

MINUTES OF A MEETING OF PETWORTH TOWN COUNCIL
HELD ON THURSDAY 19 MARCH 2015
IN THE TOWN COUNCIL OFFICE AT 7PM

Cllrs Present: Mr Chris Kemp (Chairman)

Mr David Burden (late)

Dr Rosa Pawsey (late)

Mr Roger Hanauer

Mr Tony Sneller

Mr Rawden Rogerson

Mr Alan Copus

Mr Neville Fox (late)

In Attendance: Town Clerk, Mrs Rebecca Knifton

Members of the public x 3

Member of the press, Miss Amie Gordon

West Sussex Police: PCSO Paul Isaac

Chichester District Cllr Mrs Lintill

West Sussex County Cllr Mrs Duncton

Apologies: Mr John Robbins Mrs Juliet Fynes

Mr Richard Chandler Mrs Maggie South

** This meeting was recorded by PTC

16/15 Representations by the public

There was a public representation by Mr Tom Moore who had requested to record the meeting.

He wished to raise the following points:

- He wished to complain that he believed there were significant inaccuracies in the minutes of the Open Spaces and full Council meetings;
- He referred to the Council meeting of the 11th of December whereby his recollection was that Cllr Robbins had interrupted him and explained that he had moved the 'request for information' notice from the Grove Lane gate to the official entrance. Mr Moore stated that the minutes had recorded Mr Moore accusing Cllr Robbins of removing the notice. Mr Moore then accused the Chairman of deliberately preventing members from acknowledging his statement. He asked what PTC will do to acknowledge his proposed amendment;
- He stated that he had attended the January Open Spaces meeting whereby it was acknowledged that a list of allotment holders had been found in the office and stated that the Clerk and several members of Council had denied that any such documentation existed for several months. The Chairman of that Committee had stated that an apology was owed to the former Clerk. The Chairman of that Committee had stated again at the February meeting that an apology was owed to the former Clerk. He further believed that statements made in both sets of minutes contained a number of inaccuracies and defamatory statements and asked when these would be corrected;
- He wished it noted that PTC's minutes form a lasting legal and public record and believed that the minutes of December, January and February had major inaccuracies and had highlighted opinion and not fact. He stated that he was unsure as to whether this was due to inefficiency of the Clerk or whether there was a deliberate attempt to misrepresent him. He believed the minutes were 'woefully inadequate';
- He asked whether Cllrs condoned incomplete minutes and asked how PTC will justify his comments.

The Chairman thanked Mr Moore for his statement and informed him that he will consider his representation. Mr Moore supplied the Clerk and members copies of his written statement.

The Clerk supplied Mr Moore with a copy of the amended minutes from the last Council meeting for his information.

There then followed a representation by Mr Gordon Allan.

He wished to raise the following comments:

- He congratulated the Council for their apology to the former Clerk;

- At the full Council meeting in February he had asked three questions regarding the Audit Report, namely:
Had the previous Clerk ever signed cheques? PTC had confirmed that they had never made this accusation but Mr Allan stated that from what the previous Clerk, previous Assistant Clerk and several ex- Cllrs had read, the Independent Auditor's Report had made the allegation that she had. He requested that absolute clarity on this matter should be minuted;

The Chairman responded to Mr Allan. He stated that Mr Allan had attended PTC meetings, month after month criticising, but that the bottom line was that Mr Allan and the previous Council had never ensured the legal requirement of carrying out an Independent Internal Audit. He stated that if this had ever been carried out then the Council would not be in the position it is now.

PTC had decided to not spend more public money on furthering any investigations into this query made by the Auditor and not by PTC and, as it stands, PTC cannot confirm or deny that the Clerk signed cheques on behalf on the Council.

The Chairman confirmed that now that PTC have been working on full up-to-date compliance documents, regulating the Clerk to not be able to sign cheques will be drafted into these.

Mr Allan stated that he had wanted to correct parts of the report in order to 'put this to bed' but that all the Chairman had done was to insult him. He further claimed that the Chairman had not answered his question. The Chairman stated that he had. Cllr Copus confirmed that the Chairman had answered the question;

- Mr Allan brought up the subject of the mislaid asset register and the insurance policy, the former of which had been in the possession of a Cllr. He stated that the Auditor had clearly not read the minutes of either the 2012 or 2013 meetings where it had been stated that the Asset register had been updated. He believed that the previous Clerk had been blamed in the Audit for mislaying these and was further concerned that the original Forensic Audit Report had been refined at a meeting. He went on to confirm that the previous Assistant Clerk had informed him that a copy of the Asset Register had been emailed to two Cllrs and that a hard copy had been left in the office. He mentioned that Chairman had stated that the Asset Register was out of date.
- He queried as to how many documents had not been presented to the Auditor;
- Mr Allan was pleased that he had managed to clear up the above points.

The Chairman then gave the following written response:

- Petworth Town Council (PTC) has not publicly commented on the issues discovered during the forensic audit but as there appears to be a number of misleading and defamatory comments being written in the Midhurst and Petworth Observer and banded around the town, I feel that a statement of fact must finally dispel all the gossip.
- Mrs Jean Huggett (the previous Council Clerk), as Responsible Financial Officer, had not carried out her role in accordance with the Local Government Act 1972. She had disregarded training offered to her and had been allowed to do this by the previous Council for 15 years.
- PTC has actively considered the privacy of its previous Clerk by responding to her correspondence confidentially and has continued to honour its duty as an ex-employer to refrain from bringing this into the public domain but Mrs Huggett has proactively continued to give press releases that are not based on fact. PTC has never accused Mrs Huggett of fraud

or theft. The forensic audit on the other hand, showed considerable failings by the previous Council, the previous Finance Committee and ultimately the previous Clerk and the independent auditor had to rule out fraud which had been suspected due to shambolic processes.

- The rules and regulations determining how the financial affairs of a Town Council should be run is laid down in the publication, '**Governance and Accountability in Local Councils in England and Wales – A Practitioners' Guide**' (GALC). The first version of this was published in 2002 with the current, March 2014 version available free to download from the SLCC/SALC websites. Petworth Town Council finances had not been operated in accordance with the law and the previous Clerk had been allowed to run the Council as her own personal fiefdom.

Summary of anomalies:

- The water and electricity invoices had been set up by Mrs Huggett and were addressed to Mrs Huggett's personal home address in her own name. This contradicts prescribed Governance and Accountability regulations. It should also be noted that the telephone and broadband accounts had been set up as residential in the name of Mrs Huggett and not Petworth Town Council, despite the Council residing in its own Offices for 2 decades;
- Other invoices and quotes made out to Mrs Huggett and not the Town Council;
- Not ensuring, as proper officer, the assistant clerk was on a payroll system for the 6 months she was employed;
- Receipts not recorded correctly and the paying in book stubs not displaying information as to what monies had been received;
- Cheque stubs not initialled and historic cheque books with many blank cheques torn out with no accompanying information;
- Several payments not supported with documentation or invoices;
- No independent Internal Audit or associated Audit Report had been undertaken whilst the previous Clerk had been in post;
- No Financial Regulations existed;
- Allotment paperwork in a muddle and no database of rents received leaving queries on who had paid and who hadn't and many contracts missing;
- Receipts and payments for Petworth Pages missing leaving PTC to pay the shortfall;
- Asset register mislaid and when located was severely out of date leaving the Council underinsured;
- Signed minutes and Annual Return paperwork for the previous Clerk's other Council found amongst PTC's filed accounts;
- Refusal to undertake a handover with the incoming Clerk or to assist in divulging administrative information, leaving this to an employee who had only worked for PTC for 6 months.

Cllr Sneller stated that he believed that the Chairman's statement did not help to clear matters up at all and claimed that it digs the hole deeper.

The Chairman thanked Cllr Sneller for his comment.

There then followed a representation by Mr Don Simpson.

His question was regarding the old Petworth Boy's School site. He was hoping that PTC would give him

backing in its preservation. He had approached SDNPA as the former site was classed as possible for development in the SHLAA. The Chairman stated that he had similar concerns.

Mr Simpson has been told by SDNPA that a developer has offered to move the stone memorial.

He stated that there should not be any planning permission on that site and asked when will there be any public consultation.

County Cllr Duncton confirmed that the stone had been under the last Laundry Cottage commission because they had to move the access and egress from Cemetery Hill to the A283.

The Chairman agreed that there was an issue and that PTC will examine this with the help of Cllr Fox as Chairman of Planning. The Chairman invited Mr Simpson to come and talk to PTC about his concerns.

The development site proposal is for the whole site. Mr Simpson requested that the footprint of the actual school, the tarmac area, be retained as a memorial garden.

ACTION: PTC will take this matter further.

District Cllr Lintill stated that the 'tarmac' area is part of the Woodlea Development which has already been passed.

Cllr Fox asked Cllr Lintill about the application on the variation of the S106 which had not been sent to PTC for consultation. The Clerk spoke to the Officer at CDC to raise concerns.

PCSO Paul Isaac reported.

He informed members that he is the local Officer for the South, based in Petworth and that he joined 18 months ago. He works alongside PCSO Richard Boston and PC Cobbett.

He stated that he was unable to produce the latest crime report as it was not due to be public until the 1st of April but that the preliminary report had shown that crime figures are down by 12 crimes in the past rolling year. The main issues due to being a rural area is a mixture of shed break in's, the recent anti-social behaviour issues in and around Petworth Car Park and the Sylvia Beaufoy by a group of youths predominantly from Midhurst and also some damage to the allotments at Grove St. They undertook extra patrols and have managed to ban 6 youths. At the time there were several reports of anti-social behaviour and criminal damage. At the time, 3 of the boys were coming to Petworth to meet up with girls but they have all now broken up.

The Rosemary Gardens damage was caught on CCTV and had identified 2 boys and a girl. The Police are aware of who these individuals are but the CCTV imaging is not conclusive. Also damage to a car in the car park had been recorded.

Other issues were poaching at Moor Farm. Extra operations were put in place alongside further patrols.

Cllr Pawsey arrived.

17/15 Apologies for absence

Apologies received from Cllrs Robbins, Chandler and South. No further apologies were received by the Clerk.

18/15 Declarations of interest

None.

19/15 District and County Councillors

District Cllr Eileen Lintill:

It was reported that CDC had been on BBC South Today regarding the opening of the new Gypsy and Traveller Encampment on the 16th of March. The site will be handed over to WSCC on the 31st of March with a view to have it operational by Easter. The process has showed excellent partnership working.

On Monday, the District Council enter purdah. CDC has to be careful about having photographs or what they say. Cllr Lintill will not be attending the PTC meeting in April.

CDC is working with the County Council and other West Sussex districts to expand the recycling service in April this year. They will be working with Viridor who are the recycling contractor. It will enable residents to recycle more plastics and will include clean pots, margarine tubs, yoghurt pots and vegetable and meat plastic trays.

The Local Plan's modifications have gone to the inspector and she has agreed that she now has all relevant information in order to write her report.

Planning Enforcement: The team is now fully staffed having employed two new members and all targets are now being met, and they are now considering a Planning Conditions Compliance system to monitor planning conditions.

New Homes Bonus: New Homes Bonus of £2.6m has been set aside for community use and Parish Allocations have been sent out to all Parish Councils. Applications to be in by July for the September Grants Meeting.

Choose Work: The Chose Work team will be starting work in Petworth at the Sylvia Beaufoy Centre twice a month, giving those in the north of the district opportunities that have been available in Chichester. They are run in partnership with the Department for Work and Pensions.

County Cllr Janet Duncton:

She reported that she had been in seminars all day but that one she wished to highlight was the Boundary Commission which looks at how many Members are required to run the Council. **NOTED** that this was 50 but is currently 48. Numbers could go up or down.

She spoke of the new Care Act seminar which WSCC are now well equipped. Information can be found on the website: <https://www.westsussex.gov.uk/news/west-sussex-welcomes-major-new-care-act/>

Cllrs Kemp and Sneller requested posters which PTC will display around the town.

The Carers Liaison Project coming out of Chichester has now merged with two other sections and is now based in Crawley.

Not official yet, but County Cllr Duncton has been working alongside County Cllr Brown with the Real Tennis Club who are trying to get all schools to get involved. There are currently 400 members who travel from substantial distances to use the facilities as there are very few real tennis courts in the country and WSCC are trying to assist in grant funding.

Cllr Duncton explained that she now has a new role, she is now the Deputy to the Cabinet Member for Residents Services responsible for West Sussex Fire and Rescue and also has a little bit to do with Highways.

Cllr Kemp asked about the BT works in East Street and stated that there have been concerns about the reinstatement of the Highway as there are a number of trip hazards. BT have put in a new manhole cover but

requested that they should reinstate to the previous standard.
County Cllr Duncton will make enquiries on behalf of PTC.

20/15 Chairman's Report and other Announcements on matters requested

- Phone line and Broadband – **NOTED** that the new line has a fault and is broken some 30 metres from the office. Unfortunately the fault is underground so that matter is still ongoing with Openreach.
- 5 Year Plan – **NOTED** that Cllr South has constructed a skeleton draft but with the election looming, it has been decided to put this item on hold until the new Council year.
- Street Lighting – **Nothing to report.**
- Skatepark update – **NOTED** that Cllr Sneller is yet to organise a meeting with Lord Egremont. Cllr Hanauer confirmed that he has been working with 2 young skaters in consultation and will hopefully be able to report on further developments at the next meeting.
- War Memorial – **NOTED** that 3 contractors have been sourced but that one of these has not yet responded. One of the contractors has confirmed that his quote from last year still stands. The matter will be referred to the Finance and Administration Committee.
- HMRC – there is currently nothing further to report other than what had been discussed at the last finance meeting. A letter will be sent by the Clerk requesting a full breakdown of what tax is owed from the first two months of the financial year 2014/15.
- Internal Audit and End of Year close down – **NOTED** that PTC's Independent Audit is booked for the 17th of April.
- Chairman's update on issues not included on this agenda – **RECORDED** that the Chairman had been invited to the school to meet with the two winners of the dog fouling poster competition. **AGREED** that the purchase of 5 of both designs will be undertaken in the next financial year.

21/15 To confirm the minutes of the previous Council meeting

AGREED that with the amendment to the spelling of John Crocombe's name, the minutes of the 19th of February are an accurate record of the meeting.

Proposed by Cllr Hanauer and seconded by Cllr Copus.

RESOLVED

22/15 Matters arising from previous minutes not already on this agenda

To include:

- (a) Defibrillators – **NOTED** that the defib at Hampers Green was fitted on Friday the 13th. Cllr Sneller is organising signs.
- (b) Tap on the Leconfield – **NOTED** that both the planning application for the defib and the tap are with SDNPA.
Cllr Kemp asked who would be able to complete the work when permission is granted and **AGREED** to contact Andy Henderson.
- (c) Councillor's opportunity to raise matters from the previous minutes not already on this agenda.
None.

23/15 To receive Reports

(a1) Finance and General Purposes Committee, to include approval of payments and signing of cheques.

The following payments were approved:

PBA	980.00	Petworth Pages Printing/Expenses
Austens	5.18	Xmas Event
Naldrett	497.50	Rosemary Gdns/Hampers Com Contract
Naldrett	200.00	General Maintenance
KCS	28.03	Photocopier
G Chandler	1,584.00	Hampers Common Maintenance

Glasdon	774.00	Contingency	
R Knifton	13.72	Expenses/Postage	
Post Office Ltd (HMRC)	505.39	Clerk's Salary	
R Knifton	1,083.85	Clerk's Salary	
Rosa Pawsey	71.86	Web Site	Web Hosting

Proposed by Cllr Copus and seconded by Cllr Rogerson.

RESOLVED

(a2) Minutes of the previous meeting

- The minutes of the 17th of February 2015 – proposed by Cllr Rogerson and seconded by Cllr Kemp.

RESOLVED

NOTED that the Standing Orders had been redrafted to incorporate the Financial Regulations and had been discussed at the Finance Meeting.

AGREED that these will be re-circulated prior to the meeting in April to ensure adoption before the Internal Audit.

(b) Traffic and Planning Committee Minutes

The minutes of the 10th of February – proposed by Cllr Rogerson and seconded by Cllr Kemp.

RESOLVED

NOTED that the minutes had stated that the Council As a legal entity is a Trustee for the Leconfield Hall. The Clerk had been informed of this when she first started employment with PTC but to date, has not seen any paperwork to this effect.

ACTION: The Clerk to investigate the matter.

NOTED that Cllr Fox had been absent from the previous meeting and will present a report for the meeting in April.

(c) Neighbourhood Plan – **NOTED** that progress is being made and that several walk-in events are being organised. A request for two extra members on the SG was discussed.

Cllr Kemp explained that the role of NP Clerk had been advertised and the interview panel had **AGREED** to propose offering the position to Julie Aguilar.

Proposed by Cllr Burden and seconded by Cllr Pawsey.

RESOLVED

ACTION: The Town Clerk to draft an employment contract and to organise payroll.

(d) Petworth Business Association - Cllr Kemp reported that a meeting had been held on the previous Tuesday and Alex Reece had discussed that they are 18months into their 3 year plan. Membership is going up. It had been discussed that the PBA would like to run some seminars to assist in helping those new to running a business.

There had been a presentation from NatWest who will be joining the PBA. They had made a plea to residents to keep using the bank as the rural branch could potentially be under threat of closure if it wasn't well used.

(e) Petworth Pages. Cllr Fynes was absent. Cllr Kemp read Cllr Fynes' email whereby she explained that she would be retiring from the Petworth Pages.

Julie Aguilar has expressed an interest in taking on the role.

Cllr Sneller asked whether the Memorandum for the working relationship between PTC and the PBA had been circulated.

ACTION: Cllr Kemp to recirculate.

County Cllr Duncton reiterated Cllr Fynes' email to the PBA regarding the alleged removal of an article regarding the elections. Cllr Kemp confirmed that the PBA had never received the article and upon further investigation, it would appear that the aforementioned email never existed.

NOTED that Cllr Sneller will send them a report on the Fete and the Defibrillator.

(f) Christmas Events – Cllr Sneller wished to make the following statement in regards to the Christmas Events Minutes:

Bullet 13

It states that the fee for the PA has always been £100 - a fee has never been charged for either the PA or the many other pieces of equipment loaned by the Petworth & District Community Association.

In 2013, because of the increased number of performers, Rusty Welch was asked to bring his sound system - there was a discussion that he should be paid £100, but no funds were available.

At that event one of the mics was knocked over and broken. For this year's event he purchased two new mics to hang over the stage to provide better pick-up. I believe the cost of these two was in excess of £150.

Bullet 21

Could I please have a list of the volunteers who left the event upset.

Bullet 20 and 23

I was unaware of any request to hand either the raffle takings or the collection buckets to Becca - at the end of the evening there was some discussion as to what should happen and Alan took them to Becca.

- The irony of this is that in 2013 I was instructed not to give these monies to the then clerk but to take them home and count them myself.

To allow comments of this nature to go into minutes beggars belief and I have never, in my 25 years of committee membership, at a variety of levels and organisations, known such poor judgement shown by either the minute-taker or the meeting chair. Matters such as these should first and foremost be discussed with the individual involved - not only for the sake of that individual, but for the credibility and reputation of the organisation itself.

Even if the allegations were true, what is to be gained by including them in the minutes? Bullet 20 & 23 would be better stating that:

- In future clear guidance needs to be given to those involved as to what should happen to the income from the raffle and the collection buckets.

That would make a positive and constructive contribution to future planning.

ACTION: The Clerk to present a list of complainants for Cllr Sneller.

Cllr Kemp confirmed that more than 45 volunteers turned up to the thank you event.

Cllr Sneller stated that he will not put his name to the TENs for December 2015.

(g) Open Spaces Committee – **NOTED** that due to a recent interest in the administration of the allotments and the minutes of this committee, the OS minutes are being cross-examined by the Vice Chairman.

24/15 Standing Orders and other compliance documents

ACTION: The Standing Orders and Terms of Reference for Open Spaces and Planning will be on the next agenda.

25/15 To consider other items at the Chairman's discretion

None

Meeting closed – 8.55pm

Signed.....

Chairman