

CIRENCESTER TOWN COUNCIL

MINUTES of a Meeting of Council held in Cotswold District Council's Chamber, Trinity Road, Cirencester, at 7.00 p.m. on Tuesday, 11th October 2005.

PRESENT: Councillor N E Whereat – Mayor
Councillor Dr P A Hedges – Deputy Mayor (arrived 7.02 p.m.)

Councillors: G T Adams
Mrs S A Alexander
R Bourne
B D Hudson
Mrs S A le Noury (arrived 7.05 p.m.)
J B Leicester
Mrs R A Leicester
J D Leigh
R G Lock
D J Nash
Mrs B A Potter

Andrew Rennie Crook - Town Clerk
Johan Newman – Personal Assistant

A Prayer was read by the Mayor.

61.06 APOLOGIES

Apologies were received from Councillors Mrs M T Eccles and Mrs M S Rickman.

62.06 DECLARATIONS OF INTEREST

Councillor Mrs S A Alexander declared an interest with regard to the emergency item in confidential session regarding the tenant of the Norman Arch (Minute No. C79.06c).

63.06 MINUTES

RESOLVED that the Minutes of the Council Meeting held on Tuesday, 9th August 2005 be approved as a correct record and signed by the Mayor subject to Minute Nos. C58.06 to C60.06 to be considered under confidential matters.

64.06 MAYOR'S ANNOUNCEMENTS

The Mayor reported that he had attended the Annual General Meeting of the Cotswold Counselling & Support Centre and a copy of the Annual Report was available for each Member in the office. He also attended the following: -

- the Convocation at the Royal Agricultural College and advised that during the students RAG Week, £21,000 had been raised for local charities;
 - the Gloucestershire Constabulary Bravery Awards;
- and
- the Disabled Photographers Awards.

The Mayor informed the meeting that he had attended, along with the Clerk, the Gloucestershire Market Towns Forum's Annual General Meeting that was held in Wotton-under-Edge on 29th September 2005 and that those present had the opportunity to visit the charitably run cinema and arts centre. The Mayor found the meetings very informative and enjoyed the discussion group with representatives from the RDA and DEFRA. He advised that it was clear that the RDA, DEFRA and The Market and Coastal Towns Initiative Association identified the Gloucestershire Market Towns Forum as an important organisation within the county.

The Mayor stated that he would be involved in the Battle of Trafalgar Anniversary events and reminded Members of the 2 minutes silence on 11th November and the Parish Church Service on 13th November for Remembrance Day.

65.06

QUESTION TIME FOR ELECTORS

The following questions were received: -

Question No. 1 from Tim Charsley of 20 Hakeburn Road – What moves have been made by the Council to secure the right of way through the Arch?

Answer No. 1

It has been confirmed by the County Council that the period of undisturbed use by the public of the Right of Way means that the path through the Norman Arch could be dedicated, especially as the Town Council, as owner, would support such a dedication. In any event, the Clerk and the Council's conveyancing solicitor have already discussed the need to ensure that any transfer documentation to a purchaser is watertight in this respect.

Mr Charsley sought to present a supplementary question, which in fact was a new question directed at each Councillor relating to the curtilage of the Listed Building.

Councillor Dr P A Hedges responded that he had not had specific sight of the curtilage listing but was aware of the need to ensure that this issue was properly addressed.

Question No. 2 from Megan Barber of 7 Shepherds Way – How can a proper dialogue take place between the members of the working party while the Norman Arch continues to be marketed?

Answer No. 2

The Working Group comprising the NAG and Councillors has already met and a report is being presented by the Chairman of that Working Group at this evening's Council Meeting (11/10/05).

Ms Barber, by way of a supplementary question, suggested that the Council were merely paying lip service by setting up the Joint Working Group.

The Mayor responded to the effect that she should await his announcement when the item was discussed later in the meeting.

Question No. 3 from Caroline Large of 32a Castle Street – Will the potential buyers be made aware of the public liability responsibility that will go with the property?

Answer No. 3

Assuming that the question relates to public liability in the sense of risk to the owner in respect of persons passing through the Arch, then clearly that is something that would be obvious to the purchaser and upon which he would receive legal advice. In any event, the Town Council has made it clear and will continue to make it clear that the right of way through the Arch is to be retained and accordingly any liabilities relating thereto would be apparent to the buyer.

No supplementary question was received.

Question No. 4 from Cilla Chester-Master of Preston – Have the Town Council now considered the full weight of the feeling of the people of Cirencester?

Answer No. 4

This question is answered out of courtesy, as the questioner is not in fact an elector within the parish of Cirencester. (The questioner was so advised in a letter to her, dated 15th August 2005.)

The Town Council has taken seriously the feelings expressed by certain people in Cirencester, as is evidenced by the setting up of the Working Group with the NAG. The fact that Councillors have met and discussed with others the various issues that have been raised and have then arranged for a report to be presented to Council this evening (11/10/05), clearly identifies that the Council are not ignoring protestors.

Mr W Chester-Master, for Mrs P Chester-Master, whilst not raising a supplementary question, acknowledged the answer.

Question No. 5 from Megan Barber of 7 Shepherd's Way – If the decision to accept an offer is made tonight, when will the decision be made public?

Answer No. 5

The acceptance of an offer would be subject to contract but if the Town Council decide to accept the offer, it will be communicated by the Chairman of the Joint Working Group to the Working Group members on Wednesday, 12th October 2005.

Ms M Barber raised a supplementary question on whether the Council are going to continue to market the property with the tenant in situ or leave it empty.

The Mayor replied that a written reply would be given after the meeting and a copy circulated to all Members.

Question No. 6 from Martin Read of Walkers Court, 48 Gloucester Street – With reference to Councillor Nash's fax to Rebecca Broxton of 23/06/05, has the Town Council ascertained the level of interest in the Norman Arch by The Landmark Trust and could the Council inform us of the Trust's response?

Answer No. 6

A substantial batch of documentation was presented to Council on 9th August 2005 and made available to members of the public. The documentation included a letter from The Landmark Trust. This was contained on pages 61/62 of the order papers.

In presenting this information, the questioner is reminded that one of the reasons for selling the Norman Arch was to receive a capital receipt. It is respectfully suggested that in the context of this question and this response, the questioner takes note of the report that is to be presented by Councillor Dr P A Hedges at Item No. 10 on the Agenda.

Mr M Read, whilst not raising a supplementary question, made an observation disputing the principle of a capital receipt and received a response from Councillor Dr P A Hedges, who asked that he note the report being presented later in the meeting.

66.06 QUESTION TIME FOR MEMBERS

No questions were received.

67.06 RESOLUTIONS MOVED ON NOTICE – STANDING ORDER NO. 19

None were received.

68.06 GLOUCESTERSHIRE COUNTY COUNCIL

No questions were asked of this authority.

69.06 COTSWOLD DISTRICT COUNCIL

No questions were asked of this authority.

70.06 NORMAN ARCH COTTAGE

Members received a report from Councillor Dr P A Hedges, Chairman of the Working Group with representatives of the Norman Arch Group (a copy of which is appended to the signed Minutes).

Councillor Dr P A Hedges outlined the progress report and advised that professional advice was required with regard to future costs on the property. More time was accordingly required to pursue further enquiries on the options identified in his report.

Members thanked the Joint Working Group for their efforts and were encouraged by the progress made.

Members noted that, should a capital receipt be received, a number of projects in the town would benefit, not only the play areas. It was suggested by a Member that a list be provided in due course by the Clerk of projects that could benefit if the property was sold.

RESOLVED that it would be unfair for the Council to consider any offers for the Norman Arch whilst the Working Group is seeking to present a positive alternative to the scheme. This proposal is subject to a viable alternative being identified and reported to Council at its meeting on 10th January 2006.

71.06 RURAL WHITE PAPER AND MARKET TOWNS HEALTHCHECK

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

Councillor Mrs S A Alexander stated, with great disappointment, that she had only received Ward Audits from her fellow Beeches Ward Councillors and was saddened that this process has stalled so very badly.

Councillor D J Nash stated that he had details of the launch of Tetbury Town Council's Partnership and would make these available to Members. Councillor Nash offered to make himself available to take forward the Market Towns Healthcheck and believed that if the Council was to seek "Quality Status" and move forward, the Council should seek to retain the £3,000 awarded by the Gloucestershire Market Towns Forum and play a proper part in the process.

RESOLVED that a working group be established, comprising Councillor D J Nash as lead Councillor, together with the Mayor, to consider recommendations on taking the Market Towns Healthcheck forward and report back to Council on 10th January 2006.

72.06 KINGSHILL LANE SPORTS DEVELOPMENT - SKATEBOARDING

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

The Clerk outlined his report, together with the letter received from Ms V Wright, Cirencester Youth Worker, at Appendix A, which was duly noted by Members.

A Member requested that the cost of the chilling room and w.c.'s be identified, as it was noted that these would not be available to the users of the facilities. The Clerk stated that he could not answer that question but would seek to identify and circulate Members with a breakdown of figures, if available.

A Member asked whether other users of the facility would be asked to sign the Code of Practice, which was included in Ms Wright's correspondence. The Clerk advised that he had been advised by Ms Wright that this was only the initial list and that it would be ongoing. However, the Clerk stated that it would be totally unrealistic to believe that everyone using the facilities would sign up to the Code of Practice.

The Clerk informed the Members that GBH Engineering will arrange for the Royal Society for Prevention of Accidents (RoSPA) to carry out an inspection of the equipment when installed and this will then be presented to the Council's insurers. This accordingly reverses the role of expectations identified in the resolution of 9th August 2005.

RESOLVED that the resolution made on 9th August 2005 (Minute No. 53.06, i.e.,: -

"RESOLVED that: -

- a) ***the recommendation made at the Finance Committee Meeting held on 12th July 2005, namely that the requirement for increased insurance premium for the skateboarding equipment, be confirmed.***
- b) ***permission be given for the RUG to use the skateboarding area at the Kingshill Lane Sports Development Site unsupervised subject to the following: -***
 - i) ***satisfactory risk assessments and health and safety plans being in place, which have been passed by the insurers;***
 - ii) ***appropriate notices being in place at the site;***
 - iii) ***full details of those people who will have an overseeing responsibility being obtained;***
- c) ***the skateboarding equipment be ordered from GBH Engineering up to a value of £17,000 SUBJECT TO items a) and b) being in place."***

Item c) be amended to read "the skateboarding equipment to be ordered from GBH Engineering up to a value of £17,000 subject to item b) iii) being in place.

73.06 PROJECT BOARD

Members received a report from Councillor D J Nash, Chairman of the Project Board, regarding the meeting held on 8th September 2005 (a copy of which is appended to the signed Minutes).

Members noted that the Abbey Grounds Public Conveniences would be closed during November 2005 due to the cleaner being on holiday and that notices would be prominently displayed.

RESOLVED that the report be noted.

74.06 LLOYDS BANK ACCOUNT

Members received and approved a revised bank mandate, as required by Lloyds TSB Bank Plc, as follows: -

"This Council having appointed Lloyds Bank TSB (the "Bank") as its bank, hereby **RESOLVES** that pursuant to the requirements of the Bank, the Council requests and authorises the Bank to: -

1. accept all cheques, drafts or other orders or receipts for money on Account No. 0017467 signed by two of the Councillors listed in Appendix 'A' (attached hereto).

2. deal on a day-to-day basis with the Town Clerk, Andrew Rennie Crook and the Responsible Finance Officer, Clive Sherwood, and to provide them with such information as may be properly made available to the Council.
3. accept the written instructions of the said Town Clerk, Andrew Rennie Crook and/or the Responsible Finance Officer, Clive Sherwood, for the proper discharge of the Town Council's duties and obligations including the transfer of funds between accounts in the name of the Council. For the avoidance of doubt, these instructions shall be deemed to include notification by the said Town Clerk, Andrew Rennie Crook, or Responsible Finance Officer, Clive Sherwood, of newly mandated Councillors in the place of those identified on Appendix 'A' referred to in Paragraph 1 above.
4. note that the terms of this resolution and the instructions arising therefrom shall remain in place until such time as the Bank receives written notification to the contrary based upon a new or amending resolution.

75.06 REPRESENTATIVES ON OTHER BODIES

Councillor D J Nash reported on the problems faced by the Cotswold Council for Voluntary Service with regard to financial issues. He advised that the CCVS had relied heavily on grants from the County and District Councils in the past. Unfortunately, due to lack of funds, the Councils have been working on nought percent increase on grants and the County Council will be moving towards no grants, but it could not anticipate when. Councillor Nash advised that the situation was dire and that a Press Release would be produced by the CCVS in the near future. He added that he hoped that the Town Council would take this situation into consideration when considering grants next year.

76.06 MATTERS IDENTIFIED FOR CONSIDERATION AT FUTURE MEETINGS

None were received.

PART TWO
CONFIDENTIAL

- C77.06 COUNCIL MINUTES**
- C78.06 KINGSHILL LANE SPORTS DEVELOPMENT SITE**
- C79.06 NORMAN ARCH**

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 9.45 p.m.

Councillor N E Whereat
Mayor