

MINUTES

At the Full Council Meeting held in the Council Chamber, the Civic Centre, St Stephen's Place, Trowbridge on Tuesday 17th March 2020 at 19.00hrs.

IN ATTENDANCE: Councillors: Bates, Bazan, Beaver, Blackmore, Brice, Bryant, Cavill (In the Chair), Drewett, Fuller, Halik, Hill, Hoar, King, Kirk, Oldrieve, Palmen, Piazza and Whiffen.

Officers: Mr L Allan, Mrs A Quick (minutes)

Public & Press: 12 members of the public including Officers: J Weimar, P Weimar & C Maddox.
Wiltshire Councillor: J.Trigg and 1 member of the press

3306 **APOLOGIES**

a) **RESOLVED** to accept apologies from Councillors Cooper, Blakemore & Bridges.

3307 **MINUTES OF PREVIOUS MEETING**

a) **RESOLVED** to approve as a correct record the Minutes of Full Council meeting held on 21st January 2020.

b) Clarification of Minutes of Full Council meeting held on 21st May 2019. Cllr Kirk was concerned that he had requested a report on the failure to include in the minutes the recorded vote for closing of public toilets. Cllr Cavill suggested this was simply an error and that no report was required and that it had now been corrected as follows:

FOR:	Bazan, Beaver, Blackmore, Blakemore, Brice, Bridges, Bryant, Cavill, Drewett, Fuller, David Halik, Deb Halik, King & Oldrieve
AGAINST:	Kemp, Kirk and Palmen
ABSTENTION :	Whiffen

c) There were no matters arising.

3308 **MINUTES OF COMMITTEES**

RESOLVED to receive reports, minutes and recommendations of Committees, as follows:

a) **Town Development Committee** meetings on 28th January, 18th February & 10th March 2020.

b) **Leisure & Information Services Committee** meeting on 25th February 2020.
Cllr Kirk expressed concern regarding the changes to fees for charities and to the carnival grant. He suggested there should be a notice period of 1 year before adding such charges. The Town Clerk responded by stating fees have always been raised but haven't previously been charged for non-commercial organisations. This is set out clearly in the committee report therefore no investigation is necessary as it is covered by 1875 & 1890 Act. Also, transfer documents to TTC state this is permitted. Fees are justified by facilities & services required when using the park. Cllr Piazza stated that Armed Forces & Carnival have highlighted issues with the fees & they weren't agreed by all Cllrs at the meeting. Cllr Halik stated that grants can be applied for by charities to cover fees charged. Cllr Whiffen stated it is inappropriate for charging Armed Forces Weekend fees at the same time as having a grant. Cllr Cavill suggested that this issue could be raised again at next Leisure & Information Services committee meeting. A recorded vote was conducted;

FOR:	Bates, Bazan, Blackmore, Brice, Bryant, Cavill, Drewett, Fuller, Halik, Hill, Hoar, King, Kirk, Palmen, Piazza and Whiffen.
AGAINST:	Beaver and Oldrieve

RESOLVED: to refer the introduction of fees to charitable organisations back to Leisure Services Committee.

ACTION: Council Secretary to add to report and agenda.

Initials.....dated.....

c) Policy & Resources Committee meeting on 3rd March 2020.

An acrimonious discussion took place between Cllr Kirk and The Town Clerk regarding the Park Storage Unit. Cllr Kirk said that a loan was taken to fund the project, with annual payments of £14,142.02 which is £424,260.60 over 30-years but this total did not include the contribution made via CIL and S106 contributions of £84.5K which makes the overall cost of the project over £500,000'. The Clerk agreed that the total cost included developer contributions and community infrastructure levy but the loan and interest cost to the community was no more than the ongoing cost of rent and rates for our alternative storage facilities. Cllr Kirk stated this doesn't need to be spent on a storage without any community use. He suggested that future councils may decide to cease Active Trowbridge operations and contract out maintenance etc. He felt it would be inappropriate to comment as to whether the development is lawful as this is subject to an investigation by Wiltshire Council planning enforcement.

Cllr Fuller said that all figures were considered, the loan approved and planning permission granted. Cllr Kirk claimed that access has previously been available behind the bandstand. The Town Clerk responded that this had not been the case for over 20 years. Cllr Cavill suggested this needs to be discussed at the next P&R meeting.

The Town Clerk highlighted that Cllr Kirk has previously written to the press on this issue stating events held by TTC are mainly commercial, which is not true. Planning Permission already obtained for the Storage Unit does include change of use. Cllr Cavill suggested that these points are raised and discussed at the next P&R meeting.

Cllr Kirk asked specific questions regarding the connection between the minibus and the park. It was advised that this also be raised at the next P&R meeting.

3309 DECLARATIONS OF INTEREST

- a) Cllr Beaver declared an interest as agent for Ashford Homes and as agent for Innox Mills.
- b) There were no Dispensation Requests received by the Town Clerk and not previously considered.

The Mayor brought forward the following items:

EMERGENCY ITEM – COVID 19

3310 COVID 19 – DELEGATION TO OFFICERS

RESOLVED that the Council delegates to officers all necessary actions required of the Council to continue the council's activities and to respond to the requirements of the government, Wiltshire Council and other appropriate authorities.

Cllr Piazza asked if it would be possible to conduct meetings remotely. Cllr Cavill responded by stating the unless Cllrs meet together in real time it is currently illegal to make decisions.

3311 COVID 19 – FINANCIAL IMPLICATIONS

RESOLVED that all non-urgent and non-contractual expenditure is suspended, subject to review of individual items by the Town Clerk and Heads of Service and that all decisions necessary to limit the financial impact on the council are considered and implemented as necessary.

3312 COVID 19 – STAFF ARRANGEMENTS

RESOLVED that the Council notes that it already has a scheme of delegation which delegates to the Town Clerk all matters relating to personnel and human resources and that this now includes any responses to COVID 19 and its implications and is extended to the Head of Service – Venues and Resources in the absence of the Town Clerk during the outbreak.

Initials.....dated.....

3313 **COVID 19 – MEETING ARRANGEMENTS**

RESOLVED that, subject to any requirement of the government that a number of councillors are required to self-isolate then all council meetings during that period will be suspended and urgent decisions, including responses to planning applications are delegated to the Town Clerk as per item 'Delegation to Officers' above.

Cllr Piazza asked if this is the last Meeting for the foreseeable future. Cllr Fuller responded yes, with the exception of the Annual Council Meeting which is currently a legal requirement to be held in May with a minimum of 7 attendees, unless any changes are made during the Covid 19 outbreak.

3314 **COVID 19 – OTHER MATTERS**

Cllr Beaver stated that responsibility for social care during Covid 19 needs to be with Wiltshire Council. Cllr Cavill agreed but TTC will play a supporting role. Cllr Fuller requested that Wiltshire Times need to highlight that it is vital that the community help their vulnerable neighbours.

3315 **COMMUNICATIONS BY THE MAYOR**

- a) A list of events attended was noted. *Changes have occurred, to be updated by Cllr Cavill.*
- b) The Mayor gave the following Chair's announcements: The Mayoral Ball last Saturday was a big success. Thank you to all the staff who did an excellent job.
- c) The Mayor gave the following update on Celebrating Trowbridge: I was impressed by the number of organisations involved; 90 groups & nearly 2000 people. Thank you to all staff involved.

3316 **OPEN FORUM**

a) The Mayor invited David Lockwood, Director of the Trowbridge Town Hall Trust to give a brief presentation on the Town Hall consultation:

The grant was awarded to the Trowbridge Town Hall Trust over 3 years, giving the opportunity for solidity. The model moved from being reliant on state-funding to one based on self-funding. The Foyer has been updated with new lighting, the new Café is thriving & we have introduced the first zero-waste shop using crowdfunding. All enterprises will be doing home delivery. There will be increased community use e.g. Celebrating Trowbridge. Art gallery & live music are planned soon but might be delayed due to Coronavirus. One condition of the grant was that a membership scheme was implemented. 68% of the trustees responded positively to join the membership scheme. The development was inspired by the Industrial Revolution with challenges in terms of digital technology and decline in the High Street. It would be intended as a hub in the centre of the community. The vision is to support live music and be available for community groups. Disabled access needs to be improved & the ballroom is to be renovated with an expanded bar. Challenges with the building have been identified with repairs estimated at £1.5m. The lift needs to be relocated with work to be done on the outside to re-locate the entrance. The Great Hall capacity is 550. There is no single method of funding but grant funding can be applied for. Market research has been conducted, working with Real Ideas Organisation. It is intended to have four interconnected business units; Room Hire, Ticket sales, Catering (weddings & walk in trade) and Fund Raising. It is predicted that 200,000 people could be using the building over the year.

Cllr Cavill responded to state that Philip Whitehead emailed him to announce that East-wing is to go ahead & will make a huge difference to Trowbridge. Cllr Palmen stated that there is no guarantee regarding East-wing and Cllr Bryant stated that is a proposal only. Cllr Hill highlighted that WC is desperate for space to hold family meetings so advised D. Lockwood to talk to WC Social Services. Conversations are ongoing regarding contributions from WC, TTC, Trusts and Foundations. Cllr Palmen asked what proportion of the Future High St. Fund is required to achieve the Town Hall objective and advised that all Councillors need to push for WC to invest in Trowbridge town centre. D. Lockwood acknowledged he needs to talk with WC to establish the amount needed from the fund. Cllr Oldrieve expressed thanks to Cllr Cavill for Celebrating Trowbridge and stated he was pleased with progress of the Town Hall & commitment of TTC to the project. He asked, 'how do you feel about probability of goals being set?' D. Lockwood stated that if no major capital is invested the Town Hall will be boarded up in the next 10 years.

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2 members of the public and Cllr Hill left the meeting Cllr Hill returned after two minutes.

b) Questions from the public were received

Paul Jubbie claimed that Council Officers are not complying with the Environmental Information legislation and asked what is going to be done to address this? Why is the Park covenant not being complied with according to this interpretation and definition? Do Councillors accept and understand that this park is the Peoples Park and not the Council's Park and that it should be run as such accordingly? Have these data breaches been reported to Councillors and what is going to be done to prevent further data breaches to protect the public's private confidential and sensitive information from being released when it should not be?

The Town Clerk responded that TTC have been advised by their Data Protection Officer that we should not respond to this individual as he has indicated that he might take legal action against TTC. In light of this he advised that no comments should be made to the statement above. Mr Jubbie asked if his questions could be answered if submitted to the council. Cllr Cavill answered yes.

Brian Mitchell stated he supports the environmental issues above. There is no mention in the deeds of the Peoples Park charging people to use it. Charities are there to raise money but agreed that charges should be made for use of electricity, water etc. He asked if TTC charges itself for activities? The Town Clerk responded that yes on occasions this does happen. The Mayor proposed that this is investigated as it seems unnecessary. Mr Mitchell claimed that the area behind the bandstand was always an open space. He asked where the boundary is to where the road sweeper goes, does it go to Hilperton? The Town Clerk responded no it does not and if this were to happen Hilperton Parish Council would be charged for the service. He is aware that Neighbourhood staff occasionally use catering services outside the boundary. Cllr Cavill commented that TTC Councillors are interested only in the future of Trowbridge and its residents; TTC has the town's welfare at its heart.

Rory Donaldson introduced the registered charity Ruksak. This charity supports young people needing essentials such as bedding, clothing, toiletries, stationery and more. They currently have £13.5k items for children in Trowbridge, Westbury and surrounding areas within Wiltshire. He requested support from TTC in promoting this charity in the area and requested that this is highlighted in the Wiltshire Times. Cllr Cavill highlighted that this will be increasingly needed over the next few months. <https://www.ruksak45218.org.uk/contact-us>

3317 **POLICE MATTERS**

Members noted a report received from Inspector Andy Fee & Sergeant Leighton Williams, copies of which had previously been circulated with the Agenda.

Covid 19 contingency planning is being undertaken for Trowbridge, Bradford On Avon, Melksham and Chippenham. Good, positive work is being done with the neighbourhood teams on issues in the community. There is a national drive to reduce knife crime using amnesties, stop & search and education of children. The park is a target for police to reduce antisocial behaviour making it a better community space. The police are easily contactable on social media. Cllr Drewett asked if any action has been taken to look at modified cars & inappropriate use of roads. Sergeant Williams responded that specific operations are not yet in place, but speeding is being addressed and vehicles are being stopped and checked. Cllr Bryant acknowledged success of the police regarding drug abuse and thanked them for this. He hopes the low-level behaviour will continue to be addressed. Cllr Cavill greatly appreciates what the police have done over recent times. The public appreciates what the police have achieved with limited resources and asked if there a policy to work with the council to address the issue of parking on footpaths? Cllr Piazza agreed this is an important issue. Sergeant Williams stated it is difficult to address this problem and continued work is needed as there is no current legislation on this outside London. Cllr King is organising Community Speedwatch at Cockhill. The County Council agreed TTC could have a SID. Cllr Cavill thanked the police for attending the meeting and for the hard work done in the community.

Initials.....dated.....

3318 **CODE OF CONDUCT**

a) REFERRAL TO MONITORING OFFICER

Cllr Beaver made a statement regarding his voluntary role as a Town Councillor. He was elected in 2007 and has professional expertise as a planning consultant. He has served on the Town Development Committee during this time. He has always acted appropriately by leaving the chamber when necessary, adhering to protocol. He is perplexed at the actions of Cllr Kirk at January Town Development Meeting which amounted to a political stunt. He was embarrassed in front of a client. Cllr Kirk circulated an email to Councillors & the press claiming Cllr Beaver's actions were inappropriate. Cllr Beaver referred himself to the Monitoring Officer at Wiltshire Council, by whom he has been completely exonerated. This has been circulated to all Councillors and he requested a formal apology from Cllr Kirk, highlighting that this matter has consumed 30 hours of Officer time.

Cllr Kirk stated he has registered a complaint to the Wiltshire Council Monitoring Officer but has received no response. No apology was offered.

Cllr Whiffen supported Cllr Beaver stating there are no doubts on his integrity.

Cllr Piazza stated that residents have expressed the same opinion as Cllr Kirk.

Cllr Bryant, stated that none of the residents of Drynam Ward had raised this is an issue despite being the same ward. He stated that Councillors should be looking at things that can improve this town. Cllr Bryant stated that Cllr Beaver has always acted within the law & guidelines and any residents that have an issue do not fully understand the details in question. Cllr Beaver has been exonerated and has abided by the law at all times.

Cllr Cavill agreed with this statement.

The Town Clerk stated that Mr Taylor, the author of the investigation, was the only legally qualified person who had dealt with this matter and that he was not in attendance at the meeting to defend himself from some of the accusations being directed towards his decision and that his decision should be respected.

b) QUESTION

Regarding the procedures of a Development Meeting, Cllr Kirk stated that he felt uncomfortable with a Councillor being a Development Agent.

c) MOTION

As a council we include in our code of conduct that a Councillor 'must not participate in a discussion or matter to be considered at a meeting if they have any interest, whether registered or not, if a member of the public with knowledge of the relevant facts would reasonably regard the interest as so significant that it is likely to prejudice your consideration or decision making in relation to that matter.'

Proposed by Cllr Kirk, seconded by Cllr Piazza.

Cllr Bryant expressed concern that voting to prevent someone not being able to speak on an issue, which they are legally allowed to; might be a litigation risk? The Town Clerk responded that yes, it was. Cllr Fuller doesn't see any reason to change standing orders unless recommendation comes from Government. Cllr Hoar asked who arbitrates this motion. The Town Clerk stated that the statement contained in the motion is 'the Common Law Test' which should always be considered by all Cllrs and that Cllr Kirk is seeking to pre-empt the law but until this becomes Statute law it would not be appropriate to add this to TTC Regulations.

FOR:	Kirk, Piazza
AGAINST:	Bates, Bazan, Beaver, Blackmore, Brice, Bryant, Cavill, Drewett, Fuller, Halik, Hill, Hoar, King, Oldrieve, Palmen, Whiffen

The Motion was lost.

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d) FREEDOM OF INFORMATION REQUESTS

RESOLVED to note.

3319 REPRESENTATIVES ON OTHER BODIES

RESOLVED to note the following reports from Representatives on other Bodies:
Trowbridge Town Hall and The Fairtrade Trowbridge Report.

3320 SEALING OF DOCUMENTS

a) RESOLVED to approve the sealing of a side agreement with Wiltshire Council for release of S106 funds for play areas at Paxcroft Mead.

The document was sealed and signed by The Town Clerk, Cllr Cavill and Cllr Fuller.

b) RESOLVED to approve the sealing of a side agreement with Wiltshire Council for release of S106 funds for the 3GATP at Doric Park.

The document was sealed and signed by The Town Clerk, Cllr Cavill and Cllr Fuller.

3321 MARKETS

RESOLVED to approve the proposal for the establishment of a market at Innox Mills on one Sunday each month.

Cllr Beaver abstained.

3322 MEDIA

RESOLVED to issue the following:

Response to the urgent Coronavirus agenda items.

Advertising availability for the Ruksak charity.

3323 CALENDAR OF MEETINGS

TBC due to current Covid 19 crisis and cancellation of meetings.

3324 DATE OF NEXT MEETING

NOTED the next meeting will be the Annual Council meeting on Tuesday 19th May 2020, subject to any changes in the law.

Next week's Museum and Neighbourhood Services meetings are cancelled but reports will be issued tomorrow and councillors invited to give their response over the week prior to any delegated decisions being taken. Cllr Piazza wished everyone well during the Covid 19 crisis.

Meeting closed 21.10 hrs

Signed.....Dated.....

**FULL COUNCIL MEETING 17th March 2020
ACTION LIST**

ACTION	BY WHOM	DATE COMPLETED
	LA	
	LA/TC	
	LA	
	LA	
	LA	
	LA	
	LA/JW/GS	
	LA	