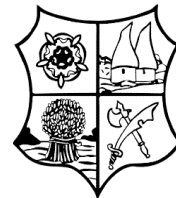


ALTON Town Council



Telephone (01420) 83986
www.alton.gov.uk
info@alton.gov.uk

Town Clerk: Leah Coney

Town Hall
Market Square
Alton
Hampshire
GU34 1HD

31st August 2023

Dear Councillor

You are hereby summoned to a meeting of the **FULL COUNCIL** on **Wednesday 6th September 2023 at 7.00pm** at the Town Hall when the under mentioned business will be transacted.

Yours faithfully

LConey

Leah Coney
Town Clerk

To: All Town Councillors

Councillor Ben Hamlin
Councillor Matthew Bayliss
Councillor John Chubb
Councillor Mark Boyce-Churn
Councillor Annette Eyre
Councillor Don Hammond
Councillor Graham Hill
Councillor Matthew Kellermann
Councillor Nick O'Brien
Councillor Barbara Tansey
Councillor Janice Treacher
Councillor Jonathan Waugh

ALTON TOWN COUNCIL – WEDNESDAY 6th SEPTEMBER 2023
ALTON TOWN HALL, ALTON – AGENDA

- | | |
|----|---|
| 1 | Apologies for absence |
| 2 | Town Mayor's announcements |
| 3 | Minutes of the last meeting held on the 14 th June 2023 |
| 4 | Declaration of Interest and Requests for Dispensations - Councillors are reminded of their responsibility to declare any disclosable pecuniary interest which they may have in any item of business on the agenda no later than when that item is reached. Unless dispensation has been granted, you may not participate in any discussion of, or vote on any matter in which you have a pecuniary interest. You must withdraw when the meeting discusses and votes on the matter |
| 5 | Questions to the Council. Members of the public are invited to make representations. |
| 6 | Co-option to the Council |
| 7 | Landlord consent for installation of air source heat pump – King's Arms. |
| 8 | Event/Project Grant applications i) Alton Town Guides
ii) Creating Crafts and Blooms
iii) The Friendship Café |
| 9 | Meet the Councillor Sessions |
| 10 | CALA Community Building |
| 11 | Accounts to 30 th June 2023, including Internal Auditors Report |
| 12 | Extension of Licence to Occupy - Mens Shed and Dementia Friendly Alton |
| 13 | Alton Assembly Rooms Lease |
| 14 | ATC updated Investment Strategy |
| 15 | ATC updated Financial Regulations. |
| 16 | District Councillor Report |

ALTON TOWN COUNCIL
FULL COUNCIL – 6TH SEPTEMBER 2023

REPORTS BY THE TOWN CLERK

ITEM 6 CO-OPTION TO THE COUNCIL

FOR DECISION

Following the publication of casual vacancy notice for Ashdell, four candidates have put themselves forward for co-option. Details of the introductory submissions made by each candidate have been forwarded to councillors in advance of the meeting.

The candidates therefore are:

David Dodd (Ind)
Matt Donnelly (Lab)
Pandora Kellermann, (Ind),
Peter Wadman (Ind)

Each candidate will be asked in turn to briefly introduce themselves to the Council, detailing why they would like to join the council and any relevant information which they think would be helpful to Members in making a decision.

Following confirmation from the Town Clerk as to the names of all the candidates and verification of their ability to stand for council, councillors present at the meeting must then decide if they wish to nominate any of the persons named.

Only councillors present at the meeting may nominate, second or vote upon a person to fill the vacancy. There is no obligation upon any councillor to nominate any of the applicants if they do not consider the person suitable for the office of councillor.

Each candidate must be nominated by a councillor, and provided the nomination is then seconded, that person can be voted upon.

Voting should be by a show of hands unless the council has adopted Standing Orders which allow another form of voting. The chairman of the meeting may exercise their casting vote in the event that there is an equality of votes.

Given there is only one vacancy, then:

- A councillor may only nominate or second one candidate
- The Chair puts the names of the those nominated into alphabetical and takes a vote by show of hands
- Councillors have only one vote each
- The first candidate to receive an absolute majority of those present and voting is declared elected

In the event of no single candidate receiving a majority on the first vote, the person with the lowest number of votes is eliminated, and voting takes place on the remainder, one vote per councillor. This continues until one person receives an absolute majority.

The successful candidate will be summoned to attend the next Full meeting of the council by which time they must have signed the Declaration of Acceptance of Office and read and understood the Code of Conduct adopted by the council.

The clerk will inform the District Authority Returning Officer of the name of the successful candidate.

New councillors must, within 28 days of election to office, register their interests with the District Council or Unitary Authority Monitoring Officer. Forms are usually supplied by the Monitoring Officer or by the clerk.

RECOMMENDATION: Following a vote, the process of which is detailed above, the Council is asked to resolve to approve the appointment of a Town Councillor for Ashdell Ward

ITEM 7 LANDLORD CONSENT FOR INSTALLATION OF HEAT PUMP AND SOLAR PANELS – KING’S ARMS

FOR DECISION

The King’s Arms, located at the Town Council premises on Vicarage Hill, is looking to install a heat pump and solar panels as part of a retrofit of the building to make it more efficient. They were advised that landlord consent would be required and it would be for the tenant to confirm with EHDC if planning permission is required. This is the first step for the King’s Arms before making an application for Neighbourhood CIL later in the year to help fund the works.

The Town Clerk advised in an email to councillors on the 8th August that any permission would be on condition that the noise from the heat pump is not at a level which may affect neighbouring properties and invited councillors to make any other comments.

Responses from Members included a request to review the amount of insulation in the building as additions may be required for the pump to work efficiently and this has been confirmed by the tenant.

There was also a comment that the King’s Arms may wish to consider battery storage of electricity for use when the PV panels won't be producing very much electricity (i.e in the evenings)

RECOMMENDATION: Members are invited to approve the granting of landlord consent for the heat pump and solar panels for the roof of the King’s Arms Youth Centre subject to any necessary planning approvals.

ITEM 8 EVENT/PROJECT GRANTS.

FOR DECISION

Enclosed in Members bundles are three project/event grant applications for consideration as follows:

i) Alton Town Guides	£350.00
ii) Creating Crafts and Blooms	£250.00
iii) The Friendship Café	£584.43

The Council has a budget for 2023/24 of £4,000 for event/project grants and it is confirmed that these three applications are within the agreed budget.

RECOMMENDATION: Members are requested to consider approval of the grant applications as detailed above.

ITEM 9 MEET THE COUNCILLOR SESSIONS

FOR DECISION

Following a trial over the summer, organised by the Mayor, Members are requested to approve continuation of the sessions monthly, with the following dates to the end of 2023, held directly after the respective month’s Full Council meeting.

Thursday 7th AM and PM and Saturday 9th September AM
Thursday 5th AM and PM and Saturday 7th October AM

Thursday 2nd AM and PM and Saturday 4th November AM

To be held at Edgar Hall, with two councillors in attendance per session.

The Mayor has asked Members to note the following:

1. The reason for having two councillors present is to afford safeguarding to all participants, whilst, at the same time, facilitating confidentiality by being able to shut the door. Consequently, councillors should only leave the room for natural breaks or to organise any queues. The meeting in the room should be adjourned, and the door left open until both councillors are once again present.
2. If it is decided to offer advance appointments, then these cannot be councillor-specific, for the obvious reason that it leaves the partner councillor in limbo.
3. 'Soapboxing' by councillors should be discouraged, either in the room, or in the waiting area. Residents should expect to be listened to, not talked at. Again, this is only showing courtesy to the second councillor who may not associate with the views expressed from the soapbox.

In addition, Councillor Kellermann has suggested an additional session be held in town on a Tuesday (market day) at least six times a year, in the unit under the Town Hall, Community Centre, Assembly Rooms or similar central location, to provide an additional opportunity for the public to meet with councillors in an informal setting whilst in town. These surgeries would have to be divided into "windows" of 15 minutes or so to ensure proper functioning, but they would enable residents to engage councillors at a convenient central location.

RECOMMENDATION: Members are requested to approve:

- i) the Meet the Councillor sessions initiative at Edgar Hall, to be reviewed in early 2024
- ii) the hosting of additional sessions at a central location, six times a year, on a Tuesday morning.

ITEM 10 CALA COMMUNITY BUILDING

FOR DECISION

Members attended a briefing session in relation to the progress of both the lease agreement and the physical construction of the community building on the former Molson Coor Brewery Site, on the 23rd August.

A summary of progress to date is outlined below.

ATC originally signalled their willingness to take on the facility through a resolution made by Full Council in February 2021. EHDC invoked this option in October 2021 as construction commenced on site.

Since then, the community facility has been developed between CALA Homes, their affordable housing provider Legal & General Affordable Homes (L&GAH), Alton Town Council (ATC) and East Hampshire District Council (EHDC).

EHDC and ATC have jointly worked on the lease and supervision on the appointed Clerk Of Works. RegenCo, Studio Four Architects and ITD Consulting have been appointed in this role. They have also helped to apply for Community Infrastructure Levy (CIL) funds to fund the fit out of the facility once handed over. To date there have been two successful applications for District level CIL (EHDC) and one for Neighbourhood CIL (ATC) which would fund the fit out of the facility, the second application to EHDC being necessary due to the construction inflation and rising costs of fit out combined with the delay in handover of the Shell & Core.

As part of identifying potential users, Alton Food Bank and Citizens Advice Bureau, both current tenants of ATC's, came forward and a proposal for a community hub that could provide public services in the new facility was then taken forward. Other complementary uses have been researched such as General

Practitioner outreach / social prescribers. This combination of services also provided a community facility that would not compete with Alton Community Centre.

The community hub proposed is on the ground floor of a building with three storeys of residential units above, approximately 31 dwellings. This project is the first such affordable homes project by L&GAH in Hampshire and they were secured after the Section 106 agreement was completed and thus were not party to the agreement.

CALA, L&GAH, ATC, EHDC and the employers agents have 6 weekly technical video meetings to discuss progress and work through issues arising. Alongside the technical meetings site inspections have also taken place. Delays to the construction programme have had a knock- on effect to the costs of the fit-out programme, resulting in a second CIL bid to cover the cost increases. The current build and fit out costs are £1,223,704

ATC and EHDC through their technical advisors – RegenCo/ Studio Four, have produced technical drawings for the Community Hub and these are ready for submission for building regulations approval. The technical advisors worked closely with CALA's architects to revise the building elevations and external areas to ensure a "fit for purpose" community facility. The revised drawings are now subject of a non-material amendment planning application.

Discussions on a lease began in 2021, ostensibly to start with Heads of Terms, for a new lease setting out the main terms and provisions. These Heads of Terms were superseded by L & G's solicitors producing a draft of a 999 year lease. This has involved a lot of negotiation as many of the terms were unduly restrictive and onerous for such a long lease more akin to the transfer of a freehold. Some concessions and amendments have been accepted by L&GAH, but some of the terms remain inappropriate for a lease of 999 years.

In the interest of progress, ATC and EHDC have gone for a compromise on the majority of the issues raised. However, at present, there remain two fundamental issues that L & G are not prepared to compromise on . The first is that the Landlord has the ability to break the lease in the event that the tenant seeks to vary any covenant related to the use of the premises or any other tenant's covenant on giving the tenant twelve months' notice. This is unduly onerous for a lease of 999 years. The second issue is that the landlord and has excluded liability for any latent or inherent defects in the building which means the tenant will have to pick up the cost of repair for these should a defect be discovered. To mitigate this risk, we have asked them to provide a collateral warranty from the main contractor which could be relied upon but this has been refused.

The S106 Agreement points to the Community Hub transferring from the Owner (Molson Coors Brewing Company (UK) Ltd) to either ATC or EHDC. However, following commencement of construction, the parties were informed that the building had been passed to L&GAH and therefore all discussions regarding the Lease were to be undertaken with L&GAH. This has created problems in part due to a lack of prior knowledge/ understanding of the matters surrounding the requirement for delivery of the Community Hub as part of the development and indeed the S106 Agreement, on the part of L&GAH. Several attempts have been made to highlight the terms of the transfer of the Community Hub to EHDC or ATC as set out in Paragraph 1.12 of Schedule 8 but without success.

The Councils have now reached an impasse with L&GAH regarding the terms of the lease with L&GAH not willing to accept any further amendments to the lease. We have received correspondence from L&GAH stating that their position is final and that they will not allow further resource to be utilised by engaging in continuing negotiation on the lease.

To date CALA have not offered EHDC nor ATC the benefit of a collateral warranty and L&GAH will not offer the benefit of their collateral warranty despite repeated requests. The remaining outstanding items set out above are considered to be an unsatisfactory transfer and a potential breach of the S106 agreement Paragraph 1.12 of Schedule 8

At the briefing session on the 23rd August, Members indicated that ATC should not be engaging in further lengthy negotiations with L&GAH. The onus is on EHDC and the Owner to ensure a smooth transfer of the Community Hub in accordance with the S106 Agreement. ATC would therefore be looking to advise EHDC that it can no longer pursue the transfer of the Alton community hub due to the reasons stated above.

Members discussed that currently, both potential occupiers of the community building have tenancies with ATC in other buildings and as such are not in immediate need of relocating as their agreements can be easily extended, however, should EHDC be able to resolve the issues with the lease satisfactorily, then it would make sense for sub-tenancies to be issued directly to both organisations. If the lease cannot be resolved, then remedies would need to be considered so that neither organisation is disadvantaged. The Town Clerk has updated them in respect of the current situation.

It was further noted that ATC has already approved use of Neighbourhood CIL to the value of £150,339 (27th April 2022) with EHDC approving the use of District CIL to the value of £620,302 for the fit out works, which are as yet unspent. If ATC withdraws from the project but EHDC are able to resolve the outstanding issues with the Owner, both the District CIL and Neighbourhood CIL attached to the project should remain in order to complete the fit-out once the shell and core has been delivered. If resolution cannot be obtained those funds will revert back to the respective councils to be reallocated for other projects.

RECOMMENDATION: Members are requested to approve Alton Town Council's withdrawal from the project, advising EHDC that it can no longer pursue the transfer of the Alton Community hub, citing the continued delays to the delivery of the project which will continue to add to the overall cost of the hub and the unresolved legal issues.

ITEM 11 ACCOUNTS TO 30TH JUNE 2023 AND INTERNAL AUDITORS REPORT

FOR DECISION.

These accounts were reviewed by the Internal Auditor on the 4th July. If there are any questions arising, please submit these to the Clerk in advance of Full Council to ensure answers are available at the meeting.

Balance Sheet as at 30th June 2023

The balance sheet is presented for sign off by the Chairman of the Council and the RFO (Responsible Financial Officer, Mrs Leah Coney – Town Clerk).

Income & Expenditure

Attached is the Income and Expenditure Report for the first quarter of 2023/24 financial year; this illustrates the Operating Income and Expenditure for the council to 30th June 2023 against the budget set by the Council.

Bank Reconciliation Statement as at 30th June 2023

The Bank Reconciliation Statements are as presented with a closing balance of £213,144.92 (Unity), £974,511.16 (CCLA) and £644.14 (Petty cash). This requires signing off on behalf of the council that the figures presented reconcile with the original bank statement which will be given to the Chairman on the night.

Payments over £500

The attached report includes all payments over £500, issued between 1st April 2023 and 30th June 2023 in respect of invoices and grant cheques.

Internal Audit Report

The Internal Audit Report to cover the period to the 30th June 2023 is included in Members bundles.

RECOMMENDATION: Members are requested to confirm their approval of:

- 1) The balance sheet dated 30th June 2023
- 2) The Income and Expenditure account to 30th June 2023
- 3) The bank reconciliations for the Unity Account and the CCLA Deposit Account
- 4) The Payments over £500 covering 1st April 2023 to 30th June 2023
- 5) The Internal Audit Report to 30th June 2023

**ITEM 12 EXTENSION OF LICENCE TO OCCUPY
MENS SHED AND DEMENTIA FRIENDLY ALTON**

FOR DECISION

At the Full Council meeting of the 22nd March 2023 approval was given to a temporary licence to occupy for Edgar Hall to enable occupation by Mens Shed and Dementia Friendly Alton, pending the finalising of a longer term lease. Due to issues which have arisen with the planning application to alter the building, Members are requested to extend this licence to occupy for a further six months to 31st March 2024 to enable both organisations to continue to use the building whilst resolving their longer-term lease arrangements at Edgar Hall or elsewhere. (see item 13 below)

The extension to the licence is proposed on the same terms as the current agreement.

A copy of the current agreement is included in Members bundles for information.

RECOMMENDATION: Members are requested to confirm their approval of an extension to the current licence to occupy for Mens Shed and Dementia Friendly Alton at Edgar Hall to 31st March 2024.

ITEM 13 ALTON ASSEMBLY ROOMS LEASE

FOR DECISION

Following the decision of the Whitehill and Bordon Town Partnership to withdraw from the proposed lease agreement with Alton Town Council for use of the Alton Assembly Rooms, Members are requested to consider approval of Heads of Term for a proposed new lease agreement with Dementia Friendly Alton.

At the Councillors briefing on the 23rd August, Members heard from Karen Murrell from Dementia Friendly Alton, who wished to approach the Council in respect of the potential for use of the Assembly Rooms as a hub for the charity if the current planning issues in respect of the proposed extension to Edgar Hall were not able to be resolved.

A copy of the draft Heads of Term is included in Members bundles. In summary, this would be a lease for a term of 7 years, commencing on 1st January 2024, with relevant break clauses. This would be a peppercorn rent in exchange for Dementia Friendly Alton taking responsibility for the running of the building including managing all hirings along with undertaking minor repairs and redecoration to the building. Dementia Friendly Alton have stated that they are highly likely to be able to use the building around the existing hirings to ensure good levels of occupancy of the building.

Additionally, an approach would be made to EHDC in respect of the CIL monies obtained for improving Edgar Hall, to see if a portion of this could be transferred to the Assembly Room to improve a number of facilities including the kitchen, changing rooms (which would be used for wellness sessions) and the toilets. These works would likely be undertaken in the first three months of 2024, whilst Dementia Friends retain use of Edgar Hall, subject to any necessary consents being obtained.

Obligations on ATC as the landowner of the building and structural maintenance costs will be retained by the Council.

RECOMMENDATION: Members are requested to confirm their approval of the draft Heads of Term for a lease to Dementia Friends for Alton Assembly Rooms to take effect from 1st January 2024.

ITEM 14 INVESTMENT STRATEGY FOR REVIEW

FOR DECISION

Members are requested to review and approve the updated Investment Strategy which is included as a supplementary paper in Members bundles.

RECOMMENDATION: Members are requested to confirm their approval of the updated Investment Strategy as tabled.

ITEM 15 FINANCIAL REGULATIONS FOR REVIEW

FOR DECISION

As per the Internal Audit report prepared by Mulberry, provided as part of agenda item 11, above, an update is required to the Council's Financial Regulations to account for the current structure of the Council and the dissolution of three of the committees with delegated budgets. The relevant internal audit extract and Financial Regulation is below.

FR 4.1. Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by the:

- *the council for items over £10,000; or*
- *a duly delegated committee of the council for all items over £5,000*
- *The clerk for any items below £5,000.*

Such authority is to be evidenced by a minute or by an authorisation slip duly signed by the RFO and, where necessary, also by the appropriate Chairman.

Contracts may not be disaggregated to avoid controls imposed by these regulations

Based on the level of financial activity of the council, these authorisation thresholds appear appropriate.

During the interim audit I tested invoices above and below these thresholds and found no evidence of the regulations not being adhered to.

However, the regulations do need to be adjusted to reflect the removal of the committees. In addition to this, it was noted that for small purchase items where no PO is required per financial regulation 10.1 we could not always find a corresponding authorisation slip per 4.1 above. I recommend the wording of financial regulation 4.1 is reviewed to better reflect the day-to-day use of authorisation slips.

Therefore, with the agreement of the internal auditor it is proposed that the financial regulation 4.1 be amended to read as follows:

FR 4.1. Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by the:

- *The Full Council for items over £10,000; or*
- *The Town Clerk together with the Chair of the council or the relevant committee for all items over £5,000*
- *The Town Clerk for any items below £5,000.*

Such authority is to be evidenced by a minute or by an authorisation slip for all items over £1,000, duly signed by the RFO or the Finance and Administration Manager and, where necessary, also by the appropriate Chair

Contracts may not be disaggregated to avoid controls imposed by these regulations

RECOMMENDATION: Members are requested to confirm their approval of the amendment to Financial Regulation 4.1 as detailed above.

ITEM 16 DISTRICT COUNCILLORS REPORT

FOR INFORMATION

Enclosed in Members bundles is the District Councillors report from Cllr Ginny Boxall. If anyone has any questions in respect to the report, please send these through to the Town Clerk for forwarding as unfortunately Cllr Boxall is unable to attend the meeting in person.

RECOMMENDATION: This report is for information only.