

At a Meeting of **Pembroke Dock Town Council** held at the Pater Hall, Pembroke Dock on Thursday 7<sup>th</sup> February 2013

**PRESENT:** Councillors A McNaughton, P Kraus, M Colgan, P Gwyther, D Earl, P Folland, J Phillips, C Fortune, A Lee, and PE George

**IN ATTENDANCE:**

Moira Jenkins – Town Clerk  
Sarah Scourfield – Assistant Town Clerk

**136. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor S Perkins, K Becton & M Murton

**137. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**138. QUESTION AND ANSWER SESSION WITH MEMBERS OF THE PUBLIC**

There were no questions from members of the public.

**139. MINUTES 10<sup>th</sup> JANUARY 2013**

It was

**PROPOSED by Councillor A McNaughton**

**SECONDED by Councillor P Folland**

**RESOLVED - That the Minutes of 10<sup>th</sup> January 2013 are adopted as a true record.**

**140. MATTERS ARISING FROM THE MINUTES OF 10<sup>th</sup> January 2013**

**121. Dockyard Roll of Honour Board.**

It was questioned if there had been any movement with this issue. It was commented that the board had been taken down, but the builders were unable to transport the board, so the Chairman of the Pater Hall Trust was arranging transport.

**123. Pater Hall Community Trust – Building Work – Asbestos**

Councillor P Gwyther stated that he did not consider the information stated within the minutes to be a full report, as it did not state enough of the debate which took place and questioned if what was said during meetings by councillors was being noted.

Councillor P Gwyther commented that there were points raised regarding the hall being safe and these points should have been recorded, he stated that the points raised were

- the Town Council paid for professional firm to come and do an asbestos survey previously and only found asbestos in the boiler room, which has now been removed
- the Town Council accepted the report from the previous Town Clerk regarding the asbestos only being present within the boiler room.
- A lot of work has been done to the building and no asbestos has been found.
- Architects stated that they did not expect to find any asbestos during the recent refurbishments

Councillor P E George commented that if any asbestos was found then the building would be closed down and a professional would deal with it.

**133. Community Issues – Pavements St Marys Road**

It was questioned if there had been any information regarding the pavements and potholes, it was stated that the issues had been highlighted, it was commented that cross park was particularly bad after the gas board had replaced some slabs, but Councillor Gwyther highlighted the issue on the Road watch website and received a prompt response.

#### 141. REPORT OF THE TOWN CLERK

##### 124. Draft minute from The Pater Hall Community Trust- presence of Asbestos.

The Town Clerk informed members that she had enclosed a copy of a document that was sent by Cllr Gwyther which included a minute of the discussions that took place in the Trust meeting on January 15<sup>th</sup> 2013.

The Town Clerk stated to clarify the situation she had to explain the description of the Service Level Agreement in this minute which by its name is just that, it is an agreement that defines how the two organisations, that is the Pater Hall Community Trust and the Town Council, should work together. The Service Level Agreement was a document that was originally devised by Mr Ian Jones when he was Company Secretary to the Pater Hall Community Trust and Town Clerk and amended by agreement and discussion between the Town Council and the Trust. There is no mention of protecting staff and working conditions within the SLA. The only reference to staff working conditions is to give 6 months' notice of any permanent change in the working hours of either cleaner or caretaker. The Town Clerk stated that the SLA was not a legal document nor was it ever intended to be.

The Town Clerk informed members that Cllr Gwyther seemed to be suggesting in the last paragraph of this minute that the caretaker is solely responsible for the maintenance of the building thereby inferring that the Town Council has the full responsibility of the building maintenance as they employ the staff. The lease that the Pater Hall Community Trust has with the Town Council is one that includes the care and repair of the building, without that they would not be able to do work such as was being undertaken now. She stated that this element of the responsibilities was very clearly written in the lease agreed some years ago. The Trust decide what maintenance work was needed and as the manager of the caretaker this was then discussed with herself. Any maintenance work that was undertaken was done on the instruction of the Trust not the Town Council.

The Town Clerk stated that she had also included an email which was received from Pembroke Design in answer to the Town Council's request for a statement regarding any asbestos in the building. The Town Clerk commented that she had spoken to the Health and Safety Executive with regard to the 'duty holder' as referred to previously and have read through the documents available to me.

The 'dutyholder' means:-

***Every person who has, by virtue of a contract or tenancy, an obligation of any extent in relation to the maintenance or repair of non-domestic premises or any means of access thereto or egress.***

The Town Clerk reminded the Town Council that the Pater Hall Community Trust has a 25 year lease from the Town Council ( starting in 2007) and this includes a care and repair condition as well as to comply in all respects with the provision of any statutes and any other obligations imposed by law.

The Town Council own the building; the Town Council rent the offices and meetings rooms as required for which a sum of £7000 is paid annually to the Pater Hall Community Trust.

The Town Clerk stated that It was not a matter of choice as to whether management of any asbestos presence in the Pater Hall was addressed. According to Regulation 4 of the Control of asbestos regulations 2006 (the Asbestos regulations) any non-domestic premises must comply with an Approved Code of Practice with regard to asbestos. The Town Clerk informed members if the dutyholder was prosecuted for a breach of health and safety law and it was proved that the relevant provisions of an Approved Code of Practice were not followed then it must be shown that the law had been complied with in some other way or a court could find the dutyholder at fault.

Councillor P Gwyther stated that the duty holder was then the Town Council as they are responsible for the maintenance of the building. He commented that the Service Level Agreement was put in place for this and it was therefore a legal document and a contract between the two organisations and if it was not a legal document then why was it signed.

Councillor P Gwyther questioned who would pay for the survey for asbestos, he commented that the Pater Hall Trust was on the edge at present and currently needed an overdraft facility to ensure there was enough money in the accounts to pay for the building work, he stated that the council should not insist that the Pater Hall Trust pay for the survey.

The Town Clerk stated that the Service Level Agreement was not a legal document it was set up as a way of operating, changes to the document had been made by agreement between the two organisations but the

document has never been legally written. The Town Clerk commented that the duty holder was the person who was in charge of the care and repair of the building as previously stated.

As the Town Council employs the caretaker and has a duty to ensure a safe working environment for all employees until this matter is resolved should any maintenance work be requested by the Pater Hall Trust the Town Clerk suggested to Council that none is undertaken. It was pointed out to the Town Clerk by the HS&E that the Town Council has a duty to protect their employees and ensure safe working conditions.

Councillor A Lee commented that the suggestion regarding the asbestos survey was late but an inspection of the whole building was needed, Councillor A Lee suggested that the institute of arbitrators were contacted so that everyone knows where they stand with regards to the Service Level Agreement or could Laurence Harding be contacted for advice. The Town Clerk commented that Laurence Harding had already given advice on this matter.

**It was RESOLVED- that the Institute of arbitrators would be contacted to ask for advice on the issues surrounding the Service Level Agreement**

### **125. Armed Forces Day**

The Town Clerk advised members that this day falls on the 29<sup>th</sup> June this year.

Armed Forces Day was devised to celebrate all servicemen who are or who have been involved with conflict.

Last year a small service took place in Pembroke, as the service rotates between the two towns. The Town Clerk suggested that this year a service was held at the war memorial in St John's Church which will include all the standards and the laying of wreaths. Members agreed.

### **126. Personnel Report**

#### **Administrative Support Officer**

The Town Clerk stated that she would like to propose that the Town Council employ a third person to work in the office.

She stated over the last few years office staff have taken on more and more work as the shape of local councils are changing. The Town Clerk commented that she has been very concerned that the Town Council puts as much as possible into the community, this is not just putting money in but also effort in directing, supporting and helping to progress projects which will benefit the people in the town. The Town Clerk stated that she felt there was a need to expand the projects we are involved in as services from the County Council are being squeezed more and more.

Projects such as: - Funding and build of a skatepark, funding and build of a children's play area, regeneration of the town centre, providing extra street cleaning, trying to improve the situation with regard to dog fouling, developing and specifying a new web site, maintaining that web site, meeting the existing demands such as restoration of the pump house and ensuring that our policies and risk assessments are up to date and many more.

The Town Clerk informed members that due to the pressures of our workload finding time to progress projects is becoming very difficult within the time constraints that we have. We both regularly work over our contracted hours.

The Town Clerk suggested that the job would be for 16 hours a week, at scale points 15 to 18, which pro rata for the 16 hours will be £6922.24 to £7404.80 per annum.

The only other cost that would be involved would be the cost of an extra computer and a new desk at a cost of around £800.

**It was RESOLVED that the Town Council would employ an Administrative Support Officer**

#### **Asbestos Risk Management**

This issue has been previously dealt with earlier in the meeting.

#### **Pension provision for Town Council staff**

The Town Clerk commented that she had sought agreement from Council to approach Carmarthenshire County Council to determine how much it would cost the Town Council to enter into their superannuation

scheme. All employers will soon be legally obliged to offer a pension plan for all eligible employees.

The Town Clerk informed members that Carmarthenshire County Council had informed that taking the enrolment date of 1<sup>st</sup> April 2013 the Town Council would be obliged to pay a contribution of 8.5% in pension payments.

This means that the employee pays a proportion of salary as pension payments and the Town Council would have to pay 8.5% of the employee's salary into the pension fund.

**It was RESOLVED That the Carmarthenshire County Council pension scheme should be made available to all employees starting from 1<sup>st</sup> April 2013**

#### **Intruder Alarm in the Office**

The Town Clerk informed members that there was an intruder alarm in the Town Council offices which was installed by Dyfed Alarms.

She stated that the Assistant Town Clerk had investigated the system with a few companies with a view of installing panic button alarms in the offices which would be linked to the police station.

The Town Clerk commented that she had over the last year or so had two instances where she had been on her own in the building and had felt threatened by visitors to the office. The personal safety of officers in this building has been a concern and it would seem that the panic buttons might be an answer to this.

The quotes:

**Dyfed Alarms** quote for the addition of panic buttons to the existing intruder alarm is £353.00 plus VAT.

**ONCON** have quoted for replacing the exiting intruder alarm and including panic buttons is £650.00.

The Town Clerk asked to have member's agreement to install panic buttons with Dyfed Alarms at a cost of £353.00 to help protect the staff in the office.

**It was RESOLVED That the Town Council would approach Dyfed Alarms for the installation of panic buttons within the Town Council offices.**

#### **127. Pump House**

The Town Clerk informed members that there has been some criticism of the condition of the pump house recently and although it appears in reasonable condition if there is concern amongst council the Town Clerk suggested that a surveyor is asked to report on the building.

**It was RESOLVED- that a survey would be undertaken on the Pump House.**

#### **128. Timetable of Council meetings**

The Town Clerk stated that the schedule of Town Council meetings for the next year was as follows

7<sup>th</sup> March 2013

4<sup>th</sup> April 2013

9<sup>th</sup> May 2013 AGM

30<sup>th</sup> May 2013

27<sup>th</sup> June 2013

25<sup>th</sup> July 2013

5<sup>th</sup> September 2013

3<sup>rd</sup> October 2013

31<sup>st</sup> October 2013

28<sup>th</sup> November 2013

12<sup>th</sup> December 2013

9<sup>th</sup> January 2014

6<sup>th</sup> February 2014

6<sup>th</sup> March 2014

3<sup>rd</sup> April 2014

8<sup>th</sup> May 2014 AGM

#### **129. Civic and Mayoral events**

The Town Clerk commented that it was agreed last year that these events needed to be reviewed. Currently the AGM and the Mayor making takes place on a Thursday evening during May, this is followed by a buffet for all

who attend. The following Friday there has been a civic dinner which has been held in the Cleddau Bridge Hotel. The Town Clerk commented If the new Mayor wished there is then a civic service held on the following Sunday usually at St John's Church with a parade.

It was commented that in the current austere times it seemed unwise to continue this regime. The Town Clerk stated that the amount of work involved in the organisation by the Assistant Town Clerk is large which obviously has a cost.

The Town Clerk commented that the costs include staff time in sending out invitations to the civic dinner, sorting out the venue and the seating arrangements, the menus and the flowers. Invitations are also sent out for the church service. All this is done by the Assistant Town Clerk with a very small input from herself.

The Town Clerk stated that there is the cost of the buffet and drinks after the mayor making, the cost of the dinner and a room to change in at the Cleddau Bridge Hotel. There is no cost involved for the church service only staff time.

The Town Clerk suggested to reduce the costs of both staff time and payments for meals etc. that on the Thursday evening of the AGM and the mayor making, the mayors and other guests normally invited to the civic dinner are asked to attend and that a buffet with drinks was provided after the formalities. The Town Clerk commented that in normal circumstances she would suggest that the Main Hall in the Pater Hall could be used for both the mayor making and the buffet but as there was currently building work being undertaken this may not be possible for this year's event. The Town Clerk commented that the building work was due to finish on Monday 6<sup>th</sup> May 2013 but should there be any delay this would obviously affect the event on the 9<sup>th</sup> May.

It was commented that the event on the Friday is the only civic function that the Town Council hold and it is the only chance the Mayor has to meet and promote the town. It was commented that the Civic dinner did not have to be on the Friday immediately after the Mayor making and the buffet on the Thursday evening was not needed. After discussion

**It was** **RESOLVED- that the Mayor making would take place on 9<sup>th</sup> May 2013 with no buffet and the Civic Dinner would take place on 10<sup>th</sup> May 2013 and will be held at the Cleddau Bridge Hotel**

### **130. Town Regeneration**

The Town Clerk informed members that she had received contact from the County Council offering information with regard to actions on regenerating the Town. She commented that Cllr David Pugh had offered to meet with the Town Council to discuss these actions and to share information. The Town Clerk suggested to Council that a meeting was held with Cllr Pugh on the evening of 12<sup>th</sup> February at 6.00 pm in the Warrior room, which members agreed.

### **131. Hywel Dda Health Board**

The Town Clerk commented that she had received a report of the meeting that was held on January 25<sup>th</sup> containing the decisions the Health board made which have been advertised widely. The full reports are available at [www.hywelddahb.wales.nhs.uk/consultation](http://www.hywelddahb.wales.nhs.uk/consultation).

It was commented that members of Pembroke Dock Town Council have not done much about the closure of South Pems minor injury unit, it was stated that there has been visual protests taking place In Tenby, it was commented that the Mayor Councillor P Kraus had been doing a lot of background work but a visual impact was needed which involved the press.

### **132. Proposed South Hook Combined Heat & Power Plant**

The Town Clerk stated that she had received documents describing this proposed development. The information was available at [www.southhookCHP.com](http://www.southhookCHP.com).

### **133. Clean Neighbourhoods and Environment Act 2005 Dog Control Orders**

The Town Clerk stated that she had received information from the County Council with regard to the powers that can be obtained for dog control orders. As dog fouling seems to be on most people's agenda to improve the town for the residents this will no doubt be one of the major issues to be discussed with the County Council at the meeting on the 12th February. The Town Clerk commented that the County Council will hopefully be looking at an outside firm to take on the fines for dog fouling and littering instead of employing someone locally.

**134. Election of mayor and Deputy Mayor for 2013/2014.**

The Town Clerk asked for nominations for the position of Mayor for the year 2013/2014

**It was RESOLVED- that the Mayor for 2013/2014 would be Councillor J Phillips**

The Town Clerk asked for nominations for the position of Deputy Mayor for the year 2013/2014.

**It was RESOLVED- that the Deputy Mayor for 2013/2014 would be Councillor P E George**

**142. SUPPLEMENTARY REPORT OF THE TOWN CLERK**

**124. Louisa Sanders Trust –Trustee for Pembroke Dock Town Council**

The Town Clerk stated that she had received notification that currently only one person can be nominated from this council to become a Trustee of the Louisa Sanders Trust. Once this trustee has been nominated another person can be co-opted onto the charity board. The Town Clerk asked that a nomination for trustee was made by this council.

**It was RESOLVED That Councillor P E George would be the nominated trustee for the Louisa Saunders Trust**

**125. Pembrokeshire Coast National Park Authority Local Development Plan-Draft Supplementary Planning Guidance and annual Monitoring report 2012.**

The Town Clerk stated that she had received the Supplementary Planning Guidance on Low Impact Development for public consultation and its second Annual Monitoring Report for the Local development plan.

The consultation period will run for 12 weeks from 6 February to 3 May 2013.

The Annual Monitoring Report identifies progress made with the various milestones of the plan for the period October 2011 to July 2012.

Comments on the document are invited and will inform the production of the next report to be sent by 7<sup>th</sup> June 2013.

These documents can be found on [www.pcna.org.uk](http://www.pcna.org.uk) website.

**143. REPORTS FROM TOWN COUNCIL REPRESENTATIVES SERVING OUTSIDE BODIES**

**Police Forum**

Councillor M Colgan commented that she had attended a recent police forum meeting which was well attended by members of the public, she stated that issues raised were dog fouling, parking outside the gym in Water Street, and drug issues around the town.

**Festival Group**

Councillor D Earl commented that the next Festival meeting was due to take place on Tuesday 12<sup>th</sup> February at 9.30am in the Pater Hall.

**Pater Hall Trust**

Councillor P Gwyther informed members that the Pater Hall Trust had presented a lifetime membership to Mr Ron Watts.

## 144. FINANCIAL REPORT

### ACCOUNTS FOR PAYMENT

Date	Description	Amount	Payment Method
07/01/2013	Post Office – Postage for Minutes	£21.60	
07/01/2013	Swalec – Albion Square	£29.76	
07/01/2013	Princes Gate Water	£18.49	
08/01/2013	Halsted DIY – New Lock on Pump House	£99.13	
11/01/2013	Clarity Copiers – Photocopier service charge	£12.76	
18/01/2013	Uniform for Caretaker	£175.74	
21/01/2013	Stationary- Note Pads	£2.37	
25/01/2013	BT Internet Bill	£133.81	
25/01/2013	Postage	£2.40	
28/01/2013	BT Phone Bill	£100.75	

### PAYMENTS PREVIOUSLY AGREED eg, Grants, Sec 137 payments, allowances

Date	Description	Amount	Payment Method
08/01/2013	Pater Hall Community Trust – RWE Grant	£833.33	CHQ 100166
08/01/2013	Pembroke Dock Festival Group- RWE Grant	£833.33	CHQ 100167
08/01/2013	St Patrick’s Community Hall – RWE Grant	£833.33	CHQ 100168

### ACCOUNT RECIEPTS

Date	Description	Amount
04/01/2013	RWE N Power – Grant to be allocated	£2500.00
11/01/2013	Princes Gate – Credit Note	£7.20

### SALARIES AND WAGES

06/01/2013-05/02/2013	Salaries and Wages	£4467.50
06/01/2013-05/02/2013	Tax and NI	£1318.78

### ACCOUNT BALANCES

28/01/2013	HSBC Current Account	£12,382.54
28/01/2013	HSBC Premium Account	£102,344.62

Councillor D Earl commented that the generator had been looked at and it would cost £25.00 for a new switch to be fitted, all members agreed for the new switch to be fitted.

It was

**PROPOSED** by Councillor P E George  
**SECONDED** by Councillor D Earl

**RESOLVED- that the Town Council approve payment of Accounts and Salaries and Wages payments, and also approve payments previously agreed**

**145. AGENDA/REPORT ITEMS FOR THE NEXT MEETING**

There were no agenda items for the next meeting

**146. COMMUNITY ISSUES**

**Clothing Van – Ferry Lane**

It was questioned if the clothing van on Ferry Lane could be moved on as they are classed as a trader. It was stated that they had been moved on numerous occasions by the Police but always end up back there the next day, it was commented as the piece of land which they park on is not classed as a layby there is not a lot that can be done.

**Building Work – Corner of Dimond Street and Law Street**

It was commented that the recent building work on the corner of Dimond Street and Laws Street is causing issues with the zebra crossing, as the vans for the building site are blocking pedestrian's visual view of oncoming traffic. It was questioned whether the County Council could be contacted to see if there was anything which could be done to make the zebra crossing safer for pedestrians during the building period; the Town Clerk stated she would contact the County Council to ask.

**147. MAYORS REPORT**

The Mayor stated that he had been very busy this month and had attended a number of events; he commented that work was underway at the Military cemetery with regards to filling in the holes which had appeared, and had been to visit a number of schools regarding a 'stars in your eyes' event which he had been arranging.