

CIRENCESTER TOWN COUNCIL

MINUTES of a Meeting of Council held in the Council Chamber, Bingham House, No. 1 Dyer Street, Cirencester, at 7.00 p.m. on Tuesday, 8th June 2004.

PRESENT: Councillor D J Nash – Mayor
Councillor Mrs M T Eccles – Deputy Mayor

Councillors: G T Adams
Mrs S A Alexander
R Bourne
D S P Clifford
B D Hudson
R G Lock
Mrs M S Rickman
D J M Sankey
N E Whereat

Andrew Rennie Crook – Town Clerk
Clive Sherwood – Deputy Town Clerk
Johan Newman – Personal Assistant

A Prayer was read by the Mayor.

14.05 APOLOGIES

Apologies were received from Councillors Dr P A Hedges, Mrs R Leicester, Mrs M Marshall and Mrs B A Potter.

15.05 DECLARATIONS OF INTEREST

None were received.

16.05 MINUTES

RESOLVED that the Minutes of the Council Meeting held on 13th April 2004, the Annual Meeting held on 18th May 2004 and the Special Council Meeting held on 18th May 2004 be approved as a correct record and signed by the Mayor, subject to: -

- a) Minute No. 06.05 (Annual Meeting – 18th May 2004 – Record of Attendances 2003/4), the record identifying that Councillor D J M Sankey had attended 5 Policy Committee Meetings.
- b) Minute Nos. C273.04 – C276.04 and C287.04 to be considered under confidential matters.

17.05 PLANNING COMMITTEE

RESOLVED that the availability of recently considered applications and decisions be noted (the files being available for inspection both at the meeting and at the Council Offices.)

18.5 POLICY COMMITTEE

RESOLVED that the Minutes of the Policy Committee Meeting held on 13th April 2004 be approved as a correct record and signed by the Chairman at their next meeting.

19.05 FINANCE COMMITTEE

RESOLVED that the Minutes of the Finance Committee Meeting held on 13th April 2004 be approved as a correct record and signed by the Chairman at their next meeting.

20.05 MAYOR'S ANNOUNCEMENTS

The Mayor drew attention to the newsletter in the possession of Members and the notice board.

The Mayor advised that the Cirencester Hospital fete was to take place on Saturday, 12th June and the Cirencester Hospital service was to take place on the evening of 13th June.

21.05 QUESTION TIME FOR ELECTORS

No questions were received.

22.05 QUESTION TIME FOR MEMBERS

No questions were received.

23.05 RESOLUTIONS MOVED ON NOTICE – STANDING ORDER NO. 19

- a) Notice in accordance with Standing Order No. 19 was received from Councillor G T Adams on 25th May 2004.

The notice moved the following resolution: -

"That any written Question submitted seven days before a Council Meeting should receive a written answer 24 hours before the Meeting, so that time may be given for any supplementary question, deemed appropriate, to be formulated."

After discussion, the above resolution was amended to read as follows: -

"That any written Question submitted 5 working days before a Council Meeting should receive a written answer, whenever possible, 24 hours before the Meeting, so that time may be given for any supplementary question, deemed appropriate, to be formulated."

This Resolution was carried.

- b) Notice in accordance with Standing Order No. 19 was received from Councillor G T Adams on 26th May 2004.

The notice moved the following resolution: -

"That all Minutes of Council and Committee Meetings are prepared and distributed to members within TEN working days of the meeting being minuted."

As a result of comments made by the seconder to the above resolution, the Mayor suspended Standing Orders and stood down as Chairman. The Mayor then left the meeting and Councillor Mrs M T Eccles, Deputy Mayor, took the chair for the Members to take a vote of confidence in the Mayor.

The majority of Members were upset by the comments and the lack of respect given to the Mayor and gave their wholehearted support to Councillor D J Nash. The majority believed that the Mayor was taking the Council forward and believed that he always had the best interests of the town at heart.

A vote was taken at which the majority had every confidence in the Mayor.

The Deputy Mayor then stood down as Chairman and the Mayor took the Chair.

Standing Orders were then reinstated.

RESOLVED that the resolution received from Councillor G T Adams be deferred to the Council Meeting in July 2004.

24.05 GLOUCESTERSHIRE COUNTY COUNCIL

No questions were asked of this authority.

25.05 COTSWOLD DISTRICT COUNCIL

No questions were asked of this authority.

26.5 REQUIREMENTS OF THE LOCAL GOVERNMENT ACT 1972

Members received a report by the Clerk regarding the requirements of the Local Government Act 1972 by reference to the requirements of attendance and in relation to Mrs Mavis Marshall (a copy of which is appended to the signed Minutes).

It was noted that Section 85 of the Act states "That if a member of a local authority fails through a period of six consecutive months from the date of his last attendance to attend any meeting of the authority, he shall unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of the authority."

The Mayor paid tribute to Mrs Marshall and stated that there were few people alive today who has served Cirencester so well. Mrs Marshall was a credit to the town and community and it was very sad that the Town Council had to take this course of action.

RESOLVED that: -

- a) **due to the requirements of Section 85 of the Local Government Act 1972, Mrs Marshall cease to be a Member of Cirencester Town Council owing to her inability to attend a meeting since 21st October 2003;**
- b) **the Council extends to Mrs M Marshall its appreciation of the service rendered to Cirencester and wishes her future happiness;**
- c) **a suitable letter be written to Mrs M Marshall by the Mayor advising her of the situation due to legal requirements;**
- d) **the Clerk notify the Returning Officer at Cotswold District Council of the vacancy.**

27.5 FREEDOM OF INFORMATION ACT 2000

The Clerk reported that due to the requirements of the Freedom of Information Act 2000 and the retrieval systems that will need to be in place to ensure compliance with the Act, a proposal was brought to the attention of Members at the end of last year. At that meeting on 9th December 2003, it was "RESOLVED that the Council accept the advice presented in principle but that the decision be deferred until the system is viewed in operation and that the Clerk be instructed to report back to Council before the end of the current civic year."

The Clerk also reported that the proposal was also drawn to the attention of the District Auditor, who identified his concern at the high cost. The Clerk had also spoken with other authorities to identify their progress. The Clerk further stated that a cheaper procedure had been found and that costings would be presented to the Council in July 2004 for consideration.

RESOLVED that: -

- a) **the Clerk's verbal report be noted;**
- b) **costings on an alternative scheme for computerised document management be presented to Council for consideration in July 2004.**

28.5 BINGHAM HOUSE COUNCIL CHAMBER – LETTING POLICY

Members received a report by the Clerk regarding the above (a copy of which is appended to the signed Minutes).

The report was presented to Council as it was resolved on 9th March 2004 that the Council's policy relating to Bingham House Council Chamber be revisited in June 2004.

It was noted that the Clerk had as yet been unable to resolve the situation with regard to Hirers Liability Insurance and that he would bring the matter back to Council when more positive information was available.

Members noted that negotiations with the third party were progressing well, which would give rise to regular bookings and that the terms of contract had been agreed and an exchange of the same was anticipated in the near future.

RESOLVED that: -

- a) the Clerk's report be noted;**
- b) the Clerk bring the matter back to Council when further information was available on Hirer's Liability Insurance.**

29.05 KINGSHILL LANE SPORTS DEVELOPMENT – PITCH ALLOCATION

Members received a report by the Clerk regarding an omission to refer to a letter that had been sent to Stratton Utd AFC in relation to pitch allocation at the Kingshill Lane Sports Development Site (a copy of which is appended to the signed Minutes).

Standing Orders were suspended to allow Mr Nigel Adams of Stratton Utd FC to speak. Mr Adams advised that Stratton Utd AFC was a long established team with a good record and that if there were a waiting list he would like his team to be identified on it to play at Kingshill Lane Sports Development Site.

Standing Orders were resumed.

RESOLVED that: -

- a) the resolution made on 9th March 2004 be confirmed, namely that "whilst being sympathetic to the plight of Stratton Utd AFC, the Town Council determines that there is not the availability for that club on the pitches for the coming season";**
- b) in the event of an approach from Cirencester Utd seeking approval to have Stratton Utd AFC play at Four Acres Playing Field for the year 2004/5, this Council would be disposed to grant such approval;**
- c) expressions of interest from clubs to play at Kingshill Lane Sports Development will be noted and if a pitch becomes available, the matter will be brought to Council for a decision.**

30.05 DISABILITY DISCRIMINATION ACT 1995

Members received a report by the Clerk with regard to the Disability Discrimination Act 1995 in relation to play areas (a copy of which is appended to the signed Minutes), following the resolution made by Council on 13th January 2004, namely that Council: -

- a) assess the strengths and weaknesses of the existing play areas;
- b) determine the viability of maintaining the existing play areas;
- c) develop a 5 year plan to address the requirements of the Health and Safety legislation and the Disability Discrimination legislation;
- d) implement in a progressive manner materials and equipment to achieve accessibility for disabled children and their carers;

- e) utilise the services of play equipment suppliers and, if appropriate, consultants in facilitating the policy identified in paragraphs a) to d) above.

Members noted that quotations had been received from play equipment suppliers and it was now necessary to consider the situation with regard to the existing play areas by reference to demands, costs and expectations.

Members noted that in respect of timescales, matters needed to be actioned by 1st October 2004.

RESOLVED that: -

- a) Councillors Mrs M T Eccles, G T Adams, R Bourne and N E Whereat be appointed to a Play Areas Working Party to pursue and action the Council's policy relating to play areas;**
- b) a report by the Working Party be presented to Council at their meeting in July 2004 identifying recommended terms of reference and work programme.**

31.05 GRANT AID 2004/5

Members considered the request received from Ms Mew Ning Chan of Gloucestershire Chinese Women's Guild for a contribution to transport costs for three elders to attend Goh Ling Lok Elders/Carers Group.

Members noted that there was only £200 available from this year's budget for grant aid.

RESOLVED that £200 be awarded to the Gloucestershire Chinese Women's Guild provided that it can be applied with other grants that the applicant organisation may receive towards the annual expenditure.

32.05 RURAL WHITE PAPER AND MARKET TOWNS HEALTHCHECK

The Clerk identified the history of the development of the Market Towns Healthcheck and the Cirencester Partnership, running through from the first meeting in November 2002. The steps required in the Market Towns Healthcheck Handbook, as published by the Countryside Agency, were described. The Clerk stressed that although the procedures being pursued were occasionally burdensome, it was necessary to go through the process in order to comply with the expectations of the Countryside Agency. It was for this reason that the Clerk in referring to the resignation of Councillor B D Hudson from the Cirencester Partnership, stressed that it was necessary for those involved in the Partnership to buy into the procedures laid down. It was accordingly stressed that the Cirencester Partnership was well and truly active and that the working groups would now be approached with a view to developing a consultation process with the wider public during the month of September.

With the resignation of the one Councillor representative from the Partnership, it was arranged that Councillors G T Adams and D S P Clifford would be invited to attend a meeting with the Clerk and persons who had specific knowledge of the Market Towns Healthcheck process with a view to identifying whether they felt disposed to become involved.

33.5 SEALING OF DOCUMENTS

RESOLVED that: -

- a) retrospective approval be given for the sealing of the Deed of Retirement and Appointment of New Trustees for the Cirencester Open Air Swimming Pool Association;**
- b) Council notes the sealing of the Transfers for the sale of parcels of land adjoining 18 Crabtree Lane and 101 North Home Road, Cirencester.**

34.05 REPRESENTATIVES ON OTHER BODIES

Written reports were received from: -

- Councillor G T Adams relating to the Cotswold Local Support Group of Victim Support Gloucestershire;
- Councillor B D Hudson relating to the Cirencester and South Cotswolds Sports Council;
- Mrs J E Coleman relating to the Stratton Educational Foundation.

Also received was an email from Councillor B D Hudson relating to the Cirencester Partnership.

PART TWO **CONFIDENTIAL**

C35.05	MINUTES
C36.05	KINGSHILL LANE SPORTS DEVELOPMENT
C37.05	SPITALGATE

See Confidential Minute Book.

RESOLVED that in view of the confidential nature of the business about to be transacted, it was advisable in the public interest, that the public and press be excluded and they were instructed to withdraw.

The meeting closed at 10.05 p.m.

Councillor D J Nash
Mayor