



**Minutes of the Meeting of
Hednesford Town Council
Finance, Personnel and Operations (FPOps) Committee
Tuesday 11th January 2022 6pm**

**Pye Green Community Centre, Bradbury Lane, Hednesford.
Members of the public invited to attend by Zoom and in person.**

Committee Members present:

Cllr Sharon Jagger - Chair
Cllr Garry Jones
Cllr Kathryn Downs – Acting Mayor

Non-Committee Councillors present:

Cllr Arthur Roden
Cllr Mandy Dunnett
Cllr Debbie Cartwright
Cllr Darrell Mawle

In Attendance:

Officers: Michelle Baker (Operations and Regeneration Manager / Clerk), Ginetta Adams (Community Centre and Administration Officer).

Members of Public: There were circa 10 members of the public in attendance.

1. Welcome and Apologies: Cllr Sharon Jagger greeted attendees, introducing the Committee and explaining their remit. Cllr Jagger confirmed that the meeting was primarily to ensure that the decision made by full council in December, to assign the Community Centre lease to 1st Hednesford Scouts was being adhered to. Cllr Jagger stated that Clerk Michelle Baker had been tasked with progressing this piece of work, following the Council's decision and that this would involve liaising with the FPOP's committee, CCDC and legal advisors. It was confirmed that the FPOps committee would oversee the budgeting of the lease assignment along with giving consideration to staff and working hours.

Public Participation: Members of the public present were provided with time to ask questions; it was explained by the Committee Chair Cllr Jagger that the questions would be written down and answered at a later date, where the Committee were unable to comment on behalf of Full Council. Please see attachment for the list of questions.

Public participation ended at 6.30pm and the meeting moved onto the agenda items.

Cllr Jagger clarified that the Council Committee meeting would now commence and that members of the public could not participate but were welcome to stay to and observe.

Apologies: It was noted by the Committee Chair that Cllr Paul Woodhead was held up in traffic and would join the meeting as soon as possible. Cllr Woodhead arrived at approximately 7pm.

2. Declarations of Interest: Cllr Debbie Cartwright stated that she is there, at the invitation of the FPOps Committee Chair, as Pye Green Community Centre (PGCC) Committee Chair, but wished to declare an interest as founder of Chase Lighthouse who use the centre.

3. PGCC lease assignment:

Current Position with CCDC – Michelle Baker confirmed that as a member of the PGCC taskforce, Cllr Woodhead was advised by CCDC that in order for the lease to be assigned there would now need to be a Paper taken to the CCDC Cabinet meeting (to grant the variation of the lease required) for a decision in addition to the Officer designated process previously advised. This is likely to be at the March meeting, where CCDC Cabinet will determine whether the lease assignment to 1st Hednesford Scouts is permitted. CCDC contacts have now been handed over to the Clerk.

Current Position with staff – Michelle Baker confirmed that staff are aware of the intention to assign the lease over to the 1st Hednesford Scouts and that this may result in a TUPE or redundancy situation. Contact has been made with an employment solicitor who has advised to wait until the final decision has been made (outcome of CCDC Cabinet decision) before progressing consultation with staff.

Current Position with Scouts – Michelle Baker confirmed that Cllr Woodhead had provided her with the Scout representatives details on Friday 7th January, contact has since been made to request the information that CCDC require for the Cabinet, it has been confirmed that this will be supplied this week.

4. Referral of PGCC lease assignment back to Council

Cllr Sharon Jagger stated that Michelle Baker now has all of the information as the lead and must progress the decision of the Council (to assign the lease to 1st Hednesford Scouts) and that she will be required to report back to the FPOPS Committee with updates and next steps.

Cllr Kathryn Downs proposed that whilst she had brought the original paper to the Council with good intentions, since then she has been made aware of residents wanting the Council to review the decision that was made. In addition, since the decision of Full Council there have been a number of complexities in the implementation process, and alternative options, and she feels that it is important that full Council has the opportunity to review progress and to consider what the public are telling us before the implementation progresses much further. She stated that she feels that the Committee is not large enough or diverse enough to scrutinise and perform effective governance of the process, so she would propose that the implementation of the process of assigning the lease is referred to full Council to debate and agree its decision before further progress is made.

Cllr Garry Jones sought clarification that it is the implementation that is being referred to full Council, not the decision, but if anything arises that changes the dynamic of the decision then full council can act on that information. Cllr Downes confirmed this was her proposal. Cllr Jones asked what Cllr Downes meant by alternative options and Cllr Kathryn Downs referenced the clause in the lease permitting the assignment to a Charitable Trust.

After further discussion Cllr Kathryn Downs amended her proposal as follows: that the implementation process proceeds and that reports to be taken to full Council for scrutiny rather than FPOps.

Resolved in favour of Cllr Kathryn Downs proposal.

2 votes Cllr Sharon Jagger and Cllr Garry Jones, Cllr Kathryn Downs abstained.

5. Template Hire Agreement (also to be discussed at PGCC Committee)

The Chair invited Cllr Debbie Cartwright to speak. Cllr D Cartwright said that she wished to bring it to the attention of the Committee that Cllr Paul Woodhead had written a Template Hire Agreement for PGCC Hirers without consultation with the PGCC Committee nor herself as Chair, she expressed that any contracts / agreements in relation to PGCC should be created and agreed by herself as Chair and the PGCC Committee. Cllr D Cartwright stated that she has confirmation from the Clerk that this document was not requested by the Council. Cllr Jones stated that it was not for him to speak on behalf of Cllr Woodhead who could not answer to the query raised, but that he understood the issue had arisen from the PGCC task force and that Cllr Woodhead has simply provided a draft to help and assist. Cllr Jones supported the suggestion that the PGCC committee should take up the matter. **It was resolved that this should be undertaken by PGCC Committee.**

Cllr Paul Woodhead arrived as the Public section of the meeting closed

6. It was resolved to exclude the public due to the private and confidential nature of the business to be discussed.

The Chair asked the Clerk if there were any further matters relating to the PGCC assignment that required FPOps involvement at this time. The Clerk confirmed that all matters had been discussed in public and until each item was progressed, nothing further could be added.

Meeting End.

Public Participation Section

Questions from members of the public:

Q1. Alan Pearson: "As an ex-Chair of Hednesford Town Council, why can the current Council not afford to keep the centre, when they are now receiving an extra £50k in precept from previous councils, but it was affordable then".

Answer

Affordability is a relative term, depending on what your outgoing commitments are as well as your income. The previous Council committed future Councils to the annual debt repayment of £17,000.00 per annum, for a period of 20 years from their decision to take out a loan to refurbish PGCC.

The previous Council did not have a specific plan for how this sum would be repaid, for example by generating additional net income through the centre. The latter has not been the case and therefore it is the default position that the annual debt repayment is paid from either annual precept (Council tax) revenues, or Council reserves.

The current Council administration was elected on a manifesto stating their intentions to increase town regeneration and community activity and has chosen to allocate current precept funding to these programmes and projects, as per its election promises.

This currently leaves a shortfall of approximately £18,000.00 per annum, which is situated in the PGCC cost centre (budget) and as such is approximately equivalent to the loan repayment figure, that is being funded from reserves. The Council did not consider it to be sustainable to continue funding the loan repayment from reserves indefinitely, when other

demands can also be made on these reserves (including long term maintenance costs of PGCC i.e. roof renovation, plumbing repairs) and as such a proposal has been approved (by Full Council in December) which provides a solution to this problem.

The agreed proposal relieves both this loan repayment debt, and the additional annual subsidy in running costs of a further £40,000.00 per annum, and removes the need for a long term maintenance reserve.

Q2. Paul Richards: “At the last public meeting you stated that there were going to be other options to be discussed, can we now know what these options were?”

Answer

This is answered at Question 9 below.

Q3. CCDC Cllr Sheila Cartwright:

a. “At the last meeting the gentleman to the left of the Chair (Cllr Jones) stated that previous Councillors had left the finances in a right mess, and that in 2 years the council would be bankrupt, she would like to know why was it ok when they left but not now? What has happened to the finances?”

Answer

So far as we are aware, that statement was not made to Cllr Shelia Cartwright at any Council meeting of Hednesford Town Council. At the Council meeting on 7th December, in the public participation section, Cllr Shelia Cartwright told the room that “someone” had come up to her in the car park and said “you left the council finances in a right mess”. Cllr Shelia Cartwright did not to name that person.

Whilst the former Council administration may state that “all was ok when they left”, It became apparent on their departure that they did not have a financial strategy in place for the loan repayments or a sustainable plan to generate an increased income to assist with making the loan repayments.

It is explained in the answer to Q1 that this Council administration had distinctive objectives they wished to deliver, as per the manifesto the electorate had voted in favour of and that the current Council considered it a better use of funds to invest in the town and community.

b. “Why was CCDC not notified of HTC intentions of assigning the lease before any decisions were made, also when CCDC were notified, it was via Cllr Paul Woodhead and Cllr Mandy Dunnett which is not the correct procedure?”

Answer

The opportunity of assigning the lease was discussed with CCDC officers prior to the Council deciding in December and CCDC were aware of the Council’s plan and that it would be brought before Full Council for a decision. Once Full Council had voted in favour of the lease assignment, CCDC were notified by a member of the elected PGCC Task Force.

4. Emil Hertzberg: “How can you make the decision to give notice to hirers to leave, when you have not yet been given permission from CCDC and have not replied to the questions from CCDC? If businesses are made to leave and permission is not given how will the loss of rent be covered?”

Answer

The Council reserves the right to cancel or refuse any booking and does not require the authority of CCDC to do this. HTC has provided all five affected hirers with three months written notice which is not a legal requirement.

Loss of room hire fee at any time is a question for HTC to address by way of its relevant internal processes.

Regarding the dialogues between the landlord (Cannock Chase District Council) and the tenant (Hednesford Town Council), these are confidential but are underway and it is untrue to state that questions have not been answered.

5. Cllr Arthur Roden: “Why was there a letter from Phil Foster thanking the Council for handing over the lease to the scouts, in the pack for the Council meeting 7th December where the decision was made?”

Answer

The letter referred to was a draft document contained within confidential Council papers (sent to Councillors) accompanying a confidential report to full Council which was discussed and debated in private business on 7th December 2022.

As such, this question demonstrates a breach of the Councillor code of conduct by way of breaching confidentiality.

6. Paul Richards:

a. “This is the community’s centre, why was there not a consultation advising the public of your intentions before the decision was made?”

Answer

It can be seen from question 7 that a public survey was undertaken.

b. “Why are you trying to strip the community of their greatest asset?”

Answer

HTC is not trying to strip the community of their greatest asset.

The decision by Hednesford Town Council is to assign the lease of the Community Centre to another organisation. Pye Green Community Centre would continue to operate as a Community Centre, however it would be managed by a different organisation.

c. Why does everything have to revolve around Market Street?

Answer

This question contains a broad assertion, the details of which were not clarified by the questioner.

The pandemic affected towns and cities across England and to assist with the recovery the government launched the Welcome Back Fund. This new EU funding had strict criteria and was assigned to the town centre as the purpose of the funding was to boost footfall in the town centre and encourage people to shop locally. As such £20,000 of ERDF funding (not HTC funding) was allocated for various events and activities in the town centre.

The Nutcracker trail, Bumblebee Transformer, Christmas entertainment at the lights switch on event and activities planned for January – March of this year are all funded by the Welcome Back Fund.

7. Emil Hertzberg: “Last year a survey was put out asking if the public wanted to keep the centre, 91% of residents said yes, they did, why has this been ignored, and why have you gone with the 9% that didn’t?”

Answer

The figures and statistics quoted by Mr Hertzberg within this question are inaccurate. This question was answered in the meeting by Cllr Sharon Jagger when she advised that of the 17,000 residents only a small proportion (comparatively) had completed the survey.

The survey had also been completed by people that lived outside of Hednesford and therefore it was considered that the survey was not an accurate reflection of the views of Hednesford residents (tax payers) who are subsidising the Community Centre.

8. Emil Hertzberg: “The Scouts already have a building and have financial backing, why can they not buy somewhere else?”

Answer

Hednesford Town Council are unable to answer questions on behalf of other organisations.

9. Alan Pearson: “Is it true that all 4 options (in the December Council paper for decision) involved the Scouts?”

Answer

No, it is not true that all 4 options contained within the Confidential Council Paper for decision on 7th December 2021 involved the Scouts. Cllr Sharon Jagger asked if Councillors in attendance (at the Committee meeting) whether they were in agreement for Cllr Darrell Mawle to read out the 4 options Councillors had discussed, permission by all HTC councillors present was granted and the four options were read out. The answer to this question can be heard on the audio/visual record of this meeting.