

Minutes of the **EXTRAORDINARY MEETING** of the
Swanage Town Council held at the Town Hall, Swanage on
FRIDAY, 29th JUNE 2007 at 9.30 a.m.

PRESENT:-

Councillor G.M. Suttle (Town Mayor) – Chairman.

Councillor C.R. Bright
Councillor Mrs. C. Gainsborough JP
Councillor L. Gloyn-Cox
Councillor M. Hadley
Councillor Mrs. G.A. Marsh
Councillor M.W. Pratt
Councillor M. Whitwam

Also in attendance:-

Mr. C. Rockey Audit Commission (until 10.45 a.m.)

Public Participation Time

In addition to Members of the Council and officers, one member of the public attended the Meeting, but he did not wish to raise any matters.

N.B. These 1. minutes were amended on adoption. See Minutes of the Council Meeting held on 30th July 2007.

APOLOGIES

Apologies for their inability to attend the Meeting were received from Councillors Audley, Mrs. Patrick, Poultney and Trite.

Before the commencement of the Meeting, Councillor Bright requested that as a “Point of Order”, it be recorded that he had not received the Agenda papers in sufficient time to prepare for the Meeting and sought clarification as to the convening of the Meeting. The Town Clerk informed those present that the Statutory Notice had been displayed on the Town Hall Notice Board, and Members had previously been informed of the date of the Meeting.

2. **AUDIT COMMISSION**

(a) **Annual Audit and Inspection Letter**

Mr. Chris Rockey presented the Annual Audit and Inspection Letter on behalf of the Audit Commission, and gave a detailed explanation of the document.

During the ensuing discussion, it was recognised that improvements to the Council’s monitoring systems and accounting procedures had been introduced, and the draft accounts prepared in accordance with the CIPFA Statement of Recommended Practice. Concerns had previously been raised over legal issues relating to the sale of caravans at the Caravan Park, and these concerns had been highlighted in the Annual Audit and Inspection Letter.

The Town Mayor reported that Counsel’s Opinion had been obtained, and this was to be disclosed under Agenda Item 6 later in the Meeting.

It was proposed by the Town Mayor, seconded by Councillor Pratt, and
RESOLVED:-

That the Annual Audit and Inspection Letter be received.

(b) **Draft Audit Plan 2007/08**

The Audit Manager presented the Draft Audit Plan 2007/08, which included the Audit Commission's Statement of Responsibilities, and Work under the Code of Audit Practice, which included financial statements, use of resources, Best Value Performance Plan and assessing risks.

Some specific risks had been highlighted under Item 19 of the Draft Audit Plan, and these risks were noted.

It was further noted that the District Audit opinion on the Town Council's 2004/05 accounts had not yet been issued, and following discussion, it was proposed by Councillor Pratt, seconded by Councillor Bright, and

RESOLVED UNANIMOUSLY:-

That the following additional paragraphs be included in the Swanage Town Council's 2004/05 Accounts:-

Caravan Park Sales

Following the approval of the draft accounts by the Council in July 2005, the Council received advice from the National Association of Local Councils in May 2006 that it does not have the power to operate some of the activities carried on at the Swanage Bay View Holiday Park.

The specific activities that it has been advised that it does not have the power to operate include the sale or provision of caravans and ancillary commercial activities. The Council decided to seek Counsel's Opinion in May 2007 to provide greater certainty of the status of these arrangements.

At the present time, this means that there is considerable uncertainty about the legality of entries in the Council's accounts in relation to the sale or provision of caravans and ancillary commercial activities. The accounts contained £1.45 million pounds income from the sale of caravans on which it made a surplus of £406,000.

** This note to be included as an additional paragraph in the explanatory foreword and as an addition to note 11 post balance sheet events.

The District Auditor left the Meeting at 10.45 a.m.

3. **STATEMENT OF ACCOUNTS 2006/07**

The Town Clerk presented the Statement of Accounts for 2006/07 and gave a summary of the information contained therein.

He highlighted the major changes and new formats required for the preparation of the accounts in accordance with the CIPFA Statement of Recommended Practice, and wished to record his appreciation of the sterling work undertaken by his staff in implementing the changes to the accounting practices within the statutory deadline.

It was proposed by Councillor Pratt and seconded by Councillor Mrs. Gainsborough:-

That the Statement of Accounts 2006/07 be accepted.

Upon being put to the Meeting, SEVEN Members voted IN FAVOUR of the Proposition, whereupon the Proposition was declared CARRIED. Councillor Bright wished it to be recorded that he ABSTAINED from voting as he had had insufficient time to study the document.

4. **BEST VALUE PERFORMANCE PLAN 2007/08**

The Town Clerk presented the Best Value Performance Plan 2007/08. He referred to the new Committees structure (Page 9), and it was AGREED:-

That the following be amended to read:-

Transport

Car Parking, Traffic Management (including vehicles/pedestrian matters), Bus and Railway Station.

General Operations

General buildings, maintenance and operational matters including Parks and Recreation Grounds, Allotments, Cemeteries, Public Conveniences, CCTV, Enforcement, Car Parks and other functions of the Council.

Following further discussion, it was suggested that a strategic link be included regarding the Parish Plan, and that details relating to County Councillor Donald Hiatt be included in Appendix 1.

It was noted that the Plan is a dynamic document – an excellent “starting point” from which modifications could be made during the year, as necessary.

It was proposed by Councillor Gloyn-Cox and seconded by Councillor Hadley:-

That the Best Value Performance Plan 2007/08 be accepted.

Upon being put to the Meeting, SEVEN Members voted IN FAVOUR of the Proposition and there was ONE ABSTENTION, whereupon the Proposition was declared CARRIED.

5. **URGENT MATTERS ARISING FROM PUBLIC PARTICIPATION TIME**

(a) **Grazing Fields south of Swanage Bay View Holiday Park**

Following concerns raised regarding the poor condition of the fencing, and subsequent escape of livestock from the grazing fields south of the Holiday Park, the Clerk reported on legal advice received in the matter.

It was proposed by Councillor Pratt, seconded by Councillor Mrs. Gainsborough, and RESOLVED UNANIMOUSLY:-

That the solicitor’s advice be adhered to in furthering the matter.

6. **EXCLUSION OF PRESS AND PUBLIC**

Proposed by the Town Mayor, seconded by Councillor Pratt, and RESOLVED UNANIMOUSLY:-

That, as publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted, the public be excluded from the Meeting during consideration of the following matters.

7. **LEGAL ISSUES**

(a) **Swanage Bay View Holiday Park – Counsel’s Opinion**

The Town Mayor read Counsel’s opinion regarding legal issues relating to the sale of caravans at the Swanage Bay View Holiday Park.

Following discussion, it was proposed by Councillor Bright, seconded by Councillor Mrs. Gainsborough, and RESOLVED UNANIMOUSLY:-

To receive and accept the advice of Counsel.

It was further AGREED, and noted:-

That Members be reasonably assured that the Council is acting within the statutory framework.

It was then proposed by Councillor Bright, seconded by Councillor Pratt, and RESOLVED UNANIMOUSLY:-

To seek advice from the Council's legal advisers regarding disclosure.
