

**HORLEY TOWN COUNCIL**  
**ORDINARY MEETING OF THE COUNCIL**

Minutes of an Ordinary Meeting of Horley Town Council held virtually on Tuesday 28 April 2020 at 7.30 pm.

**Present**

**Cllrs David Powell (Chairman)**

Jante Baird  
James Baker  
Giorgio Buttironi  
Mike George  
Jerry Hudson  
Adrian Kitajewski  
Helen Kitajewski  
Robert Marr  
Samantha Marshall  
Simon Marshall  
Wayne Philips  
Martin Saunders  
Rob Spencer  
Fiona Stimpson

**In Attendance**

J Walsh (Town Clerk)  
C Fenton (Head of Leisure & Deputy Clerk)  
Three members of the public

**C 4886 Virtual Meeting**

***RESOLVED: that in view of the COVID-19 lockdown period, this Full Council meeting be held virtually.***

**C 4887 Apologies and Reasons for Absence**

***RESOLVED: that the apology of Cllr Kumar be accepted, for reasons as specified in the Attendance Register.***

**C 4888 Disclosable Pecuniary Interests and Non-Pecuniary Interests**

There were no Declarations of Interest in relation to any items included on this agenda.

***RESOLVED: noted.***

**C 4889 Public Forum**

A member of the public raised questions about the Café project in Horley Recreation Ground. He said there appeared to be a significant overspend on the project and questioned how provision for this had been made. The Clerk responded that the Town Council had appointed a quantity Surveyor to oversee the project. There had

**C 4889)** been issues with Thames Water in connection with drainage, which had not been apparent earlier on. She added that no time related costs were being charged by Newlyn's and a substantial VAT claim had been submitted which would help offset any extra costs. It was noted that a full cost analysis would be provided in due course. A planning application for a revised layout of the car park had been submitted to Reigate & Banstead and parking enforcement would be considered if found to be necessary.

The member of public asked further questions about interest being paid on the PWLB loan, compared with any other options which might have been available and also asked about the financial viability of the construction company. A Town Councillor offered advice as to where up to date information about the company's financial standing might be found. The Clerk added that she would confer with the HTC Responsible Financial Officer and respond in writing to all the questions raised in due course.

**RESOLVED: noted.**

**C 4890** Ordinary Meeting of the Council, 11 February 2020

The minutes of the above meeting of the Council were presented for confirmation by members (to be signed by the Chairman of the Council in due course).

**RESOLVED: that the minutes of the Ordinary Meeting of the Council held on 11 February 2020, including all confidential items, be approved.**

**C 4891** Leisure & Amenities Committee, 25 February 2020

**RESOLVED: that the unapproved minutes of the above meeting of the Leisure and Amenities Committee, including all confidential items, be received**

**C 4892** Finance & General Purposes Committee, 28 January 2020

**RESOLVED: that the unapproved minutes of the above meeting of the Finance and General Purposes Committee, including all confidential items, be received.**

**C 4893** Planning & Development Committee, 14 January 2020

**RESOLVED: that the approved minutes of the above meeting of the Planning and Development Committee, including all confidential items, be received.**

**C 4894            Planning & Development Committee, 18 February 2020**

***RESOLVED: that the approved minutes of the above meeting of the Planning and Development Committee, including all confidential items, be received.***

**C 4895            Planning & Development Committee, 17 March 2020**

***RESOLVED: that the approved minutes of the above meeting of the Planning and Development Committee, including all confidential items, be received.***

**C 4896            CCTV Upgrade, Court Lodge Fields**

The Clerk reported that the CCTV upgrade was now complete and offered full remote access.

***RESOLVED: noted.***

**C 4897            Chairman's Report**

The Chairman advised that he had attended the following events:

Licensing Service of Pioneer Youth/Family Worker at St Bart's Church  
Professionals' Breakfast Briefing hosted by Wykeham House Care Home  
Funeral of former HTC employee Roy Martin

***RESOLVED: noted.***

**Borough, County Councillor & Other Updates**

**C 4898**            The Clerk updated members on the recent meeting with County Cllr Kay Hammond which had been attended by herself and Cllr George. She added that disappointingly Borough Cllr Graham Knight had again been unable to attend. Concerns about the RBBC proposals for the new 'Horley Place and Prosperity Partnership' were still unresolved and an urgent meeting had been requested with Borough Cllr Eddy Humphreys. Cllr Hammond had pledged her support for the work being undertaken by the Horley pavement Audit Group (Notes of the meeting are appended.)

***RESOLVED: noted.***

**C 4899**            The Clerk advised that regular briefings were being received from both RBBC and SCC, outlining actions being taken by both Councils to support residents during the Coronavirus Pandemic. A designated RBBC Officer was in place to assist both the Town Council and Salfords & Sidlow Parish Council during the crisis. The RBBC Annual meeting was scheduled to take place soon and would see Cllr Rosemary Absalom in place as Borough Mayor for 2020/2021 and Cllr

**C 4899)** Frank Kelly as Deputy Mayor.

**RESOLVED: noted.**

**C 4900** Horley Residents' Forum Meeting

The Clerk advised that all Residents' Forum meetings had currently been suspended as a result of the Coronavirus Pandemic.

**RESOLVED: noted.**

**C 4901** Postponement of Local Government Elections, 7 May 2020

Members were advised that, as a result of the COVID-19 Pandemic, Local Elections (Reigate & Banstead) as well as those for the Police & Crime Commissioner had been postponed until 6 May 2021.

**RESOLVED: noted.**

**COVID-19 – Further Updates**

**C 4902** The Clerk advised that regular updates were being received from NALC and Surrey ALC, all had been forwarded to members for their information. She added that the deadline for the return of the Annual Return (AGAR) had been extended until 31 August 2020 at the latest.

**RESOLVED: noted.**

**C 4903** The Clerk advised that the Town Council had been liaising with Voluntary Action Reigate & Banstead (VARB) to help elderly and vulnerable local residents get the help they needed with shopping, prescriptions etc. Thanks were recorded for the sterling work being carried out in Horley by the Horley Association of Traders (HATs), under the guidance of Cllr James Baker.

**RESOLVED: noted.**

**C 4904** The Clerk advised that the Town Council Offices were closed to the public at the present time. HTC Officers were for the most part working on laptops from home and attending the office one officer at a time when needing to. The Town Council's Contractor was checking the HTC Building on a daily basis.

**RESOLVED: noted.**

**C 4905** The Clerk told members that the Edmonds Hall had been closed to hirers from 17 March, along with the Innes Pavilion. The Allotment sites were still open, operating in accordance with guidance issued by the Allotments Association. No plots were being let to newcomers at

C 4905) the present time.

**RESOLVED: noted**

C 4906 Horley Town Council Scheme of Delegations Policy (COVID-19)

**RESOLVED: that the Policy, as recommended by NALC/SSALC and appended to these minutes be approved. (Subject to review after twelve months.)**

#### **Council Meetings during COVID-19**

C 4907 The Clerk told members that the Town Council, under the terms of the Local Authorities (Coronavirus) (Flexibility of Local Authority Meetings) 2020 Regulations was permitted to conduct remote meetings until 7 May 2021. Meetings could take place at any time on any day and the Zoom video conferencing platform had been selected.

**RESOLVED: noted.**

C 4908 It was noted that all current Chairmen & Vice-Chairmen were happy to remain in place for the Municipal Year 2020/2021. After some discussion the following was resolved:

**RESOLVED: that the Annual Meeting of Horley Town Council be deferred until May 2021.**

C 4909 **RESOLVED: that the decision to defer the Horley Town Meeting until April 2021 be ratified.**

C 4910 The Clerk added that the Annual Report for 2019/2020 would be published and distributed as usual.

**RESOLVED: noted.**

C 4911 **RESOLVED: that the revised Calendar of meetings until 31 August 2020, as appended to these minutes be approved.**

#### **Office of Town Councillor – Two Vacancies in Horley South Ward**

C 4912 The Clerk told members that, following the recent resignation of Cllr Michael Robinson, the vacancy was duly advertised and no request for a by-election received. The RBBC Electoral Services Manager had subsequently advised that the vacancy be filled by co-option as soon as it was practicable to do so. Given the current COVID -19 Pandemic and subsequent restrictions on actual Council Meetings being held in the Council Chamber, also the Town Council still fulfilling all its requirements regarding Quality Status, General Power of Competence etc, the Clerk suggested that the vacancy be filled by co-

C 4912) option later in the year.

**RESOLVED: that the proposal from the Clerk be approved and the vacancy caused as a result of the resignation of Cllr Michael Robinson be filled by Co-option later in the year.**

C 4913 The Clerk further advised that Cllr Pamela Chandler had resigned from the Town Council with immediate effect. The RBBC Electoral Services had advised that the vacancy could not be advertised at the present time as it would be impractical to collect the signatures requiring a By-Election and by law all Elections (including By-Elections) had been postponed until May 2021. The recommendation therefore was that a formal Notice of Vacancy be issued in December 2020.

**RESOLVED: that the recommendation from the RBBC Electoral Services Manager be approved and the Notice of Vacancy, following the resignation of Cllr Pamela Chandler be issued in December 2020.**

C 4914 Horley Town Plan

**RESOLVED: that, given the implications of the current Coronavirus Pandemic, publication of the Horley Town Plan be delayed until the Financial Year 2021/2022.**

C 4915 Horley Town Council Grants Scheme

**RESOLVED that £500 be awarded to the grant application from the Landen Park Estate Residents Association towards the maintenance of the newly created Landen Park Estate Village Green.**

C 4916 Application for Funding for the New Churchyard at St Bart's Church

Members considered an application for funding of £8,376 from Rev. Canon Leslie Wells towards the maintenance of the New Churchyard at St Bart's Church in Horley (the presentation to the Town Council is appended). After some discussion the following was resolved:

**RESOLVED: that the budgeted sum of £6,550 be awarded to St Bart's Church for the current Financial Year.**

C 4917 Emergency Signage in HTC Parks & Open Spaces

The Head of Leisure advised that emergency signage had been purchased from PLG Signs as a result of Government restrictions currently in place during the COVID-19 Pandemic. This included signs explaining that playgrounds, outdoor fitness equipment, skate park and multi-use games area were all currently closed, as well as further advisory signs at the entrances to all the parks and open spaces.

**C 4917)      *RESOLVED: that the payment of £600 plus VAT to PLG Signs for emergency parks signage be ratified.***

**C 4918      HTC Grounds Maintenance Contract with idverde uk**

The Head of Leisure told members that idverde had advised that they aimed to continue grounds maintenance work for Horley throughout the Pandemic, offering a service that would be as close to normal as possible. The Head of Leisure added that the planting of wild flower meadows at Church Meadows and in the Memorial Gardens had been cancelled for the current year, to enable idverde to concentrate on the regular grounds maintenance work for the Town Council at this time.

***RESOLVED: noted.***

**C 4919      Café in the Park, Horley Recreation Ground**

It was noted that the Café building works had currently been suspended as a result of the Pandemic. It was anticipated that Newlyn's Contractors Ltd would re-open the site once they were confident that their sub-contractors were able to work in the safest way possible for their staff, whilst following public health guidance.

***RESOLVED: noted.***

**C 4920      Refurbishment of Tennis Courts, Horley Recreation Ground**

The Head of Leisure advised that, whilst work on the tennis courts had currently been suspended as a result of the Pandemic the contractor Trevor May planned to return to site the following week.

***RESOLVED: noted.***

**C 4921      Summer Planting in Horley**

The Head of Leisure advised that, in the light of the Pandemic she had reduced the quantity of planters etc on order from Amethyst Horticulture. All hanging baskets had been cancelled due to difficulties with SCC Licensing and one less planter would be provided in the area in front of the Jack Fairman Pub & Restaurant. Planters funded by SCC Cllr Kay Hammond for the Lee Street and Court Lodge areas would still go ahead and the overall saving would be £3,094 plus VAT. Members agreed the importance of flower displays still being provided during these difficult times.

***RESOLVED: noted.***

**C 4922      Horley in Bloom and Court Lodge in Colour Competitions**

The Head of Leisure told members that all the main competitions had been cancelled for 2020, as a result of the Pandemic. Consideration may be given to holding a desk top photographic competition, showing how people have used open spaces during the Pandemic.

***RESOLVED: noted.***

**C 4923      Staffing Updates**

It was noted that the Grievance Allegations matter had now been resolved. The Town Clerk added that Staff Appraisals would be carried out soon and the revised NJC Pay Scales were still awaited.

***RESOLVED: noted.***

**C 4924      Letters Received**

The Head of Leisure read out a letter from the daughter of former long-standing HTC employee Roy Martin, thanking those who had recently attended his funeral.

***RESOLVED: noted.***

**C 4925      Diary Dates**

Updates were given by some members on the revised arrangements for VE Day Commemorations, as a result of the Coronavirus Pandemic.

**Meeting closed at 9.10 pm**

**Date of next meeting: 30 June 2020**



**Notes of Joint Meeting: SCC / RBBC / HTC**

**Held on 13 March 2020, at 3.00 pm, in the Town Council offices, 92 Albert Road, Horley**

**Present:** Cllr Kay Hammond (KH)  
Cllr Mike George (MG)  
Joan Walsh (JW)

**Not Present:** Cllr Graham Knight (GK)  
Cllr Andy Lynch (AL)

**1. Proposed Horley Place and Prosperity Partnership**

It was noted that Cllr Eddy Humphreys (EH) had acknowledged receipt of the separate responses sent by the HTMG Chairman and the Town Council (HTC) to the initial proposals he had made to the draft Terms of Reference for the new Horley Place and Prosperity Partnership. In his response, he gave the following comments to the detailed letter and observations made by Horley Town Council (copy appended):

***“Page 1 – proposals contravene initial plans to proceed with a merger of Horley Town Management Group and Horley Regeneration Forum***

EH: “The council believes it is timely to adopt a different approach and create a new separate entity to respond to the rapidly changing economic environment. We would like to engage with the local business community, hence the suggestion that the leadership of this new partnership comes from local businesses. It is not intended to replace Horley Town Management Group which I understand to be an operational group hosted and facilitated by Horley Town Council. The Horley Regeneration Forum hasn’t met since 2016, so a merger of the two groups seems outdated. The various funding sources were secured by Reigate and Banstead Borough Council some time ago. The proposals acknowledge the Horley Town Centre Vision document adopted in 2015 and the new partnership will build upon this acting as a critical friend or suggesting an alternative approach.

***Page 2 – Title***

EH: I believe that the proposed name of the partnership reflects its purpose very well, but happy to drop reference to the current year.

***Page 2 – Purpose***

EH: I don’t believe that Horley Town Management Group meets the proposed purpose of the new partnership in its current composition and remit.

***Page 2 – Membership and Structure***

EH: I fundamentally disagree with your proposals that Councillors should be chairing and leading this new group. I am committed to engaging with the business community and I want to put them at the heart of this new partnership.

***Page 2 – Core Group***

EH: The core group is made up of 3 councillors (a County Council, a Borough Council and a Parish Council), 3 representatives from the various residents associations and 5 from the business community as we want this new partnership to be predominantly driven by the business community. The community sector is represented by the resident associations and other partners, community and voluntary sector groups will be welcomed and invited as and when appropriate.

*Page 3 - Meeting frequency*

EH: Four meetings a year seems sufficient as we need time in between meetings to deliver.

EH: The creation of Horley Place and Prosperity Partnership will be a local strategic group of private, public and community sector partners committed to working together to drive economic prosperity of the area. We need to think differently about economic growth and prosperity and be a player on the wider stage capitalising on the opportunities ahead for example; Horley's potential for transformational change and growth opportunities as identified in a recent *Coast to Capital Industrial Strategy Evidence Base Report October 2019*. The council is keen to create, facilitate and support this new partnership which is a separate entity to anything put forward previously.

I do not believe it is necessary to carry out a feasibility study before any new partnership is formed and I do not feel it is necessary to have a pre-meeting with councillors as the purpose of this group is to engage local businesses. I will now ask Simon Bland, Head of Economic Development and Carrie Burton, Place Project Manager to engage with the business community to see if we can generate enthusiasm and commitment to this new partnership.

I would really appreciate it if you could nominate a Horley Town Councillor to be part of this new adventure."

In view of the replies received from Cllr Humphreys, it was felt imperative that a roundtable discussion takes place and such meeting be arranged with HTMG and Town Council representatives to agree the way forward. It was further suggested that the RBBC Leader, Cllr Mark Brunt, be approached with a request that he agree act as facilitator at the meeting. DP advised that he would take the matter up with GK (RBBC Deputy Leader), in the first instance. A further update would be provided in due course.

**2. Review of notes of the previous SCC / RBBC / HTC Joint Meeting (held on 13 March 2020) and actions required:**

**2.1 Dialogue with Network Rail - Condition of Footbridge and Underpass:**

**Brought forward from previous meeting:**

GK to follow up with Network Rail representatives on possible rail improvements (to include flooding prevention in the underpass and footbridge upgrade) and enquire if a meeting can be arranged at HTC. **Action: GK**

**2.2 Proposal for formation of new Rail Users' Forum in Horley:**

**Brought forward from previous meeting:**

There was no update - GK to follow up. **Action: GK**

**2.3 Regent House Management:**

**Brought forward from previous meeting:**

GK to follow up with the RBBC Community Partnership Portfolio Holder, Cllr Rod Ashford, on the effective management of Regent House after the transfer from Staywell back to the Borough Council, from 1 April 2020. GK to further provide DP with the new contract details (including an assurance that members would no longer be faced with annual subscription fees being levied for using the community facility). **Action: GK**

### 3. Highways Matters

#### 3.1 A23/Victoria Road junction (Air Balloon), collapsed drain, repair works not carried out:

MG said it was disappointing to see that no further progress had been made despite assurances from the SCC Highways Cabinet Member, Cllr Matt Furniss, that the necessary repairs would be implemented during half term, week commencing 17 February, and it was now unlikely they would be done within the current financial year. GK would be asked to provide a further update in view of lack of progress to date. **Action: GK**

#### 3.2 Forecourt, Court Lodge shops:

KH advised that she would liaise with the Senior Highways Officer to ascertain a date for the replacement bollards (or alternative solution) to be installed on the forecourt. **Action: KH**

### 4. Horley Precinct Refurbishment

It was noted that the completion date of the refurbishment after final sign-off and safety audits was unknown. Some complaints had been received about the large pools of water collecting on the surface of the precinct near Dappers. It was thought that the drains were partially blocked and this was an item that would need to be added to the snagging list. UK Power Networks had still not completed the reinstatement of the precinct paving following their emergency works but they were reportedly still within the permitted six-month period to do so. The situation would continue to be monitored. MG said that progress by the HTMG Wayfinding Group on the additional town centre signage was slow since its design and positioning had to be agreed in consultation with the SCC Highways Area Manager. The mixed recycling bins had also yet to be installed in the precinct along with the large planters.

### 5. Horley Residents Forum

5.1 It was noted that the last Horley Residents Forum meeting (held in the Edmonds Hall, Albert Room, had been well attended by the public. KH was in attendance along with DP/MG and other Town Councillors. A copy of the meeting notes is appended. It was felt that appropriate representation from County, Town and Borough Councils at all Resident Forum meetings were necessary to respond to particular queries raised by residents and to provide updates and a follow up report at the next meeting.

5.2 The next Residents' Forum meeting would be combined with the Horley Town Meeting, due to take place on Friday 24 April.

***(Supplementary Note: Due to the Covid-19 pandemic, the Horley Town Meeting was postponed (later deferred until 2020). The next Residents Forum meeting would also need to be rearranged at a later date, in line with public health guidance on social distancing measures.)***

### 6. 'Café in the Park' Project, Horley Recreation Ground:

JW advised that the contractors were completing the final stages of the Café build, including the drainage, CCTV connectivity and installation of security gates. The revised design for the car park extension had been approved with conditions by the RBBC Planners and a Tree Protection Plan would be required. This would be the final phase of the associated external works to be completed. It was hoped that partial handover of the build would be by late March, subject to final safety audits and snagging being completed. In the meantime, the lease terms were being agreed with the Café Operator and it was hoped that the official opening would be in the Spring. Full updates were being provided by HTC on its website and eNewsletter.

***(Supplementary Note: Due to the Covid-19 pandemic, the construction of the remaining Café works were suspended by the contractors in March and would resume at a later date to be confirmed, subject to public health guidance.)***

**7. Any other business**

No matters were raised.

**8. Date of next meeting: (To be confirmed).**

*SCC/ RBBC / HTC Joint Meeting  
JW/March 2020*



## **HORLEY TOWN COUNCIL**

### **Scheme of Delegations Policy (COVID-19)**

#### **1. Introduction**

- 1.1 The powers and duties set out in this scheme are delegated to the Town Clerk. The Town Clerk is the Proper Officer and is responsible for the management of the organisation.
- 1.2 The Town Clerk may delegate these duties and powers to other Officers within the Council.
- 1.3 The Responsible Financial Officer (RFO) is responsible for the Council's accounting procedures together with the proper and transparent administration of its finances, in line with current Account and Audit Regulations.
- 1.4 The Local Government Act 1972, s101, (with some exceptions) allows the Council to delegate functions to Committees, Sub-Committees, Officers or other authorities.

#### **2. Extent of Delegation**

- 2.1 All delegated functions shall be deemed to be exercised on behalf of and in the name of the Council.
- 2.2 The Town Clerk will exercise these powers in accordance with:
  - approved budgets
  - the Council's Standing Orders
  - the Council's Financial Regulations
  - the Council's Contract Procedure Rules
  - the Council's Procurement Strategy
  - the Council's Policy Framework and other adopted policies of the Council
  - all statutory common law and contractual requirements
- 2.3 The Town Clerk may do anything pursuant to the delegated power or duty, which it would be lawful for the Council to do, including anything reasonably implied or incidental to that power or duty.
- 2.4 Provided that such authorisation is not prohibited by statute the Town Clerk to whom a power, duty or function is delegated may authorise another Officer to exercise that power, duty or function, subject to:
  - such authorisations being in writing
  - only be given to an Officer below the delegating Officer in the organisational structure
  - only be given where there is significant administrative convenience in doing so
  - the Officer authorised by the Town Clerk acting in the name of the Town Clerk
  - such authorisation not being prohibited by statute

- 2.5 A delegation to a subordinate Officer shall not prevent the Town Clerk from exercising the same power or duty at the same time.

### **3. Financial Matters**

The Town Clerk will oversee the financial management of the Council and may delegate powers and duties to the RFO. The RFO is authorised to:

- 3.1 Act as the Responsible Financial Officer for the purposes of s 151 of the Local Government Act 1972.
- 3.2 Operate the Council's banking arrangements including arranging overdrafts.
- 3.3 Incur expenditure up to a maximum of £1,000 on any item for which provision is made in the appropriate revenue budget provided that any action taken complies with any legislative provisions and the requirements of the Council's Constitution and Financial Regulations.
- 3.4 Pay all accounts properly incurred.
- 3.5 Pay all subscriptions to organisations to which the Council belongs.
- 3.6 Make all necessary arrangements for the provision of an internal and external audit service for the Council.
- 3.7 Negotiate settlements in connection with claims made by and against the Council in consultation with the Council's insurers where appropriate.
- 3.8 Incur expenditure on revenue items within the approved estimates and budgets under their control.
- 3.9 Incur expenditure on capital schemes within the Council's approved capital Programme.
- 3.10 Use the Repairs and Maintenance Budgets for the maintenance, replacement or repair of existing plant, vehicles or equipment.
- 3.11 Enter into leasing and contract hire agreements for the acquisition of vehicles machinery and equipment on such terms as are considered appropriate.
- 3.12 Accept quotations or tenders for work supplies or services (where tenders are required by the Council's Financial Regulations), subject to:
- a. the cost not exceeding the amount approved estimate
  - b. the tender being the lowest price or the most economically advantageous to the Council according to the criteria set out in the tender documentation
  - c. all the requirements of the Council's Financial Regulations being complied with.
- 3.13 Compile, approve or vary lists of approved contractors subject to the requirements of the Council's Financial Regulations.
- 3.14 Carry out virement of sums between cost centres in accordance with the Council's Financial Regulations.
- 3.15 Manage investments and raise and repay loans as appropriate and obtain such other sources of credit as are required in accordance with the Financial Regulations.
- 3.16 Authorise action for the recovery of debts.

- 3.17 Write-off debts up to the level set by the Council.
- 3.18 Maintain a Register of Assets and Inventory of Equipment.
- 3.19 Determine the Town Council's insurance requirements on the Council's behalf.
- 3.20 Make all necessary arrangements for the Council's insurances.
- 3.21 Determine Community Grant applications up to a value of £1,000 subject to approval by Full Council.
- 3.22 Determine Small Grants up to a value of £250.
- 3.23 Prepare a draft budget in conjunction with the Town Clerk, the Finance Committee Chairman and Vice-Chairman and to make recommendations for consideration and approval by Full Council.
- 3.24 Prepare the final accounts for each financial year.

#### **4. Delegations to a Committee or a Working Party**

- 4.1 Certain matters may be delegated to Working Groups or Panels. These must be exercised in accordance with the law, the Council's Standing Orders, Financial Regulations and its approved policy framework.
- 4.2 Such delegations may only be exercised where sufficient budgetary provision exists or can be vired from within the approved budget of the working party concerned.
- 4.3 Where a Sub-Committee/Working Group/Panel, in lieu of exercising its delegation, refers a matter to its parent Committee, the delegation is exercisable by that Committee. Nevertheless, the Committee may decide not to exercise this delegated power and may instead make a recommendation to Full Council for approval.

#### **5. Emergency Delegations**

The Town Clerk is authorised to:

- 5.1 Act on behalf of the Council in cases of urgency or emergency. Any such action is to be reported to the next meeting of the Council or relevant Committee or Working Group.
- 5.2 The Council Chairman, Vice-Chairman and Committee Chairmen are to be consulted where possible before such action is taken.
- 5.3 The emergency delegations are subject to them being implemented in accordance with the law, the Council's Standing Orders and Financial Regulations, within the accepted policy framework and where budgetary provision exists or is otherwise authorised in accordance with its adopted Financial Regulations.

## **6. Virtual Council Meetings**

The Coronavirus Act 2020, s78, gives local authorities the power to hold Council Meetings remotely and to make decisions without the need for a physical meeting, during the Coronavirus Pandemic. The Local Authorities (Coronavirus) (Flexibility of Local Authority Meetings) 2020 Regulations provides for Virtual Council Meetings to be held up until May 2021. At least three clear days before a Virtual Council Meeting takes place, the Clerk as the Proper Officer is authorised to:

- 6.1 Serve on Councillors by email, a signed summons to the Virtual Council Meeting, confirming the date, time and the agenda.
- 6.2 Carry out all the associated administration in preparation for the Virtual Council Meeting as reflected in the Council's adopted Standing Orders.
- 6.3 Ensure Members receive an invitation to the Virtual Council Meeting with an email link and password.
- 6.4 Ensure that public participation is provided during the Virtual Council Meeting with full details made available to the public in advance on the Council's website.
- 6.5 Ensure voting by members during a Virtual Council Meeting is by a show of hands.
- 6.6 Implement the resolutions made at a Virtual Council Meeting and carry out the actions required.

## **7. Urgent Planning Matters**

- 7.1 Horley Town Council is consulted on Planning Applications within Horley after they have been registered with the planning authority, Reigate & Banstead Borough Council, at the pre-determination stage.
- 7.2 The time allowed in determining the application and making a final decision is governed by the Borough Council.
- 7.3 When time-related planning matters arise, including planning applications and other consultations, the Town Council is not making a decision but conveying its views and making recommendations to the Borough Council, County Council or neighbouring principal authorities.
- 7.4 In times of emergency, the Council has appointed a Planning Applications Sub-Committee (PASC) to, in conjunction with the Clerk, make its views known after consulting all 18 Town Councillors. This includes:
  - Planning Applications
  - Highways Matters & Issues
  - Public Transport
  - Any other relevant consultations to Horley for which the Town Council is a stakeholder
- 7.5 The PASC is authorised to comment on all time-related applications with the decisions conveyed to the relevant local authority or organisation within the consultation deadline and such comments will be ratified at the next Planning Committee meeting.



## **8. Emergency Planning**

The Town Clerk is authorised to:

- 8.1 Implement the Council's Emergency Plan and to incur any necessary expenditure. Any such action is to be reported to the next meeting of the Council or relevant Committee or Working Group.
- 8.2 The Council Chairman & Town Mayor the Committee Chairmen are to be consulted where possible before such action is taken.

## **9. Staffing Matters**

The Town Clerk is given delegated powers to manage the Council staff in accordance with the Council's policies, procedures and budget, including:

- 9.1 Appointments to posts including apprentices.
- 9.2 Employment of temporary employees.
- 9.3 Preparation of the job description and person specification, placing of the advertisement and short-listing of applicants.
- 9.4 Management of staff performance.
- 9.5 Control of discipline and performance, including the power of suspension and dismissal.
- 9.6 Exercise of disciplinary and grievance procedures in accordance with the Council's procedures.
- 9.7 Determine approved duties for the payment of travel and subsistence expenses to Members and Officers where they represent the Council outside of the Town Council area.
- 9.8 Approve or refuse applications for re-grading, remove any bars in salary scales and to authorise salary increments and accelerated increments.
- 9.9 Approve payment of overtime.
- 9.10 Agree minor variations to the condition of employment.
- 9.11 Approve changes to the establishment structure.
- 9.12 Implement and monitor the arrangements for annual leave, flexi time, sickness absence, maternity and paternity leave in accordance with the Council's policies.
- 9.13 Authorise training in line with the Council's policies.
- 9.14 Authorise the provision of uniforms or protective clothing.
- 9.15 Approve payment of claims from employees for compensation for loss of or damage to personal property.
- 9.16 Negotiate and agree settlements on behalf of the Council in relation to any proceedings in the Employment Tribunal.
- 9.17 Agree to premature retirement on the grounds of duly certified ill health.

9.18 Terminate employment during probation and to review salary on completion of probationary periods.

9.19 Commission legal and professional advice on staffing matters.

## **10. Property Matters**

The Town Clerk is given authority to manage the land and property of the Council including:

10.1 Agreeing the terms of any lease, licence, conveyance or transfer.

10.2 The granting or refusal of the Council's consent under the terms of any lease.

10.3 Variations of restrictive covenants of a routine nature.

10.4 The granting of easements, wayleaves and licences over Council land.

10.5 Initiating legal action or proceedings against unauthorised encampments or encroachments on Council land.

10.6 Directing the custody of Town Council property and documents in accordance with the provisions of s226 of the Local Government Act 1972.

10.7 Exercising responsibility for the safe custody and maintenance of the civic regalia.

## **11. Procedural**

The Town Clerk is authorised to:

11.1 Authorise Officers to exercise statutory powers of entry and inspection for the purposes of any function under their control.

11.2 Serve requests for information as to ownership occupation and other interests in land for the purposes of any function under their control.

11.3 Appoint consultants and other professionals to carry out any function and provide any service under their control.

## **12. Health and Safety at Work Act 1974**

The Town Clerk is authorised to:

12.1 Oversee the discharge of the Council's responsibilities under the said Act.

## **13. Legal Proceedings**

The Town Clerk is authorised to:

13.1 Take and discontinue legal proceedings in any Court or at any Tribunal.

13.2 Take Counsel's advice or instruct Counsel to represent the Council.

13.3 Seek injunctions and commence proceedings for the purposes of:

- enforcement in accordance with the Council's policies
  - recovering money due to the Council
  - recovering or otherwise preserving possession of the Council's land or property
  - defending the interests of the Council
  - appealing against a decision affecting the interests of the Council and responding to appeals against action taken by the Council.
- 13.4 Represent the Council at Court or any Tribunal or to make arrangements for appropriate representation.
- 13.5 Negotiate and settle the terms of documents to give effect to a decision of the Council or any of the Committees or of any Officer acting under delegated powers.
- 13.6 Be the responsible Officer for the co-ordination and operation of the legal requirements under the Data Protection Act and the Freedom of Information Act.
- 13.7 Serve Requisitions for Information.

#### **14. General Matters**

The Town Clerk is authorised to:

- 14.1 Sign, or where appropriate, have sealed on behalf of the Town Council, any Orders, Deeds or Documents necessary to give effect to any of the matters contained in reports or in any resolution passed by the Town Council.
- 14.2 Take any proceedings or other steps as may be necessary to enforce and recover any debt owing or other obligation due to the Council.
- 14.3 Institute and appear in any legal proceedings authorised by the Council.
- 14.4 Appear or make representation to any tribunal or public inquiry into any matter in which the Council has an interest (in its own right or on behalf of the citizens of Horley).
- 14.5 Alter the date or time of a Council Committee, Working Group, Panel or Task Group meeting but, before doing so, shall consult the Council Chairman, or Committee Chairmen or Task Group concerned about the need for the change and about convenient alternative dates and times.
- 14.6 Decide arrangements for the closure of the Council offices in the Christmas/New Year period, subject to prior consultation with the Council Chairman and approval by Full Council.
- 14.7 Deal with day to day matters relating to the use of office accommodation space.
- 14.8 Negotiate and enter into contractual arrangements with organisers in relation to events held at sites owned or managed by the Town Council.
- 14.9 Manage all the Council's current services including services agreed under contract for other authorities and bodies and existing services under contract with its contractors and other providers.
- 14.10 Act as the Council's designated Officer for the purposes of the Freedom of Information Act 2000.
- 14.11 Apply for planning consent for the carrying out of development by the Council.

- 14.12 Respond to consultations on planning applications and licensing applications subject to the comments of the Planning Committee.
- 14.13 Under the Regulation of Investigatory Powers Act 2000, to authorise directed surveillance or the use of a human intelligence sources.
- 14.14 Respond to complaints made under the Council's complaints procedure.
- 14.15 Manage, monitor and review the Council's internal control procedures.
- 14.16 Manage, monitor and review the Council's Corporate Risk Management Strategy.

***Approved by Full Council: 28 April 2020***  
***Next review date: April 2021***

## **Horley Town Council Meetings until 31 August 2020**

**Due to the Coronavirus outbreak essential Town Council Meetings are being held virtually at the present time.**

**The Following Meetings are scheduled until 31 August 2020:**

**19 May – Planning Committee  
26 May – Spare  
2 June – Spare  
9 June - Spare  
16 June – Planning Committee  
23 June - Spare  
30 June – Full Council  
7 July – Spare  
14 July – Planning Committee  
21 July – Leisure Committee  
28 July – Spare  
4 August – Finance Committee  
11 August – Spare  
18 August – Planning Committee  
25 August – Full Council**

**The Town Meeting, originally planned to take place on 24 April 2020 has been postponed until April 2021.**

**Following Government advice, essential meetings of Horley Town Council are being held virtually during the Covid-19 lockdown period and not in the Council Chamber.**

**All papers will be published on our website and social media channels as normal.**

**Members of the public may join the meeting remotely by requesting a Zoom link (by email to: [town.clerk@horleytown.com](mailto:town.clerk@horleytown.com)) no later than one hour before the start of the meeting. Virtual Council Meetings may be recorded for monitoring purposes.**

**Town Clerk, 12 May 2020**

## **Presentation to the Horley Town Council 2020**

We are grateful to the Council for its continuing support in helping us maintain the New Churchyard in a way that is aesthetically pleasing & safe for the public.

As you are aware though it is called the "New Churchyard" it is really a public cemetery for the use of any resident of Horley

### **Grass & Hedge Maintenance April 2018- March 2020**

We were pleased with the quality of work by Burleys. Several members of the public have complimented Burleys on their performance. We had increased the frequency of cuts.

### **New contract with id verde**

We have now negotiated with id verde who took over Burleys, for a contract for 2 years at the same contract price + CPI. We have also provided them with the schedule of maintenance for last year & they have agreed to do follow it. As they have reassured us they were keeping on the same team we do not anticipate any problems

### **Their charge:**

£13,959.00 +VAT – for the 2 year contract subject to another CPI uplift of 1.3% for year two.

### **Expenses incurred in 2019**

Cost of Grass & Hedge maintenance by Burleys - £8,477.00 including VAT

**Lychgate Roof & Gate repair** : Total cost £7,754.00

We are grateful for the grant of £1,000.00 we received from the Horley Town Council towards this project.

We also received a grant of £5,270.00 from the War Memorials Trust & a grant of £1,500 from the Surrey Historic Buildings Trust towards the Lychgate repair.

### **Volunteer contribution;**

Volunteers continue to help maintain a safe environment by backfilling sunken graves, attending to any tree work that does not require professional help. Keeping the place free of debris etc.

They have cut back Oak & Hawthorn growing over graves & trimmed the Ash saplings & injected poison into the stems to prevent regrowth.

They have spread Pea shingle over an area for interment of ashes, to prevent weeds.

## **Grants received**

Council Grant - £6,400.00 For the maintenance of the New churchyard

### **Grants received for the Lychgate repair**

Grant of £1,000.00 received from the Horley Town Council

We also received a grant of £5,270.00 from the War Memorials Trust & a grant of £1,500 from the Surrey Historic Buildings Trust towards the Lychgate repair.

## **Anticipated expenses for year beginning April 2020**

### **For the New Churchyard**

Cost of contract for grass & hedge maintenance by id verde

### **For the Old Churchyard – Grass & Hedge Maintenance by RBBC**

But in the Quinquennial report the Architect has pointed out that some of the ancient monuments are leaning & some shaky. RBBC have done a risk assessment & are in consultation with the Diocesan Advisory Committee as to the best way forward. The church may have to bear some of the cost.

## **Request for Council grant for year beginning April 2020**

In view of the extra expenses already incurred & more expenses anticipated for the Lychgate gate redecoration as advised by our Architect in the Quinquennial inspection we would be grateful if the Council could cover the whole of cost of the Grass maintenance contract by id verde.

**PCC contribution** - Any shortfall will be covered by the PCC, but this is becoming more difficult, with falling church membership & the ageing population.

Dr Thiru Jesudason.

Church warden

St Bart's Horley