

Minutes 12/19

WHITNASH TOWN COUNCIL

Minutes of the Town Council meeting held on 11th April 2019
at 7.00 p.m. in
Whitnash Community Hall, Acre Close, Whitnash.

PRESENT

Councillors: T Shepherd
R Margrave
A Barton
G Cancilla
Mrs J Falp
B Franklin
A Heath
S McFadden
D Sage
B Smart
R Sparkes

Mayor
Deputy

Town Clerk: Jenny Mason

Police: 0

Public: 1

186/19 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs Button, Kirton and Short. Apologies for absence were accepted.

187/19 DECLARATIONS OF INTEREST

There were no declarations of interest at the start of the meeting.

188/19 PUBLIC FORUM

There was no public forum.

189/19 POLICE

Cllr Shepherd read the Police Report.

Please accept the team's apologies for not attending this meeting.

This month's crime figures are as follows:

Anti-Social Behaviour – 9 Incidents – All are personally targeted e.g. neighbour disputes. Problems at school.

Burglary – 1 – Broke in through patio doors on Poplar Way for car keys.

Damage – 1 – This was personally targeted damage to a vehicle.

Drugs – 0 – No incidents reported

Vehicle crime –2 – one theft of laptop inside and the other is theft of two car covers.

Priorities for the next six months

- **Vehicle Crime**– Crime prevention advice given to community groups, patrols to check for any vulnerable vehicles and advise owners accordingly.
- **Drug Patrols** - targeting hot spot areas obtained via intelligence. We have had intelligence regarding Tachbrook Rd, Anderson Drive and a couple of properties which we are monitoring for cannabis cultivation.
- **ASB in parks** – minimum of two patrols per week

I know there have been reports of broken glass in the park but we have had no other reports of incidents.

PCSO Sample is currently working at Southam as he is tutoring a new PCSO. He is due to return in May.

Sgt Allison Wiggin has left the SNT this week and is acting Inspector for a new post. We will be getting Sgt Trent McMurray who is due to start in the next few weeks so I will arrange an introduction soon.

190/19 MAYOR'S ANNOUNCEMENTS

Since the last council meeting, I have represented the Town at functions held by the Mayors Kenilworth, Warwick, Leamington Spa and the Chairman of Warwickshire County Council, The High Sherriff of Warwickshire and held my own Civic Service.

191/19 MINUTES OF THE PREVIOUS MEETING

The minutes of the Town Council meeting held on 14th March 2019 as circulated were approved and signed as a true record.

192/19 MATTERS ARISING OUT OF THOSE MINUTES

168/19 Leamington Trash Friends – did not attend the meeting had an emergency litter pick.

176/19 Community Hub quotations – Cllr Barton asked if the price for Pulse was held?

193/19 OUTSTANDING PROJECTS / ACTIONS / DECISIONS LIST

The Community Map will remain on the list

Church Close will remain on the list although Stonewater Housing have admitted responsibility for the road. This will be an item on the June 2019 Town Council agenda.

194/19 REPORTS FROM COUNTY AND DISTRICT COUNCILLORS

Cllr Mrs Falp did not produce a Warwickshire County Council report, but offered to answer any questions.

Due to work commitments overseas, I was unable to attend the last Finance and Audit Scrutiny Committee.

Cllr R Margrave Warwick District Councillor

195/19 VAT

The Finance Assistant attended the meeting to explain VAT to Members.

VAT regulations for Town Councils is not the same as it is for a business.

A Council whether registered for VAT or not under Section 33 can reclaim all VAT that relates to non-Council Business Activities – e.g. provision of play equipment for which there is no charge.

If a council receives income from VAT exempt activities e.g. hall hire, seasonal / annual pitch hire, then under Section 33 it can only recover VAT on expenses attributable to those activities provided it is below £7,500 in any one year. If it exceeds this limit then none of the VAT can be reclaimed.

A council must register for VAT if it has taxable income which would result in VAT over £1000 per year e.g. advertising. As advised previously once the Community Hub is built it will provide an income by way of hall hire which would normally be exempt income meaning we would be restricted in the amount of VAT we could reclaim in relation to all the costs involved to the limit of £7,500. For this reason, we applied for an 'Opt to Tax' for the building which means any income will be vatatable at standard rate and in turn we can reclaim all the VAT expenses relating to the hub.

The 'Opt to Tax' only applies to the building and not any work to be carried out on the field.

We currently charge Whitnash Sports and Social Club to hire the pitches per season and this is exempt income consequently any costs involved improving the pitches will be subject to the £7,500 limit for reclaiming VAT. At the moment that is just grass cutting between April and October and is within the limit.

As part of the planning permission we have to make a number of improvements to the existing pitches which has been estimated by Debbie Cole to be in the region of £90,000 plus VAT.

Advice has been sought from two independent advisors both of whom who have confirmed that the only way to ensure that the Council can reclaim the VAT on the proposed costs is to charge and invoice for each individual pitch hire which would then make them standard rated.

We cannot simply charge an annual fee and add VAT. The income would still be considered by the VAT office to be exempt income. Members need to accept this advice, as the Finance Assistant cannot keep asking the same questions, the Town Council has been given the answers.

It is very likely that given the size and costs involved in this project that it will trigger a VAT inspection. If Councillor's do not accept the advice give it could result in the VAT office disallowing our claims and imposing fines for which the Finance Assistant will accept no responsibility.

A discussion took place regarding the VAT and the hire of the pitches and receiving fixture lists from the various teams at Whitnash Sports and Social Club. Leagues are set and games can vary. In the past fixture lists have only been received from the Coventry Alliance so there is no base to work from with regard to setting a price for hiring a pitch. Cllr Sparkes suggested that the Town Council does not charge for the hire of the pitches to encourage fitness. Councillors were not in favour as Whitnash Sports and Social Club is a limited company and the Town Council cannot spend money on relocating the pitches to then not charge for pitch hire. The Licence Agreement will need to be replaced with a Service Level Agreement.

It was proposed that a letter is written to Whitnash Sports and Social Club asking them to envisage how many games will be played at 'home' and how many teams will be playing on the pitches this season.

The rugby fixtures have been received so the charge per pitch can be calculated.

The Finance Assistant was thanked for the VAT information provided.

Cllrs Margrave, Smart and Sparkes declared an interest as Members of the Whitnash Sports and Social Club.

196/19 COMMUNITY HUB UPDATE

1. Preparation for tender

Following work is in progress in order to collate the documents needed to go out to tender.

- 1.1 Variation to the planning permission has been submitted and three-week consultation period will start once planning fee is received.
- 1.2 Paperwork for the tender pack being drafted including;
 - Architectural and M&E Drawings: Complete
 - Structural Drawings: MLM in progress. MLM have confirmed there will be an increase to their fee for the additional work, details awaited
 - Specification questionnaire – first draft completed
 - Invitation to tender – first draft completed
 - Pre-construction information pack – draft completed
 - Procurement strategy; process, form of contract, scoring and evaluation etc – in progress. Meeting to be set up with John Hopper, Procurement and reps from WTC confirm strategy.

2. Utilities orders placed - status

- BT: WTC agreed the fee of £5,574.51. BT will advise on any actions required to the BT pole once they have received the payment.
- Gas: Application fee £428 paid, Connection fee £3,527 paid
- Electricity: Application fee and connection fee paid £20,656.55
- Water: Application Fee £138 paid

3. Pitches work:

Relocation of pitches and associated equipment/works (not including any improvements).

A draft specification has been prepared. Intention to tender the pitches along with the Community Hub. (This is on the basis that it will be easier to manage the work if there is one contractor., reduce risk of contractors playing off against one another other in the event of issues/delays.)

Flood lights: PH and DC met Richard Sparkes on site on 12 March to assess the current level of light from floodlights onto the training area. Currently there is generally low level of light, with only a narrow strip of 2 meters achieving the Sport England recommended 120 lux. We are drafting a specification of 120 lux across an area of 40m by 10m. It will be left to contractor to determine if this can be achieved with two or three lighting columns. Proposal is to locate the lights on WTC side of the boundary with the lights fed from the hub on a sub meter to allow cost of lights to be split from other electricity costs. Lights to be switched on and off from point on external wall of building. Baily Garner have confirmed that there is capacity for this electricity but advise that this will eat into some of the 25% spare capacity which will service the car charging points or external changing rooms. It will not be possible to position the lights in an "L" formation as this will not be acceptable to Planning.

3.1 FA Pitch improvement works

Received report from FA Pitch Inspector. It documents that pitches are un-level and there is poor drainage. It recommends a number of measures to improve pitches including aeration and slitting. Meeting held with FA last week to understand next steps which were agreed as;

Tender of relocation of the pitches also to include for improvement works. This will enable us to understand current market cost for the work. Meeting needed with WTC & WSSC to understand implication of improvement works. WTC to then make decision on whether an application should be made. Implications for WTC if awarded money for improvements:

- WTC would need to evidence the level of security of tenure for WSSC, including a Service Level Agreement,
- maintenance arrangement would need to be drawn up
- possibility of some level of match funding for either improvement work and/or equipment.

4. Consultation

Email drafted for WSSC, providing update of the project.

5. Professional Services status

Phase 1 (pre-construction)

Service	Supplier	Appointment status	Fee	Action required
Architectural services	Baily Garner -	Deed of Agreement in place. Offered fixed price for remainder of P1		No action
Building Surveyor	Faithful and Gould	Deed of agreement in place.		No action
Quantity Surveyor	Pulse	Order placed		Contract needed
Structural Designer	MLM	Order placed		Contract needed
CDM adviser	WCC	Appointed		No action

Phase 2 (during construction)

Service	Supplier	Appointment status	Fee	Action
Architectural services	Baily Garner -	Needs to be novated to Principal Contractor		First draft of novation and warranties being prepared by WCC.
Building Surveyor	Faithful and Gould	Deed of agreement in place for Phase 1 and Phase 2.		Variation of existing Deed of Agreement
Quantity Surveyor	Pulse			Contract needed. See above for Phase 1

Structural Designer	MLM			Novation will be needed for phase 2
CDM adviser	WCC			Covered as per phase 1 – no action required

B: Project Costs and Funding:

1. Funding:

Sport England Grant Funding (£150k) successful: Yet to receive the conditions. SE have requested additional information, Child Protection Policy and Vulnerable Adults Policy. Provided CPP but WTC does not have VAP. We will wait to hear if the Council will be required to put one in place. PWLB loan (£250k) successful: Number of conditions are attached which relate to Project/WTC producing series update communications.

2. High level, summary project costs

Latest PTE: Total project costs	£2,264,574
Available budget of:	£2,222,007
Project shortfall	£42,567

Assumes achieve £60k external funding

C: Programme - current status

Task	Time
Tendering period (including prep of documentation, getting tenders out and getting tenders back)	April – end of June
Tender evaluation period	July
WTC approval to award	August
Contract signing	End of August

Subject to change should experience delays due to;

- Planning variation consultation
- MLM revision of structural drawings
- Baily Garner providing tender pack to Pulse.

Whitnash Town Council has signed letters of engagement with Warwickshire Legal Services for legal advice relating to the Pulse Contract as well as for legal advice relating to agreeing a form of novation, appointment and warranty between various parties and reviewing of the Design and Build Contract for the Whitnash Community Hub project.

Warwick District Council will be paying for the legal advice for the form of novation etc in order to protect their 'funding' allocated to the Whitnash Community Hub.

197/19 COMMUNITY HUB INCOME AND EXPENDITURE

The Community Hub income and expenditure report as at 3rd April 2019 was forwarded to all Members.

Warwick District Council has been paying the gross amount when invoices for the hub project have been submitted to them for the Community Hub expenditure. The VAT from the hub payments will be reclaimed and 'ring fenced' separately and will be used for the Community Hub project only.

198/19 APPROVE AND ADOPT RED PHONE BOX POLICY

The Red Phone Box Policy was discussed and the following amendments proposed:

- The exhibition can run for 28 days or longer at the Town Council's discretion.
- The exhibitor will be liable for any damage incurred by their display.
- Exhibits are on display at owner's risk.

The policy will be amended to reflect the amendments above.

199/19 WHITNASH TYMES

Distribution of the Whitnash Tymes is becoming an issue. Distributors who cannot help bring their boxes of Whitnash Tymes to the office after they have been delivered to them. It then becomes an issue to find people to help out and the same Members offer every time. This was discussed and it was proposed that volunteers carry on delivering the Whitnash Tymes and a 'reserve bank' of Councillors is set up to assist when distributors are unable to deliver as well as finding out the cost of outsourcing the distribution of the Whitnash Tymes.

The Clerk has contacted Public Works Loan Board and we need to continue updating residents on the progress of the Community Hub via social media and the Whitnash Tymes as not everyone uses social media. This can be done quarterly or half yearly.

200/19 CORRESPONDENCE

There was no correspondence.

201/19 SCHEDULE OF APPROVED PAYMENTS MADE

The Schedule of Approved Payments from 6th March 2019 to 3rd April 2019 was noted.

202/19 REPORTS FROM WARD COUNCILLORS

East: Cllr Mrs Falp has not been opposed in this ward for the elections.

North: Nothing to report

South: The water leak outside St Margaret's School has reappeared.

West: Nothing to report.

203/19 REPORT OF COMMUNITY HUB WORKING GROUP MEETING

Cllr Mrs Falp proposed that a receipt (in the form of draft minutes) of the Christmas Lights Working Group meeting held on 7th March 2019 are received.

204/19 REPORT OF FINANCE AND GENERAL PURPOSES COMMITTEE MEETING

Cllr Cancilla proposed that a receipt (in the form of draft minutes) of the Finance and General Purposes committee meeting held on 21st March 2019 are received.

205/19 REPORT OF HALL AND PLAYING FIELDS COMMITTEE

Cllr Barton proposed that a receipt (in the form of draft minutes) of the Hall and Playing Fields Committee meeting held on 28th March 2019 are received.

206/19 REPORT OF PLANNING COMMITTEE MEETING

Cllr Franklin proposed that a receipt (in the form of draft minutes) of the Planning Committee meeting held on 7th March 2019 are received.

207/19 DATE OF NEXT MEETING

The next Town Council meeting will be held on 23rd May 2019 at 7.00 p.m.

There being no other business the Mayor thanked everyone for their attendance and declared the meeting closed.

SIGNED..... DATE.....