



## UTTOXETER TOWN COUNCIL

### RECOMMENDATIONS OF THE FINANCE AND GENERAL PURPOSES COMMITTEE ARISING FROM ITS MEETING HELD IN THE ALAN DEAN SUITE, UTTOXETER TOWN HALL ON TUESDAY, 26 APRIL 2022 AT 5.30 PM

#### Chair – Councillor P Hudson

Councillors: M Crutchley, R Hawkins, Z Krupski, M Lloyd-Ewer, C Sylvester  
Officer in attendance: T Jeffery, Town Clerk

#### 1. CHAIR'S WELCOME

The Chair provided a brief on the fire procedure in the event of a fire, the provisions of the Recording and Filming of Meetings as in accordance with "The Openness of Local Government Bodies Regulations 2014", the use of mobile phones during the meeting.

#### 2. APOLOGIES FOR ABSENCE

(a) The Clerk reported that approved apologies had been received from Councillors H Headech (ex-officio) and D Goodfellow.

RECOMMENDED that the same be noted and approved.

(b) Councillors who were absent and apologies had not tendered – None.

RECOMMENDED that the same be noted.

#### 3. PUBLIC PARTICIPATION

In accordance with Standing Order 3(e-h), the meeting be adjourned for up to 15 minutes to allow for public participation where members of the public may make representations, answer questions and give evidence at a meeting which they were entitled to attend in respect of the business on the Agenda. The period of time designated for public participation at a meeting as in accordance with standing order 3(e) shall not exceed (3) minutes unless directed by the Chair of the meeting. It was noted that members of the public may not take part in the Council meeting itself.

It was noted that no members of the public were in attendance.

#### 4. DECLARATIONS OF INTEREST

Declaration of any disclosable pecuniary interest in a matter to be discussed at the meeting, and which was not included in the register of interests. Members were reminded that they were required to leave the room during the discussion and voting on matters in which they had a disclosable pecuniary interest, whether or not the interest was entered in the register of members' interests maintained by the Monitoring Officer.

Councillor Krupski declared a non-pecuniary interest in Item No. 10(b)

#### 5. DEFIBRILLATOR FOR UTTOXETER TOWN HALL INCLUDING PLANNING

*As Recommended by Committee at its meeting held on 22 February 2022 that*

(i) *Councillor C Sylvester provide the Clerk with the details of the defibrillator installed at the Heath Community Centre including installation requirements.*

(ii) *Upon receipt of (i) as above, the Clerk seek costings for the purchase of the suggested defibrillator including installation, cabinet type (heated/non heated), ongoing maintenance requirements, etc.*

(iii) *This matter be included for further consideration by Committee at its next meeting.*

Councillor C Sylvester reported that he had provided the Clerk with contact details for the provision of a defibrillator similar to the one located at the Heath Community Centre.

The Clerk reported receipt of a quotation as recommended by Cliff Medicotts, NHS Support Worker who had recently addressed Council, received from UKPadSites in the sum of £1,480.

Signed: ..... Date: .....

The Clerk reported that the quotation was for one NF1200 Semi-Automatic Defibrillator unit, a Defibsafe 2 cabinet and a rescue kit. She reported that previous quotations received had been circa £2,000.

The Clerk reported that PC Paynes Electrical had kindly agreed to install the defibrillator free of charge and that the location had been agreed for the side of the disabled ramp of the Town Hall to ensure that the cabinet was covered by Council's CCTV. Councillor P Hudson reported that he had been aware of defibrillators being stolen from other Counties and welcomed the location that would be covered by the CCTV.

Committee were reminded that once the purchase of the defibrillator had been approved by Council, the Listed Building Planning Application would be progressed.

RECOMMENDED that:

- (i) The quotation received from UKPadSites in the sum of £1,480 for one NF1200 Semi-Automatic Defibrillator unit, a Defibsafe 2 cabinet and a rescue kit be accepted and approved, funded from Council's Misc. Expenditure under Establishment.
- (ii) The Clerk liaise with PC Paynes to accept and express Committees thanks for their kind offer to install the defibrillator free of charge.
- (iii) The Clerk and Councillor Headech progress with the Listed Building Application accordingly.

**6. UPDATE FROM COUNCIL'S ARCHITECT - VARIOUS**

The Clerk reported receipt of an email dated 30 March 2022 received from Council's Architect providing an update on the following:

- (a) Cellar/Basement Works - The works to the cellar/basement had commenced from 11 April 2022, the delay was due to staff shortages. The Clerk reported that the works were ongoing at this time.

RECOMMENDED that the same be noted.

- (b) Interior Storm Damage – The Clerk reported receipt of quotations and that she was liaising with Council's Insurance Provider on this matter. She reported that at this time a response was awaited from Zurich.

RECOMMENDED that this matter be left for the Clerk and the Mayor to action accordingly.

- (c) 32, 34-36 Carter Street Roof Works – The Clerk reported that the Listed Building Consent Application had been submitted to ESBC and that Council's Architect was liaising with Contractors regarding quotes. It was noted that an update would be provided to Committee under Item Nos. 10(a)-(b).

RECOMMENDED that the same be noted.

**7. EPOS NOW – CHANGES TO TERMS AND CONDITIONS**

The Clerk reported receipt of an email dated 5 April 2022 received from EPOS Now advising Council that from 7 April 2022, it will be changing the Council's Terms and Conditions from 7 April 2022. Committee is informed that the summary of main changes are as follows:

*"We've updated our terms of use for Epos Now Payments to detail the possible application of a 'Payment Premium' surcharge being applied to your account unless the below conditions are met; Process per rolling 28-day period either (i) at least 75 percent of your card processing or (ii) process card payments to a minimum amount of £2000 (the "Minimum Processing Level") for the duration of the Initial Term. Should you fail to process the Minimum Processing Level for the duration of the Initial Term, Epos Now may by written notice place you on and charge a payment premium of £29 per month per POS Terminal (the "Payment Premium")."*

Signed: ..... Date: .....

*The changes in full - We've attached the full new Terms & Conditions to this email, along with a summary document showing the changes vs the original tc's and c's. You can find our current set of Terms & Conditions on our website. You'll find our current set of Terms & Conditions on our website, too. Get in touch if you want to talk about these changes. If we don't hear from you before 07.04.2022, we'll assume you accept the changes.*

Committee was advised that the Clerk/RFO had made contact with Council's Internal Auditor and EPOS to express Council's concerns on the increase in charges. The Clerk reported that in response to the above mentioned dated 11 April 2022 received from EPOS Tier 2 & Digital Team Manager advising that he had 'applied to get the £29 per month charge waived. The fact that 100% of your payments are going through the card machine is enough for this.' She reported receipt of an invoice from EPOS advising that a payment of £29 plus vat had been taken by standing order and that she had made further contact with EPOS, who had advised in an email dated 25 April 2022 that 'they would be issuing Council with a refund'.

Committee gave consideration to the current amount of card payments the Council was taking and due to the costs involved, the Clerk and the Mayor to continue monitoring the EPOS charges, and if need be, in the near future, Committee look at cancelling the EPOS Now Payment system for card payments provisions.

RECOMMENDED that the same be noted and monitored.

8. **COMMITTEE IN PRIVATE – PUBLIC BODIES (ADMISSION TO MEETINGS) ACT 1960**  
Pursuant to Section 1(2) of the above Act it was requested that the public and press were not present due to the confidential nature of the business to be transacted and were asked to withdraw.

RECOMMENDED that the same be noted and approved.

9. **32 CARTER STREET – LEASE**

The Clerk reported that the Lease for 32 Carter Street was due to expire on 30 November 2022. Committee was informed that as advised by Council's Solicitor, the Clerk had approached the current Tenants to ascertain if they wished to renew the lease for a further term. She reported that at this time, a response was awaited.

RECOMMENDED that the Clerk continue to provide Committee updates accordingly.

10. **ROOF WORKS – 32, 34-36 CARTER STREET**

The Clerk reported receipt of the following:

- (a) Email received from Council's Architect dated 8 April 2022 providing Council with a copy of the Listed Building Consent for the roof replacement works to take place, as forwarded to Members on 8 April 2022.

RECOMMENDED that the same be noted.

It was noted that Councillor Krupski declared an interest in Item No. 10(b) and it was noted that he left the Chamber prior to the debate/vote.

- (b) Committee was asked to give consideration to the quotations as received for the roof replacement works from Council's Architect (who had provided the Contractors with the Tender Documents and Specification) as follows, as forwarded to Members prior to the meeting:

- Midland Conservation Ltd – £51,636.42 plus vat (suggested 16 weeks to complete)
- Heritage Roofing & Building (Burton) Ltd - £59,403.99 plus vat (6 week to complete)
- Racecourse Roofing Ltd - £53,100 plus vat (9 weeks and 4 days to complete)

The Clerk reported that as agreed with Council's Architect, the Council would be able to reclaim the vat for the works. She provided Committee with an update from Council's Architect on the above mentioned quotations.

The Clerk reported that Council had in place funding for £41,000 toward the works (£24,000

Signed: ..... Date: .....

EMR for 32 Carter Street, £8,500 in the current budget for 32 Carter Street roof, £8,500 in the current budget for Redfern Cottage roof) and that as Resolved by Council at its meeting held on 30 November 2021 that, the balance of up to £19,000, as agreed with Council's Internal Auditor, would be funded by the Council's General Free Funds.

It was noted that Council's Architect had confirmed that the businesses would be able to trade during the works and that any closures would be kept to a minimum. Council's instruction was sought. Following due debate, it was

RECOMMENDED that:

- (i) The quotation received from Midland Conservation Ltd in the sum of £51,636.42 plus vat be accepted and approved, funded by the EMR for 32 Carter Street - £24,000, the current budget for 32 Carter Street roof - £8,500, the current budget for Redfern Cottage roof - £8,500 and the balance of £10,636.42 from Council's General Free Funds.
- (ii) The Clerk liaise with:
  - (a) Council's Architect/Midland Conservation Ltd to ascertain a start date.
  - (b) Subject to (a) as above, liaise with No. 42 Interiors and Redfern Cottage to advise of start dates, etc.

It was noted that Councillor Krupski returned to the meeting.

#### **11. HIGH STREET BOLLARD**

##### **(a) ACCESS PASSES**

*As Recommended by Committee at its meeting held on 22 March 2022 that the Clerk be tasked forthwith, to:*

- (i) Request an urgent meeting with County Councillor P Hudson and SCC's Strategic Community Infrastructure Manager together with Councillors M Crutchley, C Sylvester and the Clerk to discuss the future provisions and alternative options for providing residents and visitors to the Town, under health and safety, safe passage within the town centre.*
- (ii) No action be taken on a new pass system for the High Street bollard at this time due to (i) as above.*
- (iii) Request an urgent meeting with local Chief Inspector, the Mayor and the Clerk to urge a Police presence within the town centre to deter unauthorised access down the High Street at this time.*

The Clerk reported:

- (a) Receipt of an email dated 4 April 2022 received from SCC's Strategic Community Infrastructure Manager advising the Clerk that dates would be provided in due course (likely to be May 2022). The Clerk reported that a meeting was scheduled to take place on 28 April 2022.

RECOMMENDED that the same be noted.

- (b) A meeting took place with the local Chief Inspector on 11 April 2022. Councillor C Sylvester reported that the meeting had been beneficial and that a follow up meeting would be taking place on 28 April 2022. The Clerk reported that the Police had attended on a couple of occasions stopping vehicles accessing the High Street since the meeting.

RECOMMENDED that the same be noted.

- (c) The Clerk reported receipt of an email dated 7 April 2022 received from County Councillor P Hudson in respect to (i) as above, informing Committee that *"I have had a meeting today with my Highway Team and discussed the bollard. SCC will be further contacting ATG to enquire why nothing has been done since the bollard was lowered. They will be instructed to repair it asap. SCC will have to continue to pay for repairs until such time as a better system can be installed. SCC will fund a feasibility study into the High Street and the traffic orders and how these orders can be enforced. This will be carried out in this financial year. Bear in mind we will also have to liaise and work with*

Signed: ..... Date: .....

*ESBC due to the compulsory purchase of The Maltings and what the future will be for that. There hopefully will be some new Government regulations which may allow us to extend the use of ANPR cameras which would allow us to police the use of High Street. In the meantime we are not in a position to change the existing traffic regulations for the use of High Street and so will continue to maintain and repair the bollard when necessary. I do not think a meeting is necessary at the moment because we do not have any more to communicate.”* Committee instruction was sought.

Councillor P Hudson reported that as stated in the correspondence, SCC were not in a position to make any changes to the Order currently in place and that he had instructed County Council Officers to instigate the repair last week and that he would chase a response on why the bollard had not been reinstated. He reported that it would cost several thousands of pounds to change the existing Order in place and that each repair/callout was costing the County Council in the region of £1,500-£2,000. Councillor P Hudson reported that the responsibility of policing the High Street remained with the Police and that only an Officer in uniform could stop a moving traffic offence.

Councillor Krupski requested it be recorded that he stated that the existing High Street bollard was not fit for purpose, that the costs for repairs as mentioned by Councillor P Hudson were incredulous and that Councillor P Hudson had confirmed that the safety concerns as raised remained the responsibility of the County Council. He reported that on a number of occasions he has approached the local Police to monitor the access into the High Street and he had been advised that it was not the Police’s responsibility.

The Clerk provided Committee with a brief update on the reason that the High Street bollard had been lowered into the ground on safety reasons two months ago, during a heavy storm, following an emergency call out to the out of hours office phone by the monitoring company as authorised by the Mayor Councillor C Sylvester.

It was noted that Members expressed their sincere concerns at the length of time that the High Street bollard has not been in working order, the short periods of time that it was in working order once repaired and the lack of communication with ATG and the monitoring company when repairs were being carried out.

It was noted that Members considered a number of options as alternatives. Councillor P Hudson requested that he be provided with 8-weeks in his role as County Councillor to provide Committee with a positive update. Following due debate, it was

**RECOMMENDED that:**

- (i) Councillor P Hudson provide the Clerk with an update on the urgent repair and reinstatement of the High Street bollard.
  - (ii) Councillor P Hudson liaise with County Council Officers with respect to alternative short-term and long-term options for providing a safe High Street for the town, the changes in law to enable ANPR cameras to be installed and timeline for the County Council feasibility Study and as requested, provide Committee with an update at its meeting scheduled to take place on 28 June 2022.
  - (iii) Due to number of Councillors unavailability for 24 May 2022, all business be deferred for consideration by Committee at its meeting scheduled to take place on 28 June 2022.
- (d) Committee were advised that a meeting with Chief Inspector Gidman, County Councillor Hudson and County Council Officer, the Mayor, Deputy Mayor and the Clerk was scheduled to take place on 28 April 2022.

**RECOMMENDED** that an update be provided to Committee at its meeting next meeting, scheduled to take place on 28 June 2022.

Signed: ..... Date: .....

(b) **CONTRACT FOR INTERNET PROVISIONS**

*As Recommended by Committee at its meeting held on 22 March 2022 that the Clerk:*

*(i) Be tasked with liaising with Dial Direct forthwith to ascertain if the Contract could, due to 10(a) as above, be a temporary contract.*

*(ii) Include this matter for further consideration by Committee at its next meeting.*

Committee was advised that Dial Direct had confirmed that the contract quoted for the High Street bollard connection was for a 3-year contract and that a temporary contract could not be provided. Committee instruction was sought.

RECOMMENDED that this matter be deferred for consideration by Committee at its meeting next meeting, scheduled to take place on 28 June 2022.

The meeting closed at 6.35 pm.