



The Civic Centre
St Stephen's Place
TROWBRIDGE
Wiltshire.
BA14 8AH
info@trowbridge.gov.uk

10th November 2021

SUMMONS

To all members of the Council: Councillors: Allsworth, Bates, Beaver, Blackmore, Blakemore, Bridges, Bryant, Cave, Cavill, Cooper, Halik, Hill, Hoar, Jacob, Edward Kirk, Emily Kirk, Lincoln, Palmen, Piazza, Trigg and Vigar.

Dear Councillor,

You are hereby summoned to **The Meeting of Trowbridge Town Council** to be held on **Tuesday 16th November 2021 at 19:00hrs**, in The Council Chamber, The Civic, Trowbridge.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Lance Allan'.

Lance Allan
Town Clerk

Members of the public are welcome to attend meetings of the Council and Committees, unless specifically excluded due to the confidential nature of business. As a result of the restrictions imposed to control the pandemic, public access will be limited. **Please contact info@trowbridge.gov.uk by 16:00 on 15th November if you wish to attend this meeting in person. Where it is not possible for you to attend due to reaching the capacity limit, access will be available online via Microsoft TEAMS:** please go to the Town Council Website – Your Council – [Meetings](#) to find the link. Only those attending in person will be able to ask questions and make statements at the meeting during the public period. Questions and statements can otherwise be submitted in advance.

AGENDA

This meeting will be recorded.

1. **APOLOGIES**

- a. **To receive** apologies from those unable to attend.
- b. **To consider for acceptance** 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 meeting held on the [21st September 2021](#). Copies of these Minutes have been circulated and Standing Order A6.5.2 provides that they may therefore be taken as read.
- b. **To consider any matters** relating to those minutes.

3. **MINUTES OF COMMITTEES**

To receive and consider reports, minutes and recommendations of Committees already circulated, enclosed herewith or to be circulated. There have been the following meetings since the last meeting of Council.

a. **Leisure & Information Services Committee** [28th September](#).

Questions to Chair – Cllr Bates.

b. **Museum Committee** [5th October](#).

Questions to Chair – Cllr Bridges.

c. **Neighbourhood Services Committee** [5th October](#)

Questions to the Chair – Cllr Cavill.

d. **Town Development Committee** [12th October](#) and 9th November.

Questions to the Chair – Cllr Bryant.

e. **Policy & Resources Committee** [2nd November](#).

Questions to the Leader – Cllr Palmen.

4. **DECLARATIONS OF INTEREST**

a. To receive **Declarations of Interest** from members and officers (as per the agenda) as appropriate in respect of matters contained in this agenda, in accordance with the provisions of the Local Government Act 1972 in respect of officers and the Local Government Act 2000 and the Trowbridge Town Council Code of Conduct in respect of members.

b. To consider any **Dispensation Requests** received by the Town Clerk and not previously considered.

5. **COMMUNICATIONS BY THE MAYOR**

To receive such communications as the Mayor may wish to lay before the Council.

a. [Mayor's Engagements](#)

6. **PUBLIC OPEN FORUM**

To allow questions from the public which may be answered but not debated.

7. **POLICE MATTERS**

To receive a report from Sergeant Charlotte Chilton [Trowbridge Police Report](#).

8. **QUESTIONS FROM COUNCILLORS**

To consider questions received from councillors by the deadline: **Thursday 4th November**.

A. **QUESTION 211104 23:20 FURLOUGH**

To consider the following question from Cllr Edward Kirk:

Councillor Jenny Budgell at Chippenham Town Council's Human Resources Committee on Thursday 16th July 2020 asked for clarification on whether any staff had been furloughed and why the government scheme was not taken advantage of for casual staff. The Chief Executive confirmed that no staff had been furloughed and noted that there was a lack of clarity on eligibility at the time and that the casual staff were needed.

In contrast, Trowbridge Town Council claimed from HMRC a total £478,670 in Furlough Payments (2020-2022). Our claim included our Head of Leisure & Information Services, who was furloughed at

100% for the period of 1/4/2020 to 31/5/2020. All decisions on who was furloughed, were made by the Town Clerk. Given the information above:

- i. **Why was Trowbridge Town Council so confident in its eligibility to claim furlough (including for a Head of Service) when other Town Councils were concerned there was a lack of clarity?**
- ii. **Did the fact that Trowbridge Town Council's level of General Reserves were below the recommended minimum of 3-months revenue expenditure influence the Town Clerk's decision to Furlough Staff?**

Town Clerk's Response:

- i. **The Town Clerk was confident enough with the interpretation of the regulations to commence the Furlough claim when the scheme commenced. The Leader and Town Clerk met with the Chief Executive and Leader of Wiltshire Council and they confirmed that our interpretation was the same as their own and that Wiltshire Council had furloughed staff in similar roles.**
- ii. **No.**

9. TOWN COUNCIL STRATEGY 2021-2025

To consider the FINAL DRAFT [Town Council Strategy 2021-2025](#)

RECOMMENDATION: That the Council approves the Town Council Strategy 2021-2025

10. WESTBURY INCINERATOR

To consider the following report from the Town Clerk and information from Westbury Town Council:

Westbury Town Council has written to the new Secretary of State, the Rt Hon Michael Gove MP, to reiterate its request to his predecessor to call in the planning application for a proposed incinerator on the edge of Westbury. At a meeting on Monday 6th September 2021, it **RESOLVED** to apply for Rule 6 and approved a sum of money to seek legal advice and representation in a challenge to the decision by Wiltshire Council to approve the planning application. Whilst a sum of money has been set aside, it is difficult to predict what this legal challenge may cost. We are looking at other options to help fund this and we would like to ask your council to consider making a contribution to this fighting fund. This incinerator isn't just a Westbury problem; if it is built it will be all of our problem. The town council had already committed £30,000 and does have access to additional funding but this will impact on the town council's ability to deliver its existing commitments. We know that Rule 6 in the public enquiry will require a solicitor, specialists (for reports on specific issues such as landscape, air quality, transport and to be cross-examined – these specialists will be recommended by the solicitor and the legal team) and a barrister. Depending on the number of specialists the solicitor recommends we should engage, the cost can vary from £60,000 to £100,000. Given the likely cost to the town council all contributions would be greatly received.

The town council has contacted four solicitors recommended by UKWin and Andrew Murrison. We have had to rule two out due to a conflict of interest, a task and finish group set up to look at this will be recommending Leigh Day to the Town Council. Leigh Day has a strong environmental team and are notable for being a public interest company. They are currently working with a group in Hampshire who are opposing an incinerator. We will be seeking initial advice regarding the prospects of the case but are yet to agree the full scope of the case. At this time, the town council assumes the Secretary of State will call-in this planning application and a planning inspector will be appointed. The town council is not considering a judicial review. However, we are aware other objectors (with access to greater funding) are committed to a judicial review.

Arla is not opposing the incinerator; their argument is the potential for tainting of the food from emissions. This could result in the plant shutting at a cost of £11,000/hr. This would impact on the farming community and its employees. Although we are in regular contact with Arla, their concern is very specific and unrelated to the public / WTC concern. Arla have already engaged specialist to develop reports in support of their argument and are in the process of drafting a legal letter to Wiltshire. The town council are concerned about public health, environmental issues and waste hierarchy.

RECOMMENDATION: That Trowbridge Town Council supports Westbury Town Council's campaign against the proposed incinerator/energy from waste facility but at this stage is not able to commit funds to a legal challenge to the planning permission.

II. MOTIONS FROM COUNCILLORS

To consider motions received from councillors by the deadline: Thursday 4th November.

A. MOTION: 210915 10:14 PLASTIC FREE TROWBRIDGE CAMPAIGN

To consider the following motion submitted by Cllr Hoar;

Preamble:

Many communities around the country have already put in place a plastic free campaign. Trowbridge needs to do the same. The Town Council has the opportunity to work alongside the Chamber of Commerce and implement an aspirational accreditation scheme. This will involve working with businesses and the community to help them move to a point where they eliminate their plastic use, or at least drastically reduce it. It will also involve the Town Council itself continuing to do the same. An aspirational accreditation scheme and community education and engagement are the best route to achieve this. Trowbridge needs to join the many other communities around the country that are doing this and working towards a happier, healthier, and greener future.

MOTION:

Trowbridge Town Council will fully endorse and commit to a plastic free Trowbridge campaign by working with the Chamber of Commerce to create, develop and promote an aspirational accreditation scheme for local businesses and the community. The council will also commit to continuing to phase out its own plastic use wherever possible.

B. MOTION 210928 22:58 ARMED FORCES COVENANT

To consider the following motion submitted by Cllr Piazza;

Preamble:

The Armed Forces Covenant is a promise from the nation that those who serve or have served, and their families, are treated fairly. The covenant's twin underlying principles are that members of the armed forces community should face no disadvantage compared to other citizens in the provision of public and commercial services; and that special consideration is appropriate in some cases, especially for those who have given the most such as the injured or the bereaved. In signing the Armed Forces Covenant, Trowbridge Town Council would be making a promise to those who serve or have served, whether Regular or Reserve, and their families, making the commitment that they should face no disadvantage compared to other citizens, with special consideration being appropriate in some cases, especially for those who have given most such as the injured and the bereaved.

MOTION:

That Trowbridge Town Council signs the Armed Forces Covenant

C. MOTION 211103 08:22 ESTATE MANAGEMENT CHARGES

To consider the following motion submitted by Cllr Kirk;

Preamble:

The Town Council's proposed strategy includes: 'TTC will seek to deliver a coherent approach to green space management across Trowbridge'.

However, it is completely unacceptable as part of this strategy to leave the residents of Castle Mead, Southview Park and other areas behind on the basis that "the residents knew about the management charge when they bought their properties" – Cllr Stewart Palmen 2nd November Policy & Resources Committee.

Furthermore, in terms of the statement in the proposed strategy; 'seek to optimise management of green spaces currently maintained by management companies at Castle Mead, Southview Park and other areas', we have no influence over their contracted operating procedures and it is ignoring the

main issue of Castle Mead residents and others with management contracts who are also paying the Town Council for services in other parts of the town.

Castle Mead residents for example are paying £140.98 (01/04/2021-31/03/2022) to GreenSquare in Estate Management Fees.

It is not complicated to address this and ensure that we actually do deliver a coherent approach to green space management across Trowbridge. The simple way to do this is to calculate the proportional amount the Town Council would spend on green space services in these areas and then pay the respective management companies directly. Of course this would only be a proportion of the total fee and the amount of our direct contribution would need to increase if we take on more services covered by the estate management charge.

MOTION:

That the Town Council seeks to resolve the financial injustice of Trowbridge residents living in areas with estate management charges (including Southview Park and Castle Mead) by calculating the amount that the Council would spend on green space services in these areas if the council was managing them and to pay this amount directly to the respective management companies on behalf of the residents, with an agreement from those estate management companies, that they will reduce the charge to residents by the same amount.

Town Clerk's Report:

If the council adopts the Strategy at agenda item 9 above, then the Town Council Strategy in respect of this aspect will be:

8. COORDINATED MANAGEMENT OF GREEN SPACES

TTC will seek to deliver a coherent approach to green space management across Trowbridge:

- Take responsibility for green spaces and recreation grounds currently maintained by Wiltshire Council.
 - There will be particular consideration given to the Down Cemetery, being aware of the cost involved and the support given to The Friends.
- Investigate possibilities for maintaining green spaces currently managed by housing associations.
- Seek to optimise management of green spaces currently maintained by management companies at Castle Mead, Southview Park and other areas.
- Resist new management company arrangements being established and seek to persuade Wiltshire Council that the town council is given first refusal to take responsibility for green space maintenance on new developments including Ashton Park and Elm Grove.

The Strategy demonstrates a clear position of the Town Council that it is strongly opposed to management companies and also that it will seek to deliver change in respect of those areas already covered by management companies.

The imposition of management company arrangements on new developments is a Wiltshire Council policy and despite requests to ensure that town and parish councils are given first refusal, Wiltshire Council have refused to change their policy.

It is recognised that the situation at Castle Mead is already established, with Green Square being the landowner of the estate land as well as the management company, a situation which appears to be undemocratic and unaccountable. Previous communications with Green Square have not resulted in any meaningful engagement with the town council. The situation at Southview Park is different in that formal arrangements have not been finalised and there have been some recent meaningful discussions with councillors regarding the potential options.

The proposal contained within this motion is one potential option but may not necessarily improve the democracy and accountability issues with the Castle Mead arrangement and a transfer of responsibility directly to the town council may be seen as a better option.

A rough estimate of the cost of maintaining the play areas and other amenity spaces at Castle Mead would be around £40 per household and there are 676 households, equating to £27,040. This includes the play area in West Ashton Parish boundary but does not include the open land managed by Wiltshire Wildlife Trust. This would result in an increase on the Council Tax Charge for Trowbridge of £2.33 which would equate to a 1.4% increase.

D. MOTION 21110319:51 CONSULTATION - LARGER PLANNING APPLICATIONS

To consider the following motion submitted by Cllr Piazza. A recorded vote is requested; Preamble:

Since becoming a councillor in 2020, I have enjoyed learning about how the planning process works in this country and also witnessing how the decision-making body functions at Wiltshire Council. To be involved as a councillor with the management and development of Trowbridge and its surrounding area has been a privilege. However, it has also been an emotional journey, as it can severely impact a town and our residents' lives, benefiting the town or leading to consequences that negatively affect the people we represent.

The most notable example, that is recent, was the Bowyer's site application discussed at the Town Development Committee, which undoubtedly is an application that everyone in Trowbridge is interested in.

For this reason, I think it is appropriate that going forward all councillors should be granted a vote on planning applications that will significantly impact Trowbridge. Regeneration of our market town will be crucial over the next decade, and Trowbridge will undoubtedly change significantly in this time. Therefore, parish councillors who have been duly elected to their position should represent their constituents fully on matters that will impact them.

MOTION:

That the Town Development Committee automatically refers any application with more than five dwellings to the next Full Council Meeting, requesting an extension to the deadline if necessary, so that all members of the town council are provided with an opportunity to vote on applications that will likely have a significant impact on Trowbridge. If an extension is not possible then an Extraordinary Council Meeting must be called.

Town Clerk's Report:

The town council is only a consultee on all planning applications impacting the town. Any individual, including councillors, can respond to a consultation. The vast majority of town councils deal with all planning applications through a committee system. Wiltshire Council, like other planning authorities also deals with the decision making regarding planning applications through a committee system.

Whilst time-extensions are regularly requested and approved for larger applications (typically these would be for 50 or more houses) this is to allow them to be deferred to the next Town Development committee, which would normally be for three or four weeks, giving that period of time for consideration of the application and in particular for the Clerk to write a report and raise any concerns for the committee to consider. Town Council meetings are normally two months apart and it is unlikely that time-extensions of this length would be granted, requiring extraordinary meetings. Experience suggests that if an extraordinary meeting is called it is unlikely to result in many more councillors attending than the ten councillors who are members of the committee. All councillors are able to attend all committee meetings and can speak at those meetings.

Significant applications are typically the result of lengthy consultation with the town council and often the subject of policy considerations by the whole council prior to actual applications being submitted. This is the case for Innox Mills and all of the WHSAP sites and Ashton Park. There are no other known significant applications that are likely to come forward that have not already been considered by and are subject to a policy position of the council.

E. MOTION 21110319:52 WHITE RIBBON

To consider the following motion submitted by Cllr Piazza. A recorded vote is requested;

Preamble:

The senseless and horrific murder of 33-year-old marketing executive Sarah Everard serves as a terrible reminder that despite living in a progressive society, our communities are still not a safe place to live for women. The familiarity of Sarah Everard's story is what makes it so uncomfortable and distressing. Most people have walked home in the dark at some point; however, in this case a young woman set out for home in the dark and never returned. Violence against women, whether it occurs directly within, or outside an organisation is a preventable issue. All men should be prepared to speak out, and also act, against abuse, violence, and hate crime targeting women. Councils should be leading the way, acting as effective local organisations in our community, raising awareness of this issue.

In adopting this motion, Trowbridge Town Council can be the first parish council in the county to acknowledge that there is a real problem in our society, encouraging others to acknowledge that there is a problem, and then working together to tackle the problem. In agreeing to become a supporter organisation, we are teaching our sons, our fathers, and our brothers to respect women and girls, ultimately helping to prevent horrific atrocities that have no place in our community. The criteria for becoming a supporter organisation is that we have less than 250 staff and make the following commitments:

1. Encourage all staff to make the White Ribbon Promise to never commit, excuse or remain silent about male violence against women.
2. Recruit at least one male White Ribbon Ambassador (or woman Champion if there are no male staff who can undertake this role)
3. Wear a White Ribbon and display it where appropriate – especially around White Ribbon Day, 25th November.
4. Post the 'White Ribbon Supporter' badge on our website.
5. Hold at least one awareness and fund-raising event or activity a year. Many organisations will do this around White Ribbon Day 25th November.
6. Ensure we have policies or protocols in place if our staff or customers disclose that they are a victim of violence.
7. Make sure women know where to get help – this could be through posters, find help cards – White Ribbon UK can offer suggestions suitable to our organisation. For further details, councillors may visit: <https://www.whiteribbon.org.uk/organisations>

MOTION:

- a) That Trowbridge Town Council becomes a White Ribbon Supporter Organisation;
- b) That Trowbridge Town Council continues to do everything in its power to build a town free from misogyny and violence against women and girls, working with its partners to achieve this goal.

12. SEALING OF DOCUMENTS

To approve the sealing of the following: NONE.

13. DATE OF NEXT MEETING

Tuesday 18th January 2022.

AGENDA to include:

- **Receive a budget recommendation from the Policy & Resources Committee.**
- **Council Tax Precept Setting for 2022/23.**

14. MEDIA RELEASES

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

RECORDED VOTES

Councillor	WESTBURY INCINERATOR	MOTION A	MOTION B	MOTION C	MOTION D	MOTION E
Allsworth						
Bates						
Beaver						
Blackmore						
Blakemore						
Bridges						
Bryant						
Cave						
Cavill						
Cooper						
Halik						
Hill						
Hoar						
Jacob						
Edward Kirk						
Emily Kirk						
Lincoln						
Palmen						
Piazza						
Trigg						
Vigar						

	For	Against	Abstain
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