim would be to secure funding to employ a post for an initial year to pilot the proposal and work up a longer three-year project. The ambition would be that the CC works with the Centres to increase revenue to ensure that the post becomes sustainable but at the same time training volunteers to support the post in key functions and at the same time seek other avenues for grant funding for key areas of need.

This summarised information was compiled from the comprehensive proposal and business case contained in the CAVA representative's report, attached as **Appendix 'A'** which members are requested to consider fully. If further information or clarification is required before the meeting on 26 January, members are advised to contact Councillor Fojtik, who will be leading on this issue at the meeting, with support from fellow ward member, Councillor How and Bishopton ward representative, Councillor Alcock

1.2 Economic Studies Regarding Re-opening Lines and New Passenger Services, Stratford-upon-Avon – Honeybourne – Worcester/Oxford - £ flexible

At the PCC meeting on 3 March, 2020 PCC members were asked by Cotswold Line Promotion Group, Shakespeare Line Promotion Group and Solihull & Leamington Spa Rail Users Association to consider supporting an application for funding for the possible reopening of the former railway between Stratford-upon-Avon and Honeybourne to enable through train services to run between Stratford-upon-Avon and both Oxford and Worcester.

It was emphasised that 'support' at this stage does not confer support for the re-opening the railway, and that STC would purely be supporting the application to secure government funding to assess the economic benefits that could arise from reopening the railway.

At this meeting it was Proposed, Seconded and

RESOLVED: That the Town Council would support the application to secure government funding to assess the economic benefits that could arise from reopening the railway.

On 8 December, the Town Clerk received the following correspondence from John Morgan, representative of the Stratford Rail Transport Group:

Thank you for Stratford-upon-Avon Town Council's support for the Bid which was successful. We had the support of 10 MP's with Nigel Huddleston as the lead, 18 organisations including Warwickshire, Worcestershire and Gloucestershire County Councils and Andy Street WM Mayor. You may have heard the recent Government announcement in the National Spending Statement, that our bid was successful. The Ideas Fund is one strand of the Restoring your Railway Fund. In the Minister's letter, he has asked his officials to work with me as the single point of contact. There will also be a launch event in the coming weeks, to provide more details.

The Department for Transport will fund 75% of costs up to £50,000 of successful proposals to help fund transport and economic studies and create a business case.

I therefore wanted to ask, if Stratford-upon-Avon Town Council would be able to provide any match funding towards the study.

The Town Clerk asked for clarification of the funding required, to which Mr Morgan responded that the Department for Transport will fund 75% of costs up to £50,000 of successful proposals to help fund transport and economic studies and create a business case. He also confirmed that he is trying to identify match funding of approximately £20,000. The rail promotion groups have agreed to fund £5,000 and Gloucestershire County Council, another £5,000.

At their meeting on 19 January, 2021 members of the PCC were asked to consider whether Stratford-upon-Avon Town Council should provide funding towards these studies and, owing to the timing of the papers despatch, the PCC's recommendation will be conveyed to the Town Council by the Chairman of the PCC, who will lead on this issue.

1.3. Membership of the Warwickshire and West Midlands Association of Local Councils (WALC) - £620.00

Owing to a quite considerable increase in the membership subscription for WALC a few years ago, following an anomaly in the fee structure charged by the association, the Town Council chose to cease membership.

The Town and Deputy Town Clerks have valued membership of the Society of Local Council Clerks (SLCC) both in terms of training and networking but certain aspects of WALC benefits have been lacking. In particular, the comprehensive Legal Topic Notes which are automatically sent to the Clerk as soon as there is a change in legislation were invaluable, particularly as they were researched and written by legal experts dedicated to the Town and Parish sector. Although this information can be found through the SLCC, there is no alert to trigger necessary information or action pertinent at the time. Legal Topic Notes would have been of particular benefit at the time when s78 of the Local Authorities and Police Crime Panels (Coronavirus) (Flexibility of Local Authorities and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 ('the 2020 Regulations') came into force, which proved a trying and steep learning curve for us all.

At the eleventh hour of paper despatch day, the Town Clerk received notification from WALC that this year, the National

Association of Local Councils (NALC) has decided to give free membership for the balance of the first year to Councils joining for the first time in at least two years. This means that qualifying Councils will benefit from a whole year of NALC membership free of charge. Although local WALC membership fees will still apply, the offer represents a significant cost saving that should be seriously considered.

Benefits:

- Confidential advice and support to Clerks and Mayors/Chairmen;
- Learning and Network;
- Publications, Legal Topic Notes and Good Practice Notes;
- Accreditation for Council and Clerk;
- Legal Advice;
- Two Free Hours of Independent Specialist Advice.

The membership subscription rate is based on the number of electors. Stratford-upon-Avon Town Council's combined membership fee would have been £2,291.00. With the waiving of the NALC fee, it brings it down to just £620.00 a saving of £1,671.00.

In light of the difficulties we are all facing in these uncertain times, and the likelihood of unitary authorities in the near future, the Town Clerk recommends that the Town Council takes advantage of this offer.

Full details are attached as **Appendix 'B'**.

2) 2021-22 Income & Expenditure Budget and Precept

- **To agree the proposed 2021-22 Draft Budget;**
- **To set the Precept**

At the Town Council Meeting on 26 January 2021, the Council needs to determine its precept requirement for the fiscal year beginning 1 April 2021.

The budget for 2021-22 has been prepared in challenging circumstances, with the ongoing impact of the coronavirus pandemic continuing to affect Council's income and expenditure in the current financial year as well as making it harder to predict the financial implications for the forthcoming year.

The budget was initially prepared using the budget for 2020-21 as a starting point, with adjustments for lost income and expenditure variances in the year to date because of COVID-19 restrictions.

Each spending committee has been asked to review their spending requirements for 2021-22 and to consider any designated reserve requirements. Since the First Draft presented to the Community Services Committee in October 2020, which showed a potential deficit of £245,200, the budget for 2021-22 has gone through numerous reviews and iterations and has seen the potential deficit grow to nearly £305,000 by the time the Seventh Draft was published in January 2021.

Gross Expenditure could exceed £1 million, as was the case a year ago when the budget was approved. However, some significant expenditure, particularly on planned Town Hall maintenance and repairs, has been delayed and carried over until 2021-22. Combined with other underspends in 2020-21, such as with the Civic Expenditure budget because of the cancellation of civic events since March 2020, gross expenditure in 2020-21 will not reach the levels budgeted but there is still expected to be a substantial deficit, with the latest forecast showing a figure of over £150,000.

Loss of income from Town Hall bookings and Charter Market fees because of lockdown restrictions has also impacted Council's finances this year and will continue to do so until such time as the vaccination programme has been rolled out to a wider part of the population and restrictions are slowly lifted.

In addition to a fall in reserves caused by the deficit, the creation of new designated reserves will also see a reduction in the General Reserve at the end of the current financial year.

The Seventh Draft Budget for the Financial Year 2021-22, attached as '**Appendix C**', was presented to the Finance & Audit Committee on 12 January 2021, together with a summary of additional information and a summary of the reserves which will be impacted by the proposed budget deficit.

Since the previous Finance & Audit Committee meeting on 17 November 2020, numerous changes had been made, including confirmation of the Tax Base by the District Council. The Committee was asked to review the latest amendments in order to finalise the proposed budget for recommendation to Council.

Council must sign off or amend the budget at the meeting on 26 January 2021 in order to submit the precept requirement to the District Council by their deadline of the end of January.

During the course of the budget debate, which followed a review of the Reserves Policy, concerns were raised about the level of spending and the overall budget deficit. For ease of reference, the following item is extracted from Minute 65 of the meeting:

During prolonged consideration of the Draft Budget 2021-22 and concerns over the size of the deficit and its impact on reserves, it was confirmed by the Town Clerk that the Finance & Audit Committee did not have the power to veto the spending requests agreed and submitted by the other Committees. Members were also advised that there was insufficient time left to arrange further meetings for other committees to review their spending requirements with a view to making cuts to reduce the overall deficit.

There was a consensus that a small increase in the Precept request for 2021-22 was justifiable but Members were mindful of the financial impact on households, many of which are struggling with the social and economic impacts of the COVID-19 pandemic.

It was noted that any change to the Precept request would not address the substantial budget deficit forecast for 2021-22, but would at least offset some of the additional budget costs.

It was subsequently suggested that the cost per Band D household should be increased by 2.5%, which is an increase of £0.97 from £38.89 to £39.86. With a Tax Base of 13235.72, this gives a total Precept request of £527,576.

It was eventually Proposed, Seconded and

RECOMMENDED: That a 2.5 percent increase in the precept per household is recommended to Council at the meeting on 26 January, 2021.

It was further Proposed, Seconded and

RECOMMENDED: That an Eighth Draft of the proposed budget for 2021-22 is produced by the Deputy Town

Clerk, with the proposed increase in the precept per household and with the removal of contingencies which would not affect spending requirements of the other committees, and that this version is presented and recommended to Council at the meeting on 26 January, 2021 alongside the Seventh Draft version. Council will be asked to debate and agree which version to approve.

Following the meeting of the Finance & Audit Committee, an Eighth Draft Budget for 2021-22 has been prepared, attached as **Appendix 'D'**. This includes the revised total Precept amount based on the proposed increase to the Annual Rate Charge of 2.5%, along with a number of further changes to expenditure to remove contingencies. **Note that these changes do not mean that requests for spending and for designated reserves from other committees and sub-groups are not being met, but does mean the total budgeted deficit is reduced to just below £275,000.**

Members should note that the expenditure in both of these versions of the budget will cause a substantial deficit and could cause a substantial reduction in reserves at year end.

Whilst the draft budget is believed to adhere to the revised Reserves Policy, there is still a concern of the implications in future years if the budgeted deficit is realised. Given the level of uncertainty of the coronavirus pandemic and its ongoing impact, it is difficult to see how further reviews of the budget at this stage could give Members reassurances that expenditure can be maintained and reserves replenished in future years.

There is scope for income initiatives to generate funds to offset some of the deficit, assuming economic conditions improve. Alternatively, further increases in the Precept will be required or decisions to reduce expenditure in future budgets will need to be taken.

Given the level of uncertainty, it is recommended that expenditure is closely monitored during 2021-22 and non-essential spending is deferred until such time as Council's finances can be predicted with more assurity.

3) Calendar of Meetings 2021/2022

- **To approve the Calendar of Meetings 2021/22**

The proposed calendar of meetings for 2021/2022 is attached as **Appendix 'E'**.

In order for the Planning Consultative Committee Meetings to remain synchronised with the District Council's Planning Meetings, it proves necessary to treat these meetings as the starting point when determining the Calendar of Meetings for the Town Council. Unfortunately, the District Council has yet to finalise and publish its calendar of meetings, so the Town Council's calendar has been devised using the pattern of dates appertaining to 2019/2020. If the District Council amends its regular pattern of meetings, it may be necessary for this issue to be returned to Council for a Calendar of Meetings revision.

Only Council can approve the Accounts and Annual Return, and in order to comply with accounting deadlines, it continues to prove necessary to include a Town Council Meeting in June. Please note the Town Council Meeting to approve the Annual Accounts and Return is on 15 June, 2021. Ideally, no other business will be transacted at that meeting, but this often proves impracticable.

As resolved by the Community Services Committee, an additional CS meeting has been scheduled for 1 February, 2022 bringing the total number of meetings per annum to five.

4) Temporary Cessation of the Need for the Annual Town Meeting

- **To note the report**
- **To agree the Mayor's Annual Report is received and noted at the annual Mayor Making ceremony**

At the dawn of reality as to the seriousness of the COVID-19 pandemic and when the entire country was plunged into the first full lock-down, the government needed to instigate legislation quickly to enable local government to continue to operate. As a result, s78 of the Local Authorities and Police Crime Panels (Coronavirus) (Flexibility of Local Authorities and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 ('the 2020 Regulations') came into force which enables the Town Council to hold meetings remotely.

Since April, 2020 the Town Council has been using zoom technology to hold virtual Town Council and Committee meetings which are live streamed on Facebook and Twitter so that the community can witness local democracy in progress.

The new legislation removed several obligations that were previously enshrined. It removed the necessity to hold an Annual Meeting, enabling incumbents (such as the Mayor) to remain in office until the legislation was amended/reverted, or until such time as the Town/Parish Council should determine. Stratford-upon-Avon Town Council chose to retain the tradition of the Annual Meeting and Mayor Making and consequently the virtual Mayor Making ceremony in May 2020 was a historical 'first' for Stratford-upon-Avon.

The Town Clerk is unaware of any plans or proposals to postpone the Mayor Making Ceremony in May of this year, so this too will be held using the zoom platform.

Under paragraph 14 of the legislation, the requirement of an annual Town Meeting to assemble on some day between 1 March and 1 June every year has also been removed from the legislation. Amongst the parish sector, this review and amendment is thought to be long overdue. When the electorate had no opportunity to address the Town Council other than at the Town Meeting, this legislation was necessary and fit for purpose. Now that Town and Committee Meetings have the legal obligation to include Public Participation at every meeting, the annual Town Meeting is somewhat erroneous.

The Town Meeting is rarely well attended, other than when there is a contentious issue confronting the town. The Annual Report, which is compiled 'by the Mayor' for the Town Meeting is usually received by less than a dozen recipients and does not span the entire mayoral year as the Town Meeting is held in March.

It is likely however, that this particular piece of legislation within the 2000 Regulations will revert in due course, for although decisions at Town Meetings are not obligatory on the Town Council, it is statutorily obliged to provide allotments if there is a call for more provision at a well-attended meeting. 'Well attended' has never been defined.

Be that as it may, there is now no requirement to hold the Town Meeting in 2021 and it is suggested that in future, even if the legislation to hold an annual Town Meeting is reinstated, the Mayor's

Annual Report is presented for approval and to note at Mayor Making. During normal circumstances the Town Hall downstairs chambers are packed for the ceremony and it is a fitting tribute to the outgoing Mayor to document his/her entire journey as the first citizen of Stratford-upon-Avon.

Furthermore, as there were always copies of the reports left over from the Town Meeting, for the past three years these have been placed one between two chairs at Mayor Making, and it was noted that many within the audience appeared engrossed in an informative read of the activities of Council whilst they either waited for the ceremony to commence, or during the interlude when the incoming Mayor and outgoing Mayor exchanged robes in the Parlour.

5) Proposed Change to Standing Orders

- **To approve amendments to Standing Orders by at least two thirds of members**

5.1 As a result of exiting the EU, it is necessary to amend Standing Orders to take account of new legislation with regard to public procurement.

This is not a Standing Order by definition, but an aide-memoir which is detailed at the end of the Finance section and should be taken into account during any procurement procedure. To be amended as follows:

From:

(Council is reminded that the European Union Public Sector Procurement Rules are likely to apply for supplies and services contracts with a value in excess £164,176 and works contracts of £4,104,394 and advice should be sought at these levels) (as at 1.1.16 until end of 2017)

To:

(Council is reminded that at the end of the Transition Period, amendments to the Regulations in relation to the withdrawal of the UK from the EU will come into force. This means that whilst the framework and principles underlying the public procurement regime (the procurement procedures, financial thresholds etc.) will not substantially change, contracting authorities will be required to publish procurement notices for new

procurements to the new UK e-notification service **Find a Tender** (FTS): <https://www.find-tender.service.gov.uk>).

- 5.2 With regard to Standing Orders on contracts, the recent tendering exercise for the redesign of Bridge Street has highlighted the difficulties for contractors in providing written tender documents in hard copy using Royal Mail, whilst coping with the limitations instilled by the CORONA-19 pandemic.

Receiving hard copy documentation by a given date enables the Town Council to observe Standing Order F16 – All tenders received shall be opened in the presence of two people.

However, in light of the difficulties the whole world is currently experiencing, and in keeping with the Town Council's ethos to go paperless, it is proposed that amendments and additional clauses are added to the financial Standing Orders, as follows:

From:

F14. A notice of tender shall state the general nature of the intended contract and shall in addition state the name and address of the person to whom tenders are to be addressed and the last date by which those tenders should reach that person in the ordinary course of post. Any tender notice shall contain a reference to the Standing Orders G11, G12 and G13

To:

F14. A notice of tender shall state the general nature of the intended contract and shall in addition state the name and address of the person to whom tenders are to be addressed and the last date by which those tenders should reach that person in the ordinary course of post. If mitigating circumstances prevail (such as, but not limited to, a pandemic) by the last date by which tenders should reach two people by electronic means. Any tender notice shall contain a reference to the Standing Orders G11, G12 and G13

Additionally, an amendment to F16 is also required

From:

F16. All tenders received shall be opened in the presence of two people

To: All tenders received shall be opened in the presence of two people. If tenders are received electronically, they should be sent to two Council members, namely the Mayor and Chairman of the Finance & Audit Committee who will open the documents on their PC's concurrently during a meeting using zoom (or similar) technology overseen by the Town Clerk

6) To Approve the Amendments to the Reserves Policy

- **To approve the proposed revisions**

Following the Finance & Audit Committee Meeting on 12 January, 2020 the Deputy Town Clerk has amended the Council's Reserves Policy in line with the recommendation of the Committee that the Reserves Policy is amended to require a General Reserve to be maintained at the minimum level of 25% of Budgeted Expenditure.

The amended policy is attached as **Appendix 'F'** with highlighted text documenting the proposed changes.

Town Clerk
26 January, 2021