

**Abingdon-on-Thames Town Council**

**Draft Minutes of the Finance and General Purposes Committee**

**Held on 12<sup>th</sup> March 2013**

**At 7 pm in the Committee Room at the Old Abbey House, Abingdon**

**Present:**

Cllr Sandy Lovatt	Chairman
Cllr Michael Badcock	
Cllr Iain Littlejohn	
Cllr Patrick Lonergan	
Cllr Monica Lovatt	Ex-officio, Mayor
Cllr Julie Mayhew-Archer	
Cllr Helen Pighills	
Cllr Alison Rooke	
Cllr Andrew Todd	

**In Attendance**

2 Members of the Public	
Ms Heather Brown	Manager, Choose Abingdon Partnership
Mr Nigel Warner	Town Clerk (Clerk to the meeting)

F78 **Apologies for absence**

Apologies for absence were received from Cllr Marilyn Badcock.

F79 **Declarations of Interest**

None.

F80 **Minutes**

The Committee received and considered the minutes of the meeting of the Finance and General Purposes Committee held on 8<sup>th</sup> January 2013.

**Resolved:** that the minutes of the Finance and General Purposes Committee held on 8<sup>th</sup> January 2013 be agreed as a correct record and signed by the Chairman.

F81 **Matters Arising**

There were no matters arising not covered elsewhere on the agenda.

F82 **Statements and Questions from the Public**

None.

F83 **Community Fund Application**

The Chairman of the Committee, Cllr Sandy Lovatt, introduced two members of the "Abingdon Bridge," the Vice-Chairman, Mr Chris Bryan, and Mr Craig Morby, the Manager, who were attending the meeting to make a presentation and answer

questions regarding their application for grant aid from the Council's Community Fund. The Chairman suspended the Council's Standing Orders to enable them to speak to the Committee.

Mr Chris Bryan described the work of the organisation in helping vulnerable and challenging young people through a critical stage of their lives and their aim to help those young people to turn their lives around. He outlined the work of the project in relation to alcohol and substance abuse. He stated that the project had hitherto been funded by Comic Relief and had been supported by them for the last three years. However, demands on Comic Relief were such that they were unable to continue their funding and would not be able to consider a further application from the Bridge for another 12 months. Whilst the bid from the Bridge had been a strong one he stated that the trustees had been "caught out" as they did not have other sources of funding available.

Mr Craig Morby stated that the Abingdon Bridge had four main areas of work: counselling, careers advice, the youth club and the drugs and alcohol project. The drugs and alcohol project aimed to show young people the effects of alcohol and substance abuse, the legal position in relation to these matters and offered support to young people. There were close links with other agencies and the project had been successful in leading to fewer young people abusing substances and alcohol and the town becoming a safer place. He gave an example that he had recently been stopped by a young person in a school who had told him that following a talk given on drugs, ketamine was no longer being used.

*(Cllr Michael Badcock entered the meeting at this point, it being 7.10pm).*

Members then asked a number of questions of the Bridge representatives.

In response to a question regarding the other sources of funding which had been considered for the project, Mr Bryan stated that the organisation was approaching the Big Lottery and looking to improve links with the local business community and the Bridge's neighbours at the Old Gaol. In the last month three applications for funding had been submitted, amounting to approximately £9,000. He stated that the organisation had relied on the Comic Relief and therefore had become a little complacent in terms of the funding of this project. However the funding issue was now being fully addressed and he was working on a three year funding strategy for the organisation.

Members acknowledged the efforts now being made by the Bridge in relation to this funding although they expressed some disappointment that this situation had been allowed to develop.

Members thanked Mr Bryan and Mr Morby for their presentations regarding the valuable work of the Bridge.

A Member stated that whilst the Community Fund was an appropriate source for interim funding, he wished to have some assurance that the Council's funding, in addition to its existing base grant, would be a temporary measure and that the Bridge would find other funding to make the project sustainable in the longer term. In response to a query from a Member Mr Bryan, who had recently joined the board of trustees, stated that he was confident that the Bridge was grasping the challenge.

A number of suggestions were made by Members regarding other sources of funding and these included Children in Need and Christ's Hospital.

In response to a question from a Member, the Town Clerk stated that whilst the Council tended only to allow an organisation one grant per year, there were no legal or policy restrictions in relation to this matter. Mr Bryan stated that the Bridge's funding strategy would be launched at its AGM in June 2013.

In discussing this matter a Member queried the number of Abingdon young people who were assisted by the Bridge. It was stated that the Bridge's clients must live in Abingdon and the surrounding area and it was estimated that two thirds of their clients had Abingdon addresses. However, the point was made by Ms Brown that even if the client did not live in Abingdon they were clearly using the town as a student, a worker or socialising in the town and therefore their behaviour was having an impact on the town. Consequently, the town had the power to assist the organisation. Mr Morby stated that clients did not come in from Oxford as the city had very good services in this field.

*(Mr Chris Bryan and Mr Craig Morby left the meeting at this point).*

In discussion, Members were supportive of the work of the Bridge and the need to provide continuity of funding towards the alcohol and substance abuse project.

It was subsequently proposed by Cllr Sandy Lovatt and seconded by Cllr Alison Rooke that the Council make a grant from its Community Fund of £12,500 towards the alcohol and substance abuse project.

Members were supportive of the proposal to allocate the grant in order to enable the Bridge to continue to operate the project during the next six months during which time plans could be put in place for a sustainable funding strategy. However whilst having confidence in the work undertaken by the project, Members were concerned to ensure that work on sustaining the project financially was taken forward in an effective manner and discussed ways in which the Council could have assurance in this regard.

A Member stated that the Council had direct contact with the Bridge trustees as Cllr Sandy Lovatt was the Town Council's representative on their management committee. However Members felt there should be a more formal mechanism for linking the grant payment to the funding strategy. They discussed making the payment in two instalments and requiring a report to come back to the June meeting of the Finance and General Purposes Committee.

A Member also stated that it was important that the Town Council's support for the Bridge be publicly acknowledged as it was too often the case that people did not realise that this and many other services operated by charities are supported by their local authorities.

Cllr Michael Badcock proposed that the grant be released in two stages, with half of the grant being deferred until the next meeting of the Finance and General Purposes Committee when the Bridge would be asked to present their clear plans and strategy for funding the project and the Committee would then be asked to consider the release of the second half of the grant.

Following discussion it was **resolved**:

1. That, in accordance with the Council's powers under section 137 of the Local Government Act 1972 the Abingdon Bridge be awarded a grant of £12,500 from the Community Fund, that this grant be awarded for the organisation's alcohol and substance abuse project and be utilised in accordance with their application dated 13<sup>th</sup> February 2013.
2. That the grant be awarded in two stages:
  - i. £6,250 to be released immediately.
  - ii. The Bridge then be requested to make an additional presentation at the Council's Finance and General Purposes Committee, which was provisionally due to take place on 4<sup>th</sup> June 2013, at which meeting Members would wish to receive a report showing the clear plans and strategy which the Bridge has in place in relation to sustainable funding for the project. Subject to Members being satisfied with these plans, the second stage payment would then be authorised by the Committee.
  - iii. That the Council issue a press release in relation to this matter.

*(Cllr Michael Badcock left the meeting at this point, it being 7.46pm).*

F84 **Choose Abingdon Partnership (ChAPS)**

The Committee received and considered the minutes of the Choose Abingdon Partnership Board Meeting which took place on 4<sup>th</sup> December 2012 and the draft minutes of 22<sup>nd</sup> January 2013.

It was noted that the draft minutes had been circulated to Members only as it was a condition of their release by the ChAPS Board that they remain confidential until their adoption by the Board.

Ms Heather Brown, the ChAPS Manager, was present at the meeting and the Chairman of the Committee invited her to update the Committee on the work of the Partnership.

Ms Brown updated the Committee in relation to eight different matters and these are detailed below.

- a. Funding was in place for the Partnership to continue into 2013/14, with £20,000 confirmed from the Town Council, £15,000 from the District Council and £1,000 from the Chamber of Commerce. In relation to the Chamber of Commerce, it was noted that their funding was for a three year period from 1<sup>st</sup> April 2013 and their grant of £1,000 represented 20% of their annual turnover and 50% of their guaranteed income, so although in quantitative terms it was a relatively small proportion of the Partnership's income, it was a large commitment for the Chamber. In relation to the County Council she understood that a grant was forthcoming but this had not yet been confirmed. (Subsequent to the meeting it was confirmed that the County Council will be granting the Partnership the sum of £15,000 for 2013/14.)

- b. Ms Brown referred to the ChAPs projects list which had been updated and circulated to the Committee. This was due to be reviewed by the Board on 27<sup>th</sup> March and she was looking to the Board to strongly prioritise these projects.
- c. Following the Tourism and Research workshop she had received a very comprehensive report from “Hidden Britain”. However, the report was quite complex and so she was working through this report prior to it being published.
- d. The Board was considering a “big community conversation” in relation to the riverside areas.
- e. She stated that the Good Living event was due to take place at Miele on Friday 22<sup>nd</sup> March 2013 and tickets were available. This year this event was being combined with the New Entrepreneurs’ Awards and these were being sponsored by Infinium (£1,000), Kemp and Kemp (£750) and Buy Box (£400). In marketing this event she was using a new CRM system which had been acquired. She was also pleased to update Members that there were now 1,850 loyalty cardholders.
- f. The Partnership was purchasing additional equipment for events including a marquee.
- g. She was working with the Chamber of Commerce regarding the Christmas events programme for 2013, it being noted that there had already been three meetings in this regard.
- h. She was working with the Town Council and as partners in relation to the website portal which was proving to be a very exciting and large project.

The Town Clerk stated that in relation to equipment he wished to flag the issue that the Town Council itself had in relation to storage space. When new equipment was being purchased the Town Council had very little capacity left for storage and recently there had been a review undertaken at the Guildhall which meant that a number of the items which had been stored there, including the Council’s staging, would have to be moved. As a short term measure the Council was hiring a storage unit and he stated that if the Partnership was looking to purchase new equipment it may wish to speak with the Town Council as to how this could be accommodated.

Members thanked Ms Brown for her report and noted the minutes of the Choose Abingdon Partnership Board Meeting of 4<sup>th</sup> December 2012, the draft minutes of the meeting of 22<sup>nd</sup> January 2013 and the copy of the latest ChAPS project list.

*(Ms Brown left the meeting at this point, it being 8.01pm.)*

#### **F85 Audit and Performance Sub-Committee**

The Committee received and considered the minutes of the meeting of the Audit and Performance Sub-Committee of 21<sup>st</sup> January 2013.

It was **resolved** that the minutes of the Audit and Performance Sub-Committee of 21<sup>st</sup> January 2013 be approved.

F86 **Communications Sub-Committee / Website Working Group**

The Committee received and considered the minutes of the meeting of the Sub Committee which took place on 15<sup>th</sup> January and 27<sup>th</sup> February 2013; and of the Website Working Group which took place on 23<sup>rd</sup> January 2013.

In the absence of the Chairman, the Vice Chairman of the Sub-Committee, Cllr Iain Littlejohn, reported on the new website portal. This portal would deliver a single shop window for Abingdon and the Council was working with many partners to deliver the project. The project was running on time and to schedule. A menu structure had been agreed and work on the portal was now moving from structure to design. He drew attention to some of the features of the new portal, and gave as an example of the work, the partnership with the Abingdon Area Archaeological and Historical Society (AAHS), whereby all historic buildings in the town would be put into an online repository.

It was reported that the next meeting of the Communications Sub-Committee was due to take place at 11.30am on Tuesday 19<sup>th</sup> March 2013. A Member reported that local civic society, the Friends of Abingdon, was interested in the portal and this would be taken forward.

The Chairman stated that the Town Crier was due to be distributed during the week commencing 18<sup>th</sup> March 2013 and Members should let the Deputy Town Clerk know if they do not receive this through their door.

**Resolved:** that the minutes of the meeting of the Sub Committee which took place on 15<sup>th</sup> January and 27<sup>th</sup> February 2013; and of the Website Working Group which took place on 23<sup>rd</sup> January 2013 be approved together with any recommendations contained therein.

F87 **Grants Sub-Committee**

The Committee received and considered the minutes of the meeting of the Grants Sub-Committee which took place on 4<sup>th</sup> March 2013.

In relation to Minute 5, the application for grant funding for Preston Road Community Centre, Members did not consider that this represented the recommendation of the Sub-Committee and that the recommendation should be altered to read *“not awarded as it is the second application in the current financial year. Organisation to be informed that the Council would favourably consider the £1,000 grant requested plus other projects which required financial assistance in the new financial year. However they would need to re-apply.”*

In relation to Minute 6, Grant for Footpath, St Nicolas' Church, the Town Clerk reported that closed churchyards are generally the responsibility of the local authorities and normally the parish council. However, the position in Abingdon was ambiguous; the general understanding of this Council had been that St Helen's Closed Churchyard was looked after by the Town and St Nicolas' Closed Churchyard by the Vale but this had been disputed. Over the years much of the grounds maintenance had in any case been undertaken by the Church itself, who had created

a rather nice garden in the Churchyard. The issue with the footpath was that it was too narrow for a wheelchair to access the Church building at the rear of the churchyard but that it was not clear whether or not the Church still wished to pursue its replacement. The Town Clerk stated that he would make enquiries of the Church authorities and if they wished the footpath to be replaced with a wider footpath, he would instruct contractors to proceed with the work.

The Town Clerk stated that this was one of the types of projects which was a good one for the Joint Environmental Trust because not only was there an ambiguity over which local authority was responsible for the churchyard, but there was an additional ambiguity. Although one of the local authorities had to be responsible for the closed churchyard, the responsibility in law was to keep the churchyard in “decent order” and this did not extend to improving works to paths, particularly when they are required to service buildings other than the closed churchyard.

He would report back at a future meeting.

It was **resolved** that the following grants be approved:

Name of Applicant	Reason for the grant application	Grant awarded
Abbey Brass (a)	Repair instruments, purchase of additional cornet and additional music.	£500
Abingdon Carnegie Forum: Fitzharrys, John Mason, Larkmead, Our Lady's, Abingdon Boys' & St Helen & St Katharine Schools (b)	Hire of Guildhall for the day to hold the Forum.	£500
Abingdon Community Hospital League of Friends (b)	Purchase of a tilt in space wheelchair.	£800 – as the organisation is exempt VAT the sum awarded should be reduced to reflect this, and this should be explained to The League of Friends.
Abingdon U15's Rugby Club (f)	Purchase of new kit.	£500
Larkmead School - Duke of Edinburgh of Award (a)	Purchase of props & costumes for film for Duke of Edinburgh Bronze Award	£50

Preston Road Community Centre (g)	Replace dividing partitions between the lounge and medium hall and between the medium and small halls.	Not awarded as it is the second application in the current financial year. Organisation to be informed that the Council would favourably consider the £1,000 grant requested plus other projects which required financial assistance in the new financial year. However they would need to re-apply.
The Abingdon Bridge (b)	Continuation of Alcohol Abuse Project to continue work for a further 6 months	This matter had been referred directly to the Finance & General Purposes Committee on 12 <sup>th</sup> March 2013 (see minute F83 above).
The Abingdon Pottery Club (a)	The purchase of a spray booth.	£750. This award should be withheld until the organisation can prove that it is ready to proceed with the project.
WRVS Abingdon Derby & Joan Club (a)	Rent for meetings.	£300

It was noted that the above grants were being awarded in pursuance of the Council's powers, as noted immediately after the name of the body being awarded the grant, as follows:

- (a) Local Government Act 1972, section 145;
- (b) Local Government Act 1972, section 137;
- (c) Local Government and Rating Act 1997, part III, section 31;
- (d) Local Government Act 1972, section 144;
- (e) Local Government Act 1972, section 142 (2A);
- (f) Local Government (Miscellaneous Provisions) Act 1976, section 19.
- (g) Local Government Act 1972, section 133.

It was further **Resolved** that the minutes of the Grants Sub-Committee which took place on 4<sup>th</sup> March 2013 be approved together with any other recommendations contained therein.

*(Cllr Michael Badcock re-entered the meeting at this point and Cllr Andrew Todd left the meeting at this point, it being 8.15pm)*

#### F88 **Standing Orders Working Party**

The Committee received and considered the report of the Town Clerk in relation to the above.

The Standing Orders Working Party had met on 14<sup>th</sup> February and 6<sup>th</sup> March 2013 and was due to meet once more in order to come forward with its final

recommendations in relation to the Standing Orders. Both meetings were attended by Cllr Monica Lovatt (Mayor), Cllr Sandy Lovatt and Cllr Alison Rooke.

In relation to the Council's Financial Regulations it was reported that following recent and pending changes in relation to regulations for parish councils, the National Association of Local Councils (NALC) was due to be publishing new model financial regulations. The Council had been advised by the Oxfordshire Association of Local Councils to defer making major changes to its financial regulations until the new model financial regulations were available. Consequently, in the interim, the Working Party had proposed a number of minor changes to the current financial regulations, and these had been circulated with the agenda, with the proposed changes to the Financial Regulations shown through "Word" tracking.

**Resolved** that the report be noted and the revised Financial Regulations approved.

F89 **Matters Referred**

Guildhall Committee 4<sup>th</sup> March 2013

The Committee received and considered the report of the Town Clerk in relation to the above.

The Guildhall Committee had noted that there had been a number of occasions when it had been necessary to undertake urgent works and it was anticipating that there would be further items which would be required in the future. Whilst some items could be deferred pending the planned redevelopment, other items had to be progressed and therefore a budget was being sought which could be earmarked for this purpose.

**Resolved:**

1. that the report of the Town Clerk be approved;
2. that a budget of £10,000 be set aside from the Council's pooled property fund to enable any urgent building and equipment works to take place in the Guildhall, and that authority to operate this budget should be delegated to the Town Clerk in consultation the Guildhall project group.

F90 **Financial and General Report**

The Committee received and considered the report of the Town Clerk / Responsible Financial Officer in relation to the above.

1. Schedule of Accounts

**Resolved** that the schedule of accounts for the period October 2012 to January 2013 be approved.

2. Management Accounts

**Resolved** that the summary reports of the management accounts for the financial year to date be approved.

### 3. Members' Allowances

It was noted that the Town Council pay the Members' Basic Allowance at the rate of 20% of the District Council Basic Allowance, in accordance with the previous recommendations of the Independent Remuneration Panel. The Allowance assisted Members towards meeting the costs of acting as Councillors.

The District Council allowance for 2012/13 was £3,829 and the Members' Allowance for this Council was £765.80, this having been the same since April 2009. The latest report of the Independent Remuneration Panel linked a cost of living increase to the staff pay settlement, which had also been frozen since that time, and this was the resolved position of the District Council for 2013/14.

It was **resolved:**

a. Members' Allowance: that in accordance with the Local Authorities (Members' Allowances)(England) Regulations 2003 (as amended) the allowance for Town Council members for the year commencing 1st April 2013 be set at 20% of the District Council allowance, and increased in proportion with any increase in that allowance.

b. Travelling and subsistence allowance. (i) That this allowance be paid in accordance with local government practice and the relevant rate for mileage as agreed by the NJC (National Joint Council for Local Government) if travelling by car or the cost of standard class public transport. That subsistence allowance should be at the rates agreed by the NJC. (ii) That approved duties be defined as: attendance at conferences of the National Association of Local Councils, attendance at the Argentan Quasimodo Fair, attendance at the annual Twin Towns' conference, attendance at the County Council Museums Joint Working Party, and attendance at other such meetings outside of the Parish as are approved by the Town Clerk in consultation with the Chairman of the Finance and General Purposes Committee.

It was noted that the Town Council paid a Mayoral Allowance under a different power, the Local Government Act 1972 Sections 15 (5) and 34 (5), and this had been agreed at the previous meeting when the Council's budget had been set.

### 4. Audit Matters

The report which updated Members on this matter was noted.

It was anticipated that the Council's statement of accounts for the year ended 31<sup>st</sup> March 2013 would be presented to the next meeting of the Finance and General Purposes Committee at which meeting the Committee would also be invited to review the statement and the Council's reserve position.

## 5. Civic Events

It was noted that the Royal Logistic Corps at Dalton Barracks had indicated its wish to exercise their Freedom of Abingdon on the morning of Friday 24<sup>th</sup> May 2013. This would take the form of a parade from the Fire Station in Ock Street down to the Market Place where there would then be a ceremony and medal presentation. Following the ceremony, the troops would parade to the parish church of St Helen where there would be a service.

The Town Clerk stated that further details would be issued in due course, but Members may wish to note the date in their diaries.

### F91 Burgess Trust

The Committee received and considered the report of the Twinning Officer in relation to the above.

The report detailed the history and operation of the Burgess Trust since its inception in September 1989 and prior to advertising the scheme later this year, the Twinning Officer had asked whether there should be any changes to the way the Trust operated.

Members agreed that the operation of the Trust should be reviewed and asked that officer proposals come forward in this regard. Members were also keen that the Council undertake further research in relation to the terms of Miss Burgess' original endowment.

It was **resolved:**

1. That the responsibility for considering and making recommendations in relation to grants from the Burgess Trust should be transferred to the Grants Sub-Committee.
2. That the Twinning Officer be requested to undertake further research in relation to the terms of Miss Burgess' original endowment and that the Officer then present a report with recommendations for any changes to the next meeting of the Grants Sub-Committee.

### F92 Publicity

It was noted that at minute F83 the Committee had resolved that a press release should be issued in relation to the grant awarded to the "Abingdon Bridge."

*(Cllr Patrick Lonergan left the meeting following discussion of this item, it being 8.30 pm).*

**SECTION II (Excluding the public and the press)**

F93 **Exclusion of the public, including the press**

The Chairman moved and it was **resolved**:

That in accordance with section 1 (2) of the Public Bodies (Admissions to Meetings) Act 1960 (as extended by Section 100 of the Local Government Act 1972), the public (including the press) be excluded from the meeting because of the confidential nature of the business to be transacted.

F94 **Confidential Appendix**

The Committee received and considered the confidential appendix to the minutes of the meeting of the Finance and General Purposes Committee held on 8<sup>th</sup> January 2013 and **resolved** that these be signed by the Chairman as a correct record.

F95 **Matters Arising**

The confidential report of the Town Clerk in relation to the above was received and considered.

**Resolved:** that the report be noted.

F96 **Confidential Appendix – Communications Sub-Committee and Website Working Party**

The Committee received and considered the confidential appendix to the of the meeting of the Communications Sub-Committee which took place on 15<sup>th</sup> January; and of the Website Working Group which took place on 23<sup>rd</sup> January 2013.

**Resolved** the confidential appendix to the of the meeting of the Communications Sub-Committee which took place on 15<sup>th</sup> January; and of the Website Working Group which took place on 23<sup>rd</sup> January 2013.

F97 **Matters Referred**

The confidential report of the Town Clerk in relation to the above was received and considered.

Audit and Performance Sub-Committee, 21<sup>st</sup> February 2013

**Resolved** that the service review of the Fairs be adopted, together with the recommendations but that references to “operator” are replaced by “organiser” and that the latter be confirmed as Bob Wilson and Sons Limited.

County Hall Museum Management Committee, 26<sup>th</sup> February 2013

The recommendations of the County Hall Museum Management Committee, as amended and detailed in the confidential appendix, were approved for further consideration by the full Council at its meeting on 20<sup>th</sup> March 2013.

Guildhall Committee, 4<sup>th</sup> March 2013

The recommendations of the Guildhall Committee in relation to lighting improvements to the Abbey Hall were approved together with the purchase of a portable sound system, as detailed in the confidential appendix.

The recommendations of the Guildhall Committee in relation to Roysse Court were approved.

F98 **Market Place**

Members received and considered the confidential report of the Town Clerk in relation to the above.

It was noted that at the last meeting of this Committee it had been resolved that: *“that authority be delegated to the Town Clerk to make arrangements to enter into an agreement with the “Veg Van” to trade on the Market Place for up to 1 ½ hours on Friday mornings for a trial period of three months, following which period the matter will then be referred back to this Committee for review.”*

In seeking to exercise this delegation the Town Clerk reported that it had been his original intention that the Veg Van be permitted to trade on the Market Place through the creation of a market for the sole purpose of allowing the Veg Van to trade. However, on considering matters further it became clear that this would not be possible as a market could not consist of one trader and creating a market, which it was permissible to do for set days or for a defined period, would mean that the Town Council need to allow other traders onto the Market Place. This was clearly not the intention of either the applicant or the Town Council; to create an additional market would have significant implications which had not been provided for.

Consequently, other mechanisms to allow the Veg Van to trade had been considered and the Committee considered a letter from Slade Legal regarding this matter. The Town Clerk stated that the advice was clear and correct; the Council could not give permission to allow this activity without contravening both the street trading regulations made by the District Council pursuant to the Local Government (Miscellaneous Provisions) Act 1982 and adopted in March 1996, and also the local legislation contained in the Market Place Act 1978.

It was noted that beyond a number of exemptions made for markets and fairs, that street trading was prohibited in Abingdon except in a number of places, and these were:

*(i) that part of the layby on the North side of the Vineyard, fronting onto the B.P. petrol station; (Trading permitted between 6pm and 11.30pm)*

*(ii) the laybys on each side of the A.415 between the A.34 and the junction with the minor road to Shippon; (Trading permitted between 9.00 a.m. to 11.30 p.m)*

*(iii) that part of the layby on the north side of Marcham Road, Abingdon, fronting onto the Old M.G. Factory. (Trading permitted between 6.00p.m. to 11.30 p.m).*

In response to a question from a Member, the Town Clerk stated that ownership of land was not a consideration and “street trading” was defined as the selling or exposing or offering for sale of any article (including a living thing) in a street or open

place to which the public have access without payment. There were some exemptions which included markets and fairs, and also trading which was carried on at premises used as a shop or in a street adjoining premises so used and as part of the business of the shop. However he did not believe that any of the exemptions applied to the Veg Van.

It was noted that the Market Place Act 1978 did allow trading, beyond markets and fairs, in certain circumstances. However these were restricted to the sale of readily consumable food and drink; and sales organised by any registered charity or by any other body undertaking to devote the whole of the net proceeds of the sale for charitable purposes.

The Town Clerk stated that this matter had opened up a number of issues which needed to be considered but that unfortunately there were two pieces of legislation which meant that the Town Council could not legally allow the Veg Van to trade from the Market Place. However he would be meeting with District Council officers shortly to discuss a planned review of street trading in Abingdon and it was his intention to explore any mechanisms which would allow him to exercise his delegation for the application from the Veg Van to be approved. He would be consulting the National Association of Local Councils to see if they could advise in this regard.

Members re-iterated their support for the Veg Van trading on the Market Place and their disappointment that this could not be expedited at present. However Members appreciated that they could not act ultra-vires and give permission when they did not have the power to do so. They requested that the Town Clerk continue to seek to find a mechanism by which the Veg Van could trade on the Market Place as requested.

It was **resolved**:

1. that the application for the Veg Van to trade on the Market Place be refused as the Council is unable to give permission due to the system of street trading control adopted by the District Council pursuant to the Local Government (Miscellaneous Provisions) Act 1982 and also the local legislation contained in the Market Place Act 1978.
2. that the Town Clerk consult with the National Association of Local Councils in relation to this matter and continue to seek to find a mechanism by which the Veg Van could trade on the Market Place as requested.

F99 **Property Matters**

The Committee received and considered the confidential report of the Town Clerk in relation to the above.

The Committee noted and endorsed the action of the Town Clerk and **resolved** accordingly.

F100 **Insurance**

The Town Clerk stated that this item had been withdrawn and a report would be presented to the June meeting of this Committee.

The meeting rose at 8.57 pm.