



Civic Centre  
St Stephen's Place  
TROWBRIDGE  
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15<sup>th</sup> January 2020

## SUMMONS

**To all members of Trowbridge Town Council:** Councillors: Bates, Bazan, Beaver, Blackmore, Blakemore, Brice, Bridges, Bryant, Cavill, Cooper, Drewett, Fuller, Halik, Hill, Hoar, King, Kirk, Oldrieve, Palmen, Piazza and Whiffen

Dear Councillor,

You are hereby summoned to a **Full Council** meeting of Trowbridge Town Council to be held on **Tuesday, 21<sup>st</sup> January 2020**, at 19.00hrs, in the **Council Chamber, The Civic Centre, St Stephen's Place, Trowbridge**.

Yours faithfully,

Lance Allan  
Town Clerk

Enquiries to Lance Allan on 01225 765072 or email [lance.allan@trowbridge.gov.uk](mailto:lance.allan@trowbridge.gov.uk)

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## AGENDA

The Mayor to welcome new Councillor Antonio Piazza.

### 1. **APOLOGIES**

- a) **To receive** apologies from those unable to attend.
- b) **To consider for approval** apologies received with reasons for absence.

### 2. **MINUTES OF PREVIOUS MEETING**

- a) **To read and approve** as a correct record the Minutes of the Full Council on 19<sup>th</sup> November 2019; copies of these Minutes have been circulated and Standing Order 17 provides that they may therefore be taken as read.
- b) **To report and to note** any matters arising there from.

### 3. **MINUTES OF COMMITTEES**

**To receive** reports, minutes and recommendations from Committees already circulated, enclosed herewith or to be circulated and **to consider any questions** arising from them.

- a) **Leisure & Information Services Committee** meeting on 3<sup>rd</sup> December 2019  
**Questions to Cllr Halik**, Chair of the committee
- b) **Museum Committee** meeting on 17<sup>th</sup> December 2019  
**Questions to Councillor Bridges**, Chair of the committee.
- c) **Neighbourhoods Committee** meeting on 17<sup>th</sup> December 2019  
**Questions to Councillor Drewett**, Chair of the committee.

- d) **Town Development Committee** meetings held on 10<sup>th</sup> December 2019, & 7<sup>th</sup> January 2020  
**Questions to Councillor Whiffen**, Chair of the committee.
- e) **Policy & Resources Committee** meeting held on 14<sup>th</sup> January 2020  
**Questions to Councillor Fuller**, Chair of the committee.

#### 4. **COMMITTEE PLACES**

- a) **To consider** committee places following the election of Councillor Piazza in Drynham Ward. There are 2 vacancies, one on the Leisure & Information Services Committee and one on the Museum Committee.

#### 5. **DECLARATIONS OF INTEREST**

- a) **To receive** Declarations of Interest not already included on the Register in respect of matters contained in this agenda, in accordance with the provisions of the Local Government Act 1972 in respect of officers and in accordance with the provisions of the Localism Act 2011 in respect of members.
- b) **To consider for approval** any Dispensation Requests received by the Town Clerk and not previously considered.

#### 6. **COMMUNICATIONS BY THE MAYOR**

- a) **To receive** a list of events attended (copy attached).
- b) **To consider** any matters of significance to report.
- c) **Trowbridge Together** – 8<sup>th</sup> February 2020 - update

#### 7. **OPEN FORUM**

- a) **To receive** a presentation from Gemma Novis, Wiltshire Council's local area team co-ordinator for Trowbridge.
- b) **To receive any questions** from the public, which may be answered but not debated.

#### 8. **POLICE MATTERS**

- To receive a report** from Inspector Andy Fee (copy attached).

#### 9. **MOTION**

- To consider** the following motion proposed by Cllr Kirk and seconded by Cllr Cooper (**Recorded Vote Please**) and the Town Clerk's response.

Please can Councillors give consideration to the following links in addition to the document (attached):

<http://researchbriefings.files.parliament.uk/documents/SN01030/SN01030.pdf> (Page 6, bulletpoint 1.1)

'Local authorities will have rules on the roles of councillors and officers, which **should conform to the good practice on planning decision making** laid down in the guide to probity in planning for councillors and officers, published by the Local Government Association (LGA) and the Planning Advisory Service (PAS).'

[https://www.local.gov.uk/sites/default/files/documents/34.2\\_Probity\\_in\\_Planning\\_04.pdf](https://www.local.gov.uk/sites/default/files/documents/34.2_Probity_in_Planning_04.pdf) (page 8, paragraph 4)

'Officers and serving councillors **must not** act as agents for people pursuing planning matters within their authority, even if they are not involved in the decision making on them.'

I request that if the Town Clerk is NOT to recommend adoption of the document, that in addition to his reasoning for non-adoption, he provides relevant additional information, by informing the Council of the Planning Applications (planning number, date, applicant and agent) received within the past 10 years or pending, which would have been contrary to this document.

Therefore my **PROPOSAL**, seconded by Cllr Ben Cooper is:

**That the Town Council fully adheres to the Probity in Planning for Councillors and Officers, published by the Local Government Association (LGA) and the Planning Advisory Service (PAS). Recorded vote please.**

### **The Town Clerk's response:**

The documents and web-sites referred to by Councillor Kirk refer to Local Authorities.

Trowbridge Town Council is NOT a Local Authority.

Town and parish councils do NOT have any statutory responsibility in making decisions on planning applications.

The Local Government Association is a body which represents and advises Local Authorities including District, County and Unitary Authorities, all of which have statutory responsibility in decisions regarding Planning Applications.

Advice provided by the Local Government Association does NOT apply to town and parish councils.

Trowbridge Town Council is a member of the Wiltshire Association of Local Councils (WALC) and the National Association of Local Councils (NALC).

None of the advice and guidance provided by these two associations indicates that it is inappropriate for a planning consultant to be a member of a local council in the area where they practise.

Town councillors would therefore be advised to act extremely cautiously before deciding if they would be acting legally or illegally to effectively force a member of the council to either resign from the council or to restrict their trade and professional activity.

The Town Clerk is unable to provide information regarding which planning applications this applies to either because the information is no longer available on the Wiltshire Council web-site or the cost of undertaking the research would be onerous.

**RECOMMENDATION: That the town council does NOT change its policy and procedures with regards to councillors acting as planning agents, being members of the Town Development committee or being members of the council and that if the council or any individual has a concern regarding the appropriateness of any member's actions with regard to declaration of interests or actions relating to their interests then it should be reported to the police (failure to declare an interest) or to the Monitoring Officer at Wiltshire Council (conduct) as appropriate.**

## **10. POLLING CARDS**

**To consider** the following question from Cllr Kirk and the Town Clerk's response.

### **Question:**

*Please can the Town Clerk, explain the policy of the Town Council NOT issuing Polling Cards for Town Council elections? Please can the clarification include the following points:*

- *Who makes the decision within the Town Council whether or not to issue Polling Cards?*
- *The cost to the Town Council of issuing Polling Cards?*
- *Would it be possible to achieve political advantage by NOT issuing Polling Cards?*
- *When did the Town Council first set the precedent of NOT issuing Polling Cards and what was the political make-up of the Town Council at that time?*

## **Town Clerk's response:**

The Town Council does not have a policy on the issuing of Poll Cards.

The Town Clerk has made the decision whether or not to issue Poll Cards for all of the bye-elections which have taken place during the current term of office (2017 - 2021) in consultation with the Leader. The decision in all cases was to reduce the cost to the Town Council.

At the time of the first Drynham bye-election (won by the Liberal Democrat) and the Grove bye-election (won by the Independent), the political make-up of the town council was 9 Conservative, 8 Liberal Democrat, 1 Independent and 1 Labour. Poll Cards were issued in Drynham because it was held on the same day as the Unitary bye-election and they were therefore paid for by Wiltshire Council. No Poll Cards were issued for Grove. All councillors were notified of this decision on 30th May and no issues were raised.

I understand at least some Poll Cards were issued for the Central bye-election (won by the Liberal Democrat) because Wiltshire Council's Elections Team decided to issue them as there was a change of polling station for some of the electors. At the time of this bye-election the political make-up of the Town Council was 9 Conservative, 9 Liberal Democrat and 2 Independent.

No Poll Cards were issued for the second Drynham bye-election (won by the Conservative). At the time of this bye-election the political make-up of the Town Council was 8 Conservative, 10 Liberal Democrat and 2 Independent.

I do not have details at this stage of the cost of issuing poll cards, but by copy of this e-mail will ask for an estimate of the cost of them from the elections team at Wiltshire Council, for the bye-elections in Grove and the most recent one in Drynham where no Poll cards were issued. I hope to be able to report this to the meeting.

I do not think it is appropriate for an officer to answer the question regarding political advantage. What is evident from the limited statistics of four bye-elections is that when Poll Cards are issued then the Liberal Democrats have won.

## **II. FREEDOM OF INFORMATION**

**To consider** the following question from Cllr Kirk and the Town Clerk's response.

### **Question:**

*Please can the Town Clerk, who is the stipulated Officer in relation to the Freedom of Information Act 2000 and Data Protection Act 1998 confirm if as a Council we failed in our legal duty to redact personal or sensitive information in relation to FOI data we release? If this is the case, please can the Town Clerk confirm the extent of the issue.*

### **Town Clerk's response:**

Whilst the Town Clerk is the responsible officer he is not a lawyer and therefore is unable to judge or rule on whether what the council did was a failure of its legal duty or not. We did release information which had been redacted, but then found that the redaction process had not worked correctly and the recipients were able to access the redacted information. This occurred once in response to one request and covered a large number of items of information which were released together.

As a result we have had to purchase additional software to secure the redaction process at an additional cost to the town council.

This has all been reported previously to the council.

## 12. REPRESENTATIVES ON OTHER BODIES

a) To receive nominations for a vacancy on the Trowbridge/French Twinning Association committee to replace Mrs Deb Halik, and the Trowbridge/Leer Twinning Association to replace Cllr Blakemore.

b) To note the following reports from Representatives on other Bodies:-

**Trowbridge/Leer Twinning Association** - Plans are progressing for the trip to Leer later in the year, and fund raising event are being organised.

**Friends of Biss Meadows Country Park** - Have revised their H&S constraints and have sent new guidelines to the group.

**Friends of the Down Cemetery** - nothing new to report other than Wiltshire Council has reviewed its Health & Safety policy in respect of the Down Cemetery.

## 13. BUDGET 2020/21

To approve the following RECOMMENDATION from the Policy & Resources committee to Council:

Councillor Kirk has requested that a recorded vote be taken.

|   |            |
|---|------------|
| a. That the Council approves the department Budgets for 2020/21 as detailed on the budget spreadsheets, totalling | £1,899,950 |
| That the Council approves that the contribution to General Reserves for 2020/21 be                                | £62,500    |
| b. That the Committee recommends to Council therefore a total budget requirement for 2020/21 of                   | £1,962,450 |
| And that this is funded in part through estimated income for 2020/21 from Community Infrastructure Levy of        | (£65,500)  |
| Leaving a net precept requirement for 2020/21 of  | £1,896,950 |

Which results in an increase of £11.00 on the Trowbridge Town Council 'Band D' Council Tax Charge, to Which is less than £3.20 per week. £161.58

## 14. MEDIA

a) To note that all Media Release can be viewed via the following:

### Web Sites

<https://www.trowbridge.gov.uk/>  
<https://thecivictrowbridge.co.uk/>  
<https://activetrowbridge.co.uk/>  
<https://www.trowbridgemuseum.co.uk/>

### Face Book Pages

<https://www.facebook.com/activetrow/?ref=bookmarks>  
<https://www.facebook.com/TrowbridgeTIC/>  
<https://www.facebook.com/trowmuseum/>  
<https://www.facebook.com/TheCivicTrowbridge/>  
[https://www.facebook.com/Trowbridge.gov/?eid=ARAXQ86JWRHm31fd8gRDSy0aPcsiO8rJAGxarfstg4WWNsBz5sxcaZ\\_ijBTUhmeodd4NN-e-bvlzhT3e](https://www.facebook.com/Trowbridge.gov/?eid=ARAXQ86JWRHm31fd8gRDSy0aPcsiO8rJAGxarfstg4WWNsBz5sxcaZ_ijBTUhmeodd4NN-e-bvlzhT3e)

### Twitter

[@active\\_trow](https://twitter.com/active_trow)  
[@trowtic](https://twitter.com/trowtic)  
[@Trowbridgecivic](https://twitter.com/Trowbridgecivic)  
[@Trowmuseum](https://twitter.com/Trowmuseum)

### Instagram

[DiscoverTrowbridge](https://www.instagram.com/DiscoverTrowbridge)

[Trowbridgemuseum](#)  
[The civic trowbridge](#)

To view weekly press releases that Information Services have sent to the local press please view <https://www.trowbridge.gov.uk/news-events/>

To subscribe to the town council's newsletter please sign up on

<https://trowbridge.us16.list-manage.com/subscribe/post?u=1974e686cd9409d33b751aaa6&id=ec3f9acfee>

**b) To consider** if the Council should make a press release/social media report regarding any of the issues considered by this meeting.

**15. DATE OF NEXT MEETING**

**To note** the next meeting will be the Full Council meeting on Tuesday 17<sup>th</sup> March 2020 in the Council Chamber, The Civic Centre, St Stephen's Place, Trowbridge.