

LYME REGIS TOWN COUNCIL

MINUTES OF THE EXTRAORDINARY FULL COUNCIL MEETING HELD ON WEDNESDAY 23 JUNE 2021

Present

Chairman: The Mayor, Cllr B. Larcombe, MBE

Councillors: Cllr B. Bawden, Cllr J. Broom, Cllr R. Doney, Cllr K. Ellis, Cllr M. Ellis, Cllr C. Reynolds, Cllr D. Ruffle, Cllr D. Sarson, Cllr G. Stammers, Cllr G. Turner, Cllr T. Webb, Cllr S. Williams

Officers: A. Mullins (support services manager), M. Russell (finance manager), J. Wright (town clerk)

21/13/C Public Forum

S. Davies

S. Davies said she wanted to give an update on LymeForward. She said they were delighted to be working with the newly-appointed council representatives Cllr M. Ellis and Cllr T. Webb and they were looking forward to hearing about the new representative for the steering group. She said they were now established in their new premises for their office, the foodbank and a support hub. S. Davies said they had a newly-appointed chief executive and foodbank co-ordinator, volunteers were returning and there were many new volunteers supporting them across a range of services. She said donations were still very generous and continued to come in in large quantities in terms of food, cash, time and bags for transferring food. S. Davies said they were developing a corporate and business strategy and structure, they were establishing their services and planned to start new services, their annual general meeting was held in March and their members' meeting was later this week. She said their network in terms of the local area partnership was developing effectively and they were working well with voluntary services, the NHS and the private sector.

21/14/C Apologies for Absence

There were none.

21/15/C Disclosable Pecuniary Interests

There were none.

21/16/C Dispensations

There were none.

21/17/C **Appointments to Council Committees**

Proposed by Cllr G. Stammers and seconded by Cllr D. Sarson, members **RESOLVED** to appoint Cllr R. Smith to the Town Management and Highways Committee and Tourism, Community and Publicity Committee.

21/18/C **Appointments to External Bodies 2021-22**

Cllr M. Ellis said she had stood down from the LymeForward steering group following an email from another member suggesting she had a conflict of interest as she was also a representative on the LymeForward wider membership. She said if the council believed there was no conflict of interest, she was willing to remain on both groups, but she wanted the council to confirm this.

The town clerk said his view was there was no conflict of interest.

Cllr C. Reynolds said she had previously been the representative for LymeForward, LymeForward steering group and the Coastal Communities Team and had never had any issues with conflicts of interest.

Cllr M. Ellis felt the council needed to review how it appointed members to outside bodies because if one member was appointed to organisations under the same umbrella, they would only need to have one meeting with the council and it would save member and officer time.

The mayor, Cllr B. Larcombe said being a representative could be quite time-consuming on its own so grouping an organisation's activities could ask a lot more of that member.

Cllr B. Bawden clarified that members had previously discussed a potential conflict of interest between LymeForward and Lyme Regis Development Trust and she thought Cllr M. Ellis was a representative on both, which she now knew not to be the case.

Proposed by Cllr C. Reynolds and seconded by Cllr G. Stammers, members **RESOLVED** that Cllr M. Ellis remains as the council's representative on the LymeForward steering group for the 2021-22 council year as there is no conflict of interest with the LymeForward wider membership.

Members discussed the Rural Market Town Group (RMTG). The town clerk said the group had gained some momentum in the short time since its establishment and he had attended one virtual meeting. He said a membership fee had been paid but it had been discounted for the first year and there was a role for a member on the group.

The town clerk said the group connected the council with 225 towns and parishes which were similar to Lyme Regis. He said the nominated member would be invited to participate in meetings and contribute to debate, acting as a liaison with no executive or decision-making powers.

Cllr R. Smith asked what advantages the network brought to the council. He suggested as the council already had a six-month trial membership, it could be reviewed after that period.

The town clerk said there were many more members on the RMTG than in the council's local networks and it offered the council another perspective.

Cllr C. Reynolds asked how much the six-month trial membership was. The town clerk said he would include this information in the members' briefing.

Proposed by Cllr R. Smith and seconded by Cllr G. Stammers, members **RESOLVED** to appoint Cllr B. Bawden to the Rural Market Town Group for the 2021-22 council year and to review the council's membership after the six-month trial.

21/19/C Internal Audit Report, Visit Four 2020-21

The finance manager said there were 19 recommendations from the internal auditor in 2020-21, compared with 27 in 2019/20. Regarding the internal auditor's recommendation relating to retrospective approval of direct bank payments, the finance manager said, in future the list of payments would be signed by the responsible financial officer, as the list included direct debits.

The mayor, Cllr B. Larcombe asked if the grant paid to the wrong bank account had been recovered.

The finance manager said he was talking to Lloyds Bank and remained hopeful the money would be returned.

Cllr M. Ellis asked why an officer's emails were not being checked while they were on annual leave in order for the council to comply with the publication requirements for the Annual Governance and Accountability Return (AGAR). She asked if anything had been put in place to ensure it didn't happen again.

The finance manager said the email was sent by the external auditor on Friday 27 November 2020 and the information needed to be published before Monday 30 November 2020. He said even if the town clerk hadn't been on annual leave, the email was sent after working hours and wouldn't have been picked up until the Monday, which would have been too late.

The town clerk said officers had raised their concerns with the external auditor as they didn't feel it was fair criticism, given the information was sent after normal working hours on a Friday. He said officers had had to chase the external auditor a number of times throughout the year to complete their part of the auditing process. He said officers felt aggrieved by the timing and actions of the external auditor in issuing the certificate.

Cllr G. Stammers asked who monitored the external auditor.

The town clerk said no one monitored the external auditor and it was difficult to successfully challenge them.

Proposed by Cllr B. Larcombe and seconded by Cllr G. Turner, members **RESOLVED** to note the internal auditor's report and approve the management responses, and to note the number and priority levels of recommendations made to the council by the internal auditor over the previous two years.

21/20/C Annual Governance and Accountability Return for the Year Ended 31 March 2021

Cllr M. Ellis felt the internal auditor's comments regarding the publication of the AGAR did not reflect the council's position and the fact it could not comply with the requirements due to the external auditor sending the certificate late. She felt that in agreeing the AGAR, the council was also agreeing with the internal auditor's comments that the council did not comply and as such, the council shouldn't approve the 2020/21 AGAR.

The town clerk said in the scheme of things, this was not a big issue for the council; the accounts were sound and the council wasn't going to be in this position again. He said the internal auditor had written her comments with a heavy heart because technically the council hadn't complied, regardless of whose fault it was.

The town clerk said he understood Cllr M. Ellis's concerns about signing off the AGAR under these circumstances, but failing to submit it to the external auditor by 30 June 2021 was a much more serious issue and would most likely lead to the accounts being qualified. He said if the council wanted to write separately to the external auditor with its concerns, officers would be happy to draft a letter.

The mayor, Cllr B. Larcombe suggested the external auditor was asked to give the council at least one week's notice to publish the information in future.

Proposed by Cllr B. Larcombe and seconded by Cllr K. Ellis, members **RESOLVED** that a letter is sent from the council to the external auditor to raise concerns about their actions which affected the publication requirements for the 2019/20 Annual Governance and Accountability Return.

Proposed by Cllr B. Larcombe and seconded by Cllr K. Ellis, members **RESOLVED** to approve the Annual Governance and Accountability Return for the year ended 31 March 2021 and to authorise the mayor and town clerk to authorise and sign the document on behalf of the council.

21/21/C Committee Structure

Cllr M. Ellis suggested one Full Council meeting a month to deal with all business, apart from planning, especially considering all members sat on most committees already.

The mayor, Cllr B. Larcombe felt this would make the agenda too big. He said most councils had committees that dealt with planning, finance and works' management, which left the discretionary committees this council had. He said many councils also combined human resources with finance.

Cllr R. Doney said the current structure was complicated and inefficient and the council needed to look at the relationship between members and officers, with a view to delegating more to officers. As most members were on most committees, he believed the democratic process was being destroyed and it didn't promote sensible decisions.

Cllr M. Ellis suggested having three committees – Human Resources and Strategy and Finance combined, Town Management and Highways, and Tourism, Community and Publicity, which would mean a Full Council meeting once a month but agendas wouldn't be so big as the committees would have dealt with the bulk of the business. She felt environmental matters could be incorporated into other committees and if there were big projects coming up, a working group could be set up.

The mayor, Cllr B. Larcombe said many councils were putting environment in a prominent place and making it a committee gave it that prominence. He felt delegating more to officers implied less democracy because decisions were being taken away from members.

Cllr K. Ellis said she had hoped to have this discussion after one complete cycle so members could see how the cycle worked in the current format and how the new Environment Committee fitted in. However, the town clerk pointed out the calendar of meetings had only been set for one cycle, so officers needed to know any new arrangements to set a new calendar.

Members discussed the possibility of alternating committees between cycles, so some committees met every other cycle.

It was proposed by Cllr B. Larcombe and seconded by Cllr K. Ellis to complete the current cycle of meetings to see what the Environment Committee produces and to review the situation after the summer break, with a view to combining human resources into the Strategy and Finance Committee.

The town clerk reminded members there was no calendar of meetings beyond this cycle, but this could be brought to the Full Council meeting on 28 July 2021.

Cllr B. Bawden was concerned the council was looking to move away from its commitment to set up an Environment Committee. She said a huge amount of work was required and she felt the committee was needed to lead this.

The mayor, Cllr B. Larcombe said it was a matter of considering if the Environment Committee provided the right focus for that or whether it was something that sat better with each committee as environmental matters touched the remit of every committee.

The town clerk suggested that any changes to the committee structure should start in the next council year. He said this would allow the Human Resources Committee to do a major piece of work in reviewing the HR policies and procedures. He suggested a further discussion took place at the end of this calendar year, with a view to implementing any changes in the new council year. He suggested a specific meeting was held for this purpose.

Proposed by Cllr B. Larcombe and seconded by Cllr K. Ellis, members **RESOLVED** to further discuss the committee structure at the end of 2021, with a meeting included in the calendar for that specific purpose, with a view to any changes being implemented in the 2022-23 council year.

21/22/C LymeForward Grant Review

As the council's representative on LymeForward, Cllr M. Ellis said in the last 18 months, LymeForward had acted in accordance with its grant application to contribute to the core costs of the organisation, and she didn't believe the governance of the organisation should be of any concern to the council. She was concerned there were no grant agreements in place with any organisations in receipt of a term grant. Cllr M. Ellis said according to LymeForward's articles of association, if anything happened to the organisation it would revert to Lyme Regis Development Trust and she felt anyone who was part of or working with the trust should declare an interest.

Cllr C. Reynolds said some of the organisations receiving term grants had not operated at all during Covid but LymeForward had been running the foodbank throughout. She said this service was extremely important to local people and the grant should therefore continue.

Cllr K. Ellis left the meeting at 8.18pm.

The mayor, Cllr B. Larcombe said governance issues were discussed with all grant recipients.

The town clerk said he had been very open with members and the organisations that grant agreements had not been put in place because organisations were not currently complying with their grant applications. He said it had been reported to Full Council that work on the grant agreements would take place in July when Covid restrictions ended.

The town clerk said the grant reviews helped members determine if organisations were performing to what was in their grant application and governance issues were part of that scrutiny.

The mayor, Cllr B. Larcombe said it would be interesting to know how the numbers using the foodbank compared with other areas and he understood in other places they were voluntary groups that did not receive funding. He said the grant was under review because concerns had been raised with the council about LymeForward.

Cllr K. Ellis returned to the meeting at 8.24pm.

Cllr M. Ellis said LymeForward's main activity had been the foodbank, also providing meals to schoolchildren and bags of food to people who didn't have the means to support themselves, therefore the council should be supporting this essential service.

Cllr C. Reynolds said although Lyme Regis Community Support had also supported the community, it wasn't able to take referrals from the Citizens' Advice Bureau and medical centres in the way the foodbank could. She said the foodbank was an essential service regardless of the number of people using it.

Cllr D. Ruffle said although there were concerns about the governance of LymeForward, there needed to be evidence to suspend the grant, but he was concerned that in doing so, the foodbank would be affected and vulnerable people in the town would suffer.

It was proposed by Cllr M. Ellis and seconded by Cllr J. Broom to continue grant payments to LymeForward for the rest of the year.

The town clerk advised members that grants to other organisations had only been approved for the first two quarters of 2021-22 to allow the council to review the position post-Covid and then look to get grant agreements in place. He said approving LymeForward's grant for the rest of the year would be out of line with this.

Cllr R. Smith said he had been approached by members of LymeForward and foodbank volunteers with various concerns, including the delay in holding a members' meeting, restricted attendance at the annual general meeting, and a lack of financial information after March 2020. He said he would like to wait until after the members' meeting before deciding on the grant.

The mayor, Cllr B. Larcombe said LymeForward was an external organisation and its members should raise any concerns they have with the organisation.

Cllr R. Doney said while he was concerned about the issues within LymeForward, it was not for the council to determine how the company worked and the priority should be to help people on the ground.

Cllr C. Reynolds asked for a recorded vote on the following motion:

Proposed by Cllr M. Ellis and seconded by Cllr J. Broom, members **RESOLVED** to continue grant payments to LymeForward for the first two quarters of 2021-22, with quarter one having already been paid.

Voted for – Cllr D. Ruffle, Cllr G. Stammers, Cllr J. Broom, Cllr M. Ellis, Cllr C. Reynolds, Cllr K. Ellis, Cllr T. Webb, Cllr G. Turner, Cllr S. Williams, Cllr R. Doney
Voted against – None
Abstentions – Cllr D. Sarson, Cllr R. Smith, Cllr B. Bawden, Cllr B. Larcombe

21/23/C The Hub Grant Review

As the council's representative on LymeForward, Cllr K. Ellis said the chief executive of Lyme Regis Development Trust was enthusiastic about the current situation at the Hub and would welcome ideas for new clubs.

Cllr C. Reynolds said any time she had tried to use the Hub it had already been booked for groups paying to use it.

Cllr K. Ellis said the late-evening slots were full but they were keen to hold clubs after school from 3.30pm to 5.30pm to help parents struggling with childcare. She said they were also looking for people to run those sessions.

Proposed by Cllr B. Larcombe and seconded by Cllr K. Ellis, members **RESOLVED** to continue grant payments to The Hub for the first two quarters on 2021-22, with quarter one having already been paid.

21/24/C Renewal of Lease for Power Boat Club, Monmouth Beach

Proposed by Cllr J. Broom and seconded by Cllr B. Larcombe, members **RESOLVED** to approve the signing and sealing of the new lease for the Power Boat Club, Monmouth Beach, on terms previously agreed

21/25/C Harbour Revision Order

Cllr M. Ellis left the meeting at 9.08pm.

The town clerk said he had hoped to be able to provide more information about the order but he had been unable to discuss it with the council's solicitor. He said Dorset Council (DC) was looking to harmonise management arrangements around the harbour, but this could adversely impact the Tripartite Agreement in place between the two councils.

The town clerk said there would be an opportunity for the council to comment later in the process, but DC was asking for the council's initial comments. As a detailed discussion couldn't take place at this meeting, he suggested the mayor and the chairman of the Town Management and Highways Committee met with the deputy town clerk early the following week to draft a letter on behalf of the council, which would be circulated through the briefing.

Cllr M. Ellis returned to the meeting at 9.10pm.

Proposed by Cllr G. Stammers and seconded by Cllr B. Bawden, members **RESOLVED** that the mayor and the chairman of the Town Management and

Highways Committee meet with the deputy town clerk to draft a letter on behalf of the council in response to Dorset Council's draft Harbour Revision Order.

21/26/C Regent Cinema, Lyme Regis

Proposed by Cllr B. Larcombe and seconded by Cllr K. Ellis, members **RESOLVED** that under Section 1, Paragraph 2 of The Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded from the meeting for this item of business as it included confidential matters relating to relating to the financial or business affairs of any particular person within the meaning of paragraphs 1 and 8 of schedule 12A to the Local Government Act 1972 (see Section 1 and Part 1 of Schedule 1 to the Local Government (Access to Information) Act 1985), as amended by the Local Government (Access to Information) (Variation) Order 2006.

21/27/C Exempt Business

a) Regent Cinema, Lyme Regis

Members agreed that while the council had supported the present owners in their endeavours to rebuild the Regent Cinema since its destruction by fire in 2016, it did not feel its role could extend to taking ownership of the site and assuming the risk and responsibility for the repair and reuse of the cinema.

Members agreed this was a matter for either an experienced cinema operator, a commercial developer or another organisation whose aims and objectives were more closely aligned with that role.

Members acknowledged the town council continued to give generous support to many other local organisations and groups and very much hoped the cinema could be rebuilt and retained in its former use.

Proposed by Cllr J. Broom and seconded by Cllr G. Turner, members **RESOLVED** not to pursue any interest in acquiring the Regent Cinema site or building as a community asset or project.

The meeting ended at 9.20pm.