

CIRENCESTER TOWN COUNCIL

MINUTES of a Meeting of Council held in The Bingham Gallery, Bingham House, 1 Dyer Street, Cirencester, at 7.00 p.m. on Tuesday, 13th June 2006.

PRESENT: Councillor N E Whereat – Mayor
Councillor Mrs S A Alexander – Deputy Mayor

Councillors: G T Adams
R Bourne
Mrs M T Eccles
Dr P A Hedges
Mrs S A le Noury
J B Leicester
Mrs R A Leicester
D J Nash
Mrs B A Potter
Mrs M S Rickman

Andrew Rennie Crook - Town Clerk
Johan Newman – Personal Assistant

A Prayer was read by the Mayor.

12.07 APOLOGIES

Apologies were received from Councillors B D Hudson, J D Leigh and R G Lock and Clive Sherwood, Deputy Town Clerk.

13.07 DECLARATIONS OF INTEREST

None were received.

14.07 MINUTES

RESOLVED that the Minutes of the Annual Meeting held on Tuesday, 16th May 2006 and the Special Council Meeting held on 6th June 2006 be approved as a correct record and signed by the Mayor subject to Minute Nos. C08.07 and C11.07 to be considered under confidential matters.

15.07 MAYOR'S ANNOUNCEMENTS

The Mayor reported that he had attended: -
- the Churn Project Open Day at St. Michael's Park;
- the Fire Station Open Day, which was a credit to that organisation;
- the opening a new CHYP house in Ashcroft Road;
- the Church Service in celebration of Watermoor School's 150 year anniversary.

16.07 QUESTION TIME FOR ELECTORS

The Clerk advised that the following questions were collected from the Town Council's mailbox on the morning of 12th June 2006 and advised that the assumption had been made that the questions were delivered 48 hours before the meeting.

Questions received from Megan Barber of 7 Shepherd's Way, Cirencester

Q1. Did the Town Council look at the intentions behind the offering and acceptance of the gift to the town of the Norman Arch, before voting to sell it?

A1. The Deed of Gift speaks for itself. The Town Council did not accordingly look at the history. Without any desire to be obstructive, it would be imprudent to disclose any further information that might prejudice the position of the Town Council in the event of legal proceedings being commenced.

Supplementary Question: Ms Barber enquired whether all Members had now seen the Deed of Gift, as she had been advised by Councillor Mrs R A Leicester that she had not seen it.

The Clerk replied that Members are always welcome to come into the office to view documentation and that in any case, Members make determinations on the guidance of Officers and any legal advice obtained. The Clerk added that some Members had viewed or asked for copies of documents.

Q2. When, on August 9th, the Town Council were asked a similar question to the previous one, did they seek to find out the answer to the question by reference to publicly available documents?

A2. Please see A1. above.

No Supplementary Question was received.

Questions received from Tim Charsley of 20 Hakeburn Road, Cirencester

Q1. On 22nd June last year, the Town Council said the sale of the arch would "raise much needed cash for public services" and on July 15th "we desperately need the capital receipts to fund other projects in the town". What services require much needed cash?

A1. Capital receipts need to be applied to capital projects. The children's playgrounds have been identified in that category, as indeed do a whole range of demands on the Council's resources.

Q2. Why does the Council "desperately" need capital receipts? Has the Council mismanaged the finances, has something arisen that could not have been foreseen that desperately requires funding?

A2. If the word "desperately" has been used, it was ill-chosen and no doubt uttered in the heat of the moment. There have certainly not been any unforeseen costs that have generated the proposed sale of the Norman Arch.

Q3. 10 months after telling the Town that the upgrading of the playgrounds could cost £350,000, £3-£4,000 per ground and as much as we like, has the Town Council ascertained the cost of this project?

A3. Yes. The Council has a committed policy to refurbish the Abbey Grounds Play Area. At today's costs, the expense is based upon a limited sum of £75,000. Information has been taken up from play equipment suppliers and designs received.

In responding to this question, it should be noted that some other wards do not have the advantage of play areas and these could be addressed with an input of capital. In addition thereto, the proposed works on the play areas could go beyond those that are currently planned.

Supplementary Question: Mr Charsley did not believe that he had been given a proper answer.

The Clerk replied that he could only identify with the current policy. He advised that £50,000 had been spent on play equipment at Baunton Lane and St. Michael's Park. The next project relates to the Abbey Grounds, in respect of which there is a 3 year plan to accrue £75,000. In anticipation of that project, quotations had been sought from suppliers. It would, currently, be most imprudent to identify expenditure in excess of £75,000, as this would be a waste of Officers' time and Council Tax payers' money.

Questions received from Rory Young of 7 Park Street, Cirencester

- Q1. At the Town Council Meeting in October last year, a Member suggested that "a list be provided in due course by the Clerk of projects that could benefit if the property was sold". 8 months on has the list been produced and may we see it?
- A1. The Town Clerk has never been instructed to prepare such a list, however, the Project Board are regularly reviewing projects.

Supplementary Question raised by Mark Harris in the absence of Rory Young:

Mr Harris sought clarification over the difference between a noted comment and an instruction by Council.

The Clerk confirmed that Council had not resolved for or requested action by the Clerk. The observation by the Member had merely been noted.

Councillor Dr P A Hedges added that several projects had been discussed, one of which being the acceleration of the Abbey Grounds Project. There are aspirations for other areas of the town, which have not been fully costed as the decision has not been finalised.

- Q2. On February 14th, the Town Council resolved not to support the outline application for a lottery grant in respect of the Norman Arch. If the Town Council is concerned with getting best value, why is it raising the precept and not pursuing grant aid?
- A2. The Members decided for the reasons subsequently explained by the Chairman of the Joint Working Group, Councillor Dr P A Hedges, stated that the Councillors in open forum decided that this was not the correct course of action and accordingly did not support it.
- Q3. Having increased the precept and with £15,000 in reserve, would the Town Council please tell us what works have been completed on the arch?
- A3. None to-date. The Norman Arch and Cottage was vacated on 14th May 2006. Since then, access has been sought by The Vivat Trust working with the Norman Arch Joint Working Group. In the circumstances, it would be inappropriate to expend public funds in undertaking works that may form part of the proposals for a "viable alternative" that may well come forward before 10th July 2006.

Questions received from Mark Harris of 2 Hakeburn Road, Cirencester

Q1, Q2, Q3 and Q4 - Not publicized.

A1, A2, A3 and A4

These questions relate to existing litigation. In the circumstances, no answers will be presented to the same to avoid prejudicing the Council's position. Attention is drawn, however, to the fact that capital receipts can only be used for capital projects and accordingly the Council has made provision for the legal proceedings.

No Supplementary Question was received.

Questions received from Jane Goodman of 14 Manor Close, Stratton, Cirencester

- Q1. Is the Council aware that according to the Local Government Act 1972, parish councils may only accept gifts if they are "for the benefit of their area or some part of it". The Norman Arch gift would have been covered by this as it derived from S.268 of the Local Government Act 1933?
- A1. With respect, the legislation does not say this. For reasons presented in response to an earlier question, it would be imprudent to disclose any further information that might prejudice the position of the Town Council in the event of legal proceedings being commenced.

No Supplementary Question was received.

Questions received from Joanna Walker of 2 Hakeburn Road, Cirencester

- Q1. Would the Town Council hire the Norman Arch on a commercial basis for a 2-3 day art exhibition?
- A1. The details of any such proposal would need to be put to the Council. Whilst an alternative to the sale is being sought, it would clearly be inappropriate to make any other commitments.
- Q2. Would the Town Council consider a commercial lease to a local business that ensured a) access to the building for the public and b) preservation of the building?
- A2. It is believed that these are the very issues being considered by the Norman Arch Joint Working Group. For this reason, Council would not make any such decisions prior to the 11th July 2006.

No Supplementary Question was received.

17.07 QUESTION TIME FOR MEMBERS

None were received.

18.07 RESOLUTIONS MOVED ON NOTICE – STANDING ORDER NO. 19

None were received.

19.07 GLOUCESTERSHIRE COUNTY COUNCIL

No questions were asked of this authority.

20.07 COTSWOLD DISTRICT COUNCIL

No questions were asked of this authority.

21.07 PROJECT BOARD

Members received a report from Councillor D J Nash, Chairman of the Project Board, regarding the meeting held on 15th May 2006 (a copy of which is appended to the signed Minutes).

It was noted that it was a pity that with the money and effort expended on the refurbishment of the Abbey Grounds Public Conveniences, the same were again subject to vandalism.

RESOLVED that the report be noted.

22.7 DRAFT ACCOUNTS 2005/6

The Clerk outlined the draft Accounts for 2005/6 (a copy of which is appended to the signed Minutes).

RESOLVED that the draft Accounts for 2005/6 be approved and noted.

23.7 BUDGET REPORT 31/03/06

Members received the Budget Report for the half year ended 31st March 2006 (a copy of which is appended to the signed Minutes).

RESOLVED that the Budget Report 31/03/06 be approved and noted.

24.07 EARMARKED RESERVES 2004/5 AND 2005/6

Members received the Earmarked Reserves for 2004/5 and 2005/6 (copies of which are appended to the signed Minutes).

Members noted that in approving the Budgets, they were technically approving the Earmarked Reserves.

A Member drew attention to the Environmental Reserve and suggested that Members should give consideration to utilising the same.

RESOLVED that the Earmarked Reserves for 2004/5 and 2005/6 be approved and noted.

25.7

CORN HALL

Members considered the proposals made by Cotswold District Council as identified in its resolution dated 25th April 2006 (a copy of which is appended to the signed Minutes), regarding Cotswold District Council's plans to sell the Corn Hall to Wildmoor Properties.

The Clerk referred to a letter that had just been received from the Chief Executive of Cotswold District Council, dated 13th June 2006 (a copy of which is appended to the signed Minutes). The letter stated, amongst other things that "*The Council plans to attach a covenant to the building in perpetuity, which would see general community use continue regardless of who owns the Corn Hall in the future.*" and "*The purpose of such a covenant is to ensure that the Hall is available for appropriate community use – whether that is markets, concerts or other public events – to meet the needs of the people of Cirencester in the future. The covenant would not relate to continued use by specific parties.*"

The Clerk advised that he and the Mayor had met with representatives of Wildmoor Properties back in April and were informed that Wildmoor Properties had acquired the Kings Head Hotel and the launderette at the back of the hotel. Wildmoor Properties intended to use the upper floors of the Corn Hall as part of the hotel arrangements. The Clerk also advised that Wildmoor Properties had stated that it had every intention to honour the use of the ground floor and bar of the Corn Hall for community use.

The Clerk concluded by stating that both he and the Mayor were comforted by the observations made by Wildmoor Properties.

Some Members were concerned with the term "specific parties" and the proposed covenant for community use identified by the Chief Executive.

It was also felt that a proportion of the sale of the Corn Hall should be returned to the Town Council or ring-fenced for the benefit of the people of Cirencester, as the Town Council had contributed over £300,000 towards the running costs of the Corn Hall.

RESOLVED that the Clerk seek clarification from the Chief Executive of Cotswold District Council on the term "specific parties" and community use.

26.7

COUNCIL POLICIES

Members received a report from the Clerk regarding the Environmental, Purchasing and Nature Conservation Policies and to identify the way forward (a copy of which is appended to the signed Minutes).

RESOLVED that the Council establish an Environmental Working Group, consisting of Councillors Mrs M T Eccles, Dr P A Hedges, Mrs S A le Noury, Mrs B A Potter and Mrs M S Rickman, to: -

- a) **review the Council's Environmental, Purchasing and Nature Conservation Policies;**

- b) **explore the undertaking of environmental improvements;**
- d) **have authority to co-opt other Members of the Council and/or non-Council members of the community;**
- e) **report to Council by 30th September 2006;**

27.07 CYCLING FACILITIES

Members noted that it was resolved by Council on 9th May 2006 that the Council “*set up a working group in the civic year 2006/07 to consider the issue of cycling facilities (together with financial issues) and invite other parties to participate including those who have written to the Council with their concerns.*”

RESOLVED that the Council establish a Cycling Facilities Working Group consisting of Councillors G T Adams, D J Nash, Mrs B A Potter and Mrs M S Rickman, to: -

- a) **consider the issue of cycling facilities (together with financial issues);**
- b) **have authority to co-opt other Members of the Council and/or non-Council members of the community.**

28.7 PERSONNEL

RESOLVED that the Council establish a Personnel Working Group consisting of Councillors Mrs S A Alexander, R Bourne, D J Nash, Mrs M S Rickman and N E Whereat to consider the job description for the Town Clerk and take matters forward.

29.07 EMERGENCY ITEM – CONSULTATION ON CHANGES TO MENTAL HEALTH SERVICES PROPOSED BY GLOUCESTERSHIRE PARTNERSHIP NHS TRUST

The Clerk advised that he had received a letter, together with proposals, dated 22nd May 2006 on 12th June 2006 stating that the above consultation begins on 22nd May 2006 and ends on 23rd June 2006. He also advised that “Open Space Events” were being in the Corn Hall, Cirencester, at 2.00 p.m. and 6.00 p.m. on 22nd June 2006 and urged Members to attend.

The Clerk outlined the proposals and drew attention to the following paragraphs: -

“The Trust needs to make total savings of £9.6m in 2006/7”

“Proposals to change the number and location of inpatient mental health services for adults and working age and older people: this will result in 42 fewer adult mental health beds (84 instead of 126) and 15 fewer older people’s mental health beds (65 instead of 80: an earlier decision has reduced available beds from 122 to 80).”

“Proposals to stop providing NHS-funded day hospital care to adults of working age and older people with mental health problems: this will affect services at 17 sites across the county.”

“.... Baunton Ward at Cirencester, has been temporarily closed since 2003.”

Members also noted that it was proposed that the day care services at the Cirencester Memorial Centre be ceased.

Members were dismayed with the short timescales available for a response to the consultation and were very concerned at the proposals outlined, as it would affect some of the most vulnerable people in Cirencester and the surrounding area.

A Member related the consultation questions as follows: -

“Do you have any comments about the criteria which the Trust has used to create its proposals?”

Do you have any comments or questions about the proposed changes to inpatient services for older people or for adults of working age, the options presented or the implications?

Do you have any comments about the proposal to withdraw from the provision of NHS-funded day hospital care for older people or for adults of working age and the implications of this?

Do you have any alternative proposals you would like the Trust to consider?

Do you have any comments about the way we plan to evaluate responses to the consultation?”

RESOLVED that the Clerk, together with the Mayor, Deputy Mayor, Councillors D J Nash and Dr P A Hedges (if diary allows) compose a response to the consultation.

30.07 REPRESENTATIVES ON OTHER BODIES

Councillor G T Adams referred to meetings of the Open Air Swimming Pool Association held (details of which were displayed on the notice board) regarding the leak.

31.07 MATTERS IDENTIFIED FOR CONSIDERATION AT FUTURE MEETINGS

None were received.

PART TWO
CONFIDENTIAL

C32.07 MINUTES

C33.07 KINGSHILL LANE SPORTS DEVELOPMENT SITE

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 9.35 p.m.

Councillor N E Whereat
Mayor