

This document contains the notes used by the *Friends of North Lodge Park*, to present to *Cromer Town Council* on Wednesday 3rd June 2015.

The meeting was called by the council to make some key decisions about the future of the project to transfer ownership of the Park from the district to town; the Friends used the opportunity to speak from the public gallery to raise some of the serious concerns they have about the project. These are not new concerns.

introduction The Friends of North Lodge Park have come here tonight to appeal to you all, as you discuss the future of the North Lodge Park, to think carefully about what is in the best interests of Cromer and its community.

So before you make your decisions, please ask yourselves:

- do you really want to own and manage the Park?
- have you considered sufficiently what this entails and are you convinced you have the capacity, skills and budget to make this Park a major community asset for Cromer?
- and, most significantly, how important are the views and wishes of the community to you - what you decide tonight will make this clear.

The minutes of your last meeting state that the Friends have created 'incorrect vibes' but this strange comment, made in the closed part of the meeting, contrasts against what was said in the open part of the meeting about the strength of support for the Park that has been generated through the Friends' survey and our ongoing liaison with the community.

Yes, we do have serious concerns but we want to stress that everything the Friends have said and done has been in interests of the Park and in the interests of the community. That is why we exist.

Unfortunately, the full council has not been aware of our concerns because they have not been minuted. So to help you decide if we were right to raise them, and how incorrect they are, I hope you will let four of my colleagues summarise them for you now.

From our investigations into other parks it is clear that success lies in the quality of the partnership between the owners and the users, which is why many councils recommend setting up a Trust. Councils recognise they cannot do it on their own.

So, when deciding if you should dissolve the Park committee, please ask yourselves what makes Cromer different to all these other councils?

You may be given the argument that dissolving the committee is just for the interim and it can all be made more cooperative later when you have the Park. We do not believe this is a sensible approach.

North Lodge Park Cromer It is now that the serious questions need to be asked and preparations made so that if and when the transfer is completed there will not be any nasty surprises and public money will not be wasted any further.

transfer project

We do understand that the taking over of North Lodge Park is not something to be undertaken lightly, but at every meeting we have been assured that the transfer is “within the next few days”, “this week” “ will happen before purdah”, and now, “before the end of the month”. It is now over 15 months!

Who has responsibility for managing this project? This is a simple transfer of an asset between two public bodies - what has gone wrong? If there are concerns why have these been allowed to drag on for 15 months?

We have been told of one issue to do with the overage, but when we asked what this meant were given no details to the point of no one knowing whether this referred to income or profit. This ‘issue’ was there from day one of the transfer project - why hasn’t it been resolved?

Yes, of course the Council needs to protect itself (and Cromer) from future liabilities, but not by ‘playing chicken’ with the district council, which is how it seems, while the legal bills mount. A properly managed project resolves issues as they occur, not letting them slip into uncertainty.

And that really worries us: the legal bill that is mounting up. It’s a common saying that in any legal dispute it’s only the lawyers who win - in this case at the expense of the people of Cromer; and meanwhile it’s North Lodge Park that suffers.

We were assured on more than one occasion that the legal fees will be met by NNDC and that this is in the heads of agreement. Now we are told that this is not so and CTC will have to meet its own solicitors bill. Who is really in control of this project and its escalating costs?

Whichever public body pays the legal fees it is still the people of Cromer who pay - Cromer Town Council is responsible.

Did the council shop around for the most beneficial fees, to ensure value for money on behalf of the community?

Can the council tell us how much the legal fees are, and how much they will have to pay?

You asked for a Friends group to be formed and a great many people have responded in the town. The Friends of North Lodge Park need to be able to show these people that their council is acting in their best interests!

if you agree to continue the transfer project, what will you do to make sure the project is properly managed to completion without further unnecessary delays and expense?

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Business Case & Budget

Your Financial Regulation 14.4 requires that if you are acquiring property or land then there should be in place a report to Full Council that considers:

- Its valuation and details of covenants etc
- A Survey of its condition
- A proper business case
- And adequate consultation with the electorate.

Regardless of this Regulation, as Local Councillors you will know that you each need to have the knowledge necessary to make decisions on behalf of the community.

Are you now fully aware of and independently understand all the facts regarding valuation & covenants?

Are you all fully aware of the surveyed condition of the buildings, railings and paths and the costs involved in bringing them up to a reasonable condition and maintaining them so as to not cause future financial burden?

As a full Council you agreed a business plan, but are you content the figures in that were reliable and the assumptions sound. Is it still relevant now? Is it indeed a "proper business case".

Do each of you fully understand how much it is going to cost to maintain the Park? Are you all clear as to what standard it is proposed to keep the grass and planting to? Is an appropriately resourced & skilled manager allowed for?

We have been provided conflicting information as to how you will fund the running of the Park; by raising the precept, by relying on the dowry and obtaining grants - or by payments from the Crematorium.

There is much talk of expanding your wedding business, but have you seen details of its viability?

What really is your business case?

How are you going to ensure you fulfil your duty to get best value for the community? So far against your own financial regulations, you have agreed to enter into a contract for maintenance without obtaining any other quotations, without an adequate specification or cost breakdown; even though it is far in excess of your budget.

Was your budget prepared in accordance with your financial regulations and why is it different from any business plan?

As far as consultation goes six Friends sit on your Committee but we have not seen anything that gives us confidence you have an adequate business case aligned to a short term management plan let alone a medium and long term plan that you have agreed to.

North Lodge Park Cromer We have been criticised for asking questions but I just hope that you can say to yourself and those in the community you represent "*I have seen all the facts and figures, they are reliable and well prepared, I understand the risks and I believe that we have a sound business case for managing the Park*". Your financial regulations and your duty as Councillors require this of you.

procedures

Whatever you decide about the future of the Park committee, the Friends' experience of the procedures used by the Council is concerning, and we hope that you will look at how they can be improved - not least the lines of responsibility and accountability

I'm sure those of you who sit on the Park committee will agree with me when I say "it has been an uncomfortable and sometimes embarrassing experience" trying to understand and work with the procedures

Today's meeting is a prime example. You set up a community group to work with you on the Park, but your procedures exclude us from any part of the debate - it even seems your procedures stopped us being told there was a meeting.

The procedures are there to protect you, to ensure due process is followed, to help you manage the public's money in an open and honest way; but unless they are used consistently, and properly, they are open to abuse and cause potential risks.

Let's look at an example: Without delegated authority all decisions made in a committee need to be formally agreed by full council

- This process relies on the minutes being complete and accurate - but there is no procedure to provide this check
- As with the 'agreed' temporary maintenance contract, because the minutes were incomplete, full council (you) accepted a potential £15,000 annual overspend without knowing it, nor how it would be funded
- The Friends proposed a simple peer review procedure to check minutes (which is common in most committees we have experience of); whilst we understood this was accepted by the Park committee it wasn't followed, and minutes from the last Park committee were published containing known serious errors, further exposing the council to unnecessary risks.
- I can't tell you why the agreed process wasn't followed, and it would be embarrassing for all if I explained to you the email exchanges and telephone calls that followed this breach of an agreed procedure,

You need to ask yourselves...

- Are you comfortable with the advice you are given on the procedures you have to follow? We have studied your procedures (standing orders and financial controls), and there is considerable scope for improvement in how they are implemented.
- Are you happy to take on the management of a major visible asset for Cromer using procedures that aren't appropriate?
- Why is there such resistance to change? And where is this resistance coming from?
- I have spoken to many of you individually and never found a resistance to change - why not use the Friends committee as a catalyst for change?

If you do decide today to dissolve the NLP committee please use the experience to review your procedures and make sure they are fit for the future, and they don't leave you exposed.

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Mr Mayor, Councillors (especially you new councillors) I urge you to take on this challenge and ready Cromer Town Council for the future.

conclusion

If Cromer Town Council is going to proceed with the transfer of the Park then some really serious questions need to be asked. We have asked ourselves these questions and we feel that you need to as well.

Why would you show a total lack of interest in the findings of the community survey?

Why would you want to proceed with the transfer of the Park without engaging the help of the community?

Why would you want to spend more money on ground maintenance than you need to?

Why would you not want to do everything you can to get the cafe open as soon as the transfer completes and why are you using the procedures that you have to prevent this community priority from happening?

Why would you not want a committee process and structure which embraces members of the community who are willing to give their time and resources to support and work with you?

You all chose to be on this Council and by doing that it surely means that you want to give something to your community. It is your responsibility to speak on behalf of the people you represent. I am sure that you all want to gain the respect of this community and act in their best interests otherwise you would not be sitting here. The people of Cromer should be grateful that you are taking precautions to protect their interests in this transfer; however, a lack of openness in this issue gives the appearance of secrecy and obstructiveness.

We understand and appreciate that, as co-opted members, we cannot vote on setting the budget. In spite of legislation that allows non-councillor members to vote on expenditure of the management of property, you feel it is dangerous to let co-opted members vote.

We want the limited funds to be spent as wisely as possible, why would you not want the same?

What each of you decides today will make it clear the extent to which you want to work with the community and are prepared to respond to the wishes and concerns of the people of Cromer. Mr Mayor, will one of your first actions be seen as one which prevents the community from being involved? You are a new Council and are not held by past decisions.

If your intention is to take on this Park, then take the community with you.

We would ask that you show the community that you are protecting their interests in the management of the transfer.

We would ask that you look at your procedures and ensure that they are working in the best interests of the community.

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We would ask that you show the community that you have adequate financial planning.

We would ask that you show the community that you respect their views.

Finally, we would ask you to give serious consideration to what you have just heard and act in a manner which each of you believe is in the best interests of this community.