

## MAESTEG TOWN COUNCIL

Minutes of a **EXTRAORDINARY** meeting of the **Council** held remotely via Microsoft Teams and at the Council Meeting Room, Council Offices, Talbot Street, Maesteg, on **Tuesday, 27<sup>th</sup> July 2021**.

### **PRESENT:**

#### **COUNCILLORS: AR DAVIES (MAYOR)**

L Beedle, R Collins, A James, P Jenkins, R Lewis, W May, R Penhale-Thomas, C Reeves, G Thomas, L Thomas, P White and I Williams.

### **APOLOGIES** Cllr P Davies

Cllrs K Edwards and S Smith experienced technical difficulties so could not attend the meeting.

### **DECLARATION OF INTEREST:** None received

### **101. TO DISCUSS THE VAN PURCHASE**

Following advice to cancel the purchase of the van at a cost to Council of 10%, the Clerk was instructed by the Mayor to use a WhatsApp vote with the following options:

Option 1 = Return van/cancel purchase and forfeit the 10%

Option 2 = Keep van and collect this week.

<b>Councillor</b>	<b>MTC-Vote-VanOptions</b>
A R Davies	abstain
P Davies	option 2
A James	abstain
S Smith	option 2
L Beedle	
K Edwards	option 2
P Jenkins	option 2
W May	option 2
I Williams	option 2
R Collins	option 2
R Martin	option 2
R Penhale-Thomas	option 2
C Reeves	
L Thomas	option 2
R Lewis	option 2

P White	abstain
G Thomas	Option 1
<b>Total</b>	

**DECISION**

**Abstain = 3**  
**Option 1 = 1**  
**Option 2 = 11**

Following the above result, it was agreed to keep the van and proceed with collection. An additional WhatsApp vote then commenced to decide on the insurance policy for the van.

The clerk referenced the paperwork that was sent out to councillors from OVW in reference to Section 101 of the local government act where, when a subcommittee is selected, they must meet and minutes be taken and reported back to council for the council to vote on. This process was unknowingly not followed for the purchase of the van.

A member stated that the situation of the van purchase could have been avoided if the standing orders set by the council were followed which would have the correct people administered to a committee with correct processes outlined for them, instead the van purchase is viewed as an illegal purchase.

Another member stated that they believed the council acted accordingly and within the law but this was countered by the previous member stating that this is incorrect as the standing orders weren't followed.

Cllr P Jenkins stated that the only way to ensure process is followed in the future and for the constituents of Maesteg to have faith in the Council then he **proposed** the chair of finance resign from this role and the Council report ourselves to Audit Wales.

A member queried if the van in question was within the council's possession and where it was being kept and if it was in use and this was answered by the Mayor and Clerk that the van was kept safely stored overnight within a locked garage and will be for the short term until such time a unit becomes available that the CMO can use to store the vehicle and contents.

The Chair of Finance provided the below statement:

*This is one of the first times I have been involved in delegated powers. This was needed as a matter of urgency as the CMO was unable to fulfil his role.*

*When the two other members of the Delegated committee left the decision making WhatsApp group – I considered it as if I was in a meeting and was the only one left*

*– in which case I would have to carry on with the job that needed to be completed. The other members appeared to have left me to it.*

*It had, however already been agreed by the whole council that a van would be purchased, and both preferred options by the members of the delegated powers were for the same outlay. I consider this approval for such a purchase of this amount.*

*This was an uncomfortable position for me to be left in, but I did what I felt had to be done. If this was incorrect then I would have hoped the clerk or the Mayor would have pointed this out to me. I only did what I was put into position to do. I did nothing above this.*

*When asked whether the council should take out finance or buy the van – I replied purchase as this would be the best value for our taxpayers – we could not justify paying thousands of pounds more for an item that we already had cash in the bank for. This would not have been fiscally prudent.*

*If I have taken incorrect actions, you have my sincere apologies. Now I know that this was wrong, I certainly won't be putting myself in this position again. I do wish that the other members of the group had remained in the decision making and not put me in such a difficult position.*

*My actions have been driven by the intention to get the best value and outcome for the Council Taxpayers of Maesteg. One Voice Wales have pointed out that whole council decisions were incorrect.*

A member who was part of the van subcommittee mentioned that he believed a decision on the van had already been made that is why he left the group.

A member was concerned with who made the overall decision as if three members were elected to the subcommittee and two removed themselves.

Another member stated that he doesn't believe the Chair of Finance acted in a malicious way or to gain any benefit out of making the purchase of the van and asking for her resignation is not reasonable especially as the member has apologised. This sentiment was seconded by another member and was concerned that another member has self-appointed himself as judge and jury in the matter.

A member said that the decision to purchase the van was unlawful and we must act and be shown to not be protecting one of our own.

Cllr W May requested that the vote be split into 2 votes whereby the 1<sup>st</sup> vote to report Maesteg Town Council to Audit Wales and the 2<sup>nd</sup> vote for no confidence in the Chair of Finance and to request the Chair to resign. Members agreed to splitting the vote.

**(i) Vote to report MTC to audit Wales:**

Members voted unanimously to report ourselves to Audit Wales whereby all 13 Members present agreed to reporting the decision process to Audit Wales.

**(ii) Vote to request Chair of Finances' resignation:**

It was then **proposed** by Cllr P Jenkins and seconded by Cllr I Williams that a vote of no confidence in the Chair of Finance and to request the resignation of the Chair of Finance.

Members voted on the **proposal** with the following vote:

Name	Vote	Name	Vote
Cllr L Beedle	Agree	R Penhale-Thomas	Agree
Cllr R Collins	Against	Cllr C Reeves	Against
Cllr A R Davies	Agree	Cllr G Thomas	Agree
Cllr A James	Agree	Cllr L Thomas	Agree
Cllr P Jenkins	Agree	Cllr P White	Against
Cllr R Lewis	Agree	Cllr I Williams	Agree
Cllr W May	Agree		

Agree = 10

Against= 3

Following the results of the vote the Chair of Finance was asked to resign from her position. The Chair of Finance stated that she did what she believed she needed to do and did not act unlawfully consciously. She then resigned her post as the Chair of Finance.

A member requested that it is clearly stated that the committee that was setup for the van purchase was setup by the council and not solely by the three members that were part of it, this was seconded by another member.

Several members thanked the previous Chair of Finance for her service. Another member passed on their gratitude and also requested that we seek training from One Voice Wales in standing orders to avoid situations like this in the future.

A member stated that no one should have a 'blank cheque book' which was met with criticism of said member revelling in the situation and a point of order called by another member on the statement resulting in the first member amending his statement.

The previous Chair of Finance voiced her disappointment with that only when the purchase had gone through that people were now claiming that this was an unlawful purchase and had hoped that more senior and experienced members would have mentioned this sooner. In response to the previous amended statement, she added that she has also never signed blank cheques.

Another member stated that when the two of the three members of the committee left the WhatsApp group then this should have been reported to the full council and then taken from there.

It was echoed by another member that more experienced council members contribute their knowledge more generously during meetings to support the council as a whole and agreed that another member was indeed relishing in the situation.

A member was unsure how the council acted illegally in assigning the delegated powers and then the committee for the van purchase. When the council elected the committee, they then have to follow committee rules so the council as a whole has acted accordingly it is only after this does the committee not adhere to committee rules within the WhatsApp group. This was countered by another member as One Voice Wales stated in the information, they provided to the council that the process of electing the committee was unlawful as well as the decisions that followed within the committee. The member also stressed her disappointment in the two members leaving the WhatsApp group prematurely without mentioning what they thought was wrong.

A member stated that he believed that the previous Chair of Finance did not act unlawfully on purpose and thanked her for her service.

The clerk then mentioned that a new Chair of Finance will be needed by the end of the week to review the finances for the next full council meeting occurring on 3<sup>rd</sup> August 2021. Cllr W May advised that this should be dealt with within a full Council meeting and be placed onto the agenda accordingly. The Clerk raised concerns in relation to having figures checked before being presented to next weeks' full council to which Cllr I Williams **proposed** and was seconded by Cllr P White that two members of the finance committee volunteered to check over the figures prior to the meeting papers being issued on 30<sup>th</sup> July 2021 until such time where a new Chair of Finance is appointed. It was agreed that Cllrs G Thomas and L Thomas check the figures before Friday 30<sup>th</sup> July 2021.

**RESOLVED:**

- Maesteg Town Council
- Chair of Finance resignation be accepted
- Appointment of new Chair of Finance be placed on the Agenda for the next Full Council Meeting
- Cllrs G Thomas & L Thomas to check the finance figures before the next Full Council Meeting

102. **TO DISCUSS EXTRA EQUIPMENT REQUIRED FOR THE CMO**

Members were advised that previously a quote included all equipment deemed necessary by the ROW Contractor and was agreed by the Chairs of Finance and

Property, H&S. However, the CMO advised that he would only require the essentials at that time as he was working alongside the ROW Contractor and wanted to see what the other equipment would be needed for. Since the ROW contractor has now ceased his contract with MTC the CMO has requested the remaining equipment:

- 30cc Multi tool power unit
- Brush cutter attachment
- Hedge cutter attachment
- Pruner attachment
- Extension shaft
- Pro Secateurs
- Pro Telescopic Loppers
- Multitool with pouch (Swiss army knife)
- Hedge Cutter
- The quote received is £1,310.76 + VAT

Members agreed to proceed with the order of equipment.

A member queried that this should be presented to Full Council and not a committee but the Clerk reassured the member that this was an Extraordinary meeting of the Council.

A member stated that when the original equipment for the CMO was agreed that was done in a similar way to the van purchase i.e. delegated powers and committees setup so would like this reported to the audit office also as the overall decision was made through email and not a face to face meeting.

A member suggested that the council not go over previous decisions but this was countered by another member stating that if the council is aware of wrongdoing, then this must be reported as a means to improve going forward.

**RESOLVED:**

The equipment for the CMO be ordered and purchased.

**Minutes emailed to all Councillors to Read on 28<sup>th</sup> July 2021**  
**Minutes accepted at a remote meeting of the Council**  
**held on 3<sup>rd</sup> August 2021**

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Mayor