

DOWNHAM MARKET TOWN COUNCIL MEETING
MINUTES OF MEETING HELD TUESDAY 12TH JUNE, 2018 AT 7:00PM

Present:	The Mayor	Cllr D J Sharman
	Deputy Mayor	Cllr J W Doyle
	Councillors	F E Daymond
		J K Fox
		R L Hayes
		R A C Hepworth
		B Hobbs
		R Horne
		D Lawson
		R A Pegg
		A Pickering
		C Pyatt
		A D Stacey
	County Cllr	A White
	Town Clerk	Mrs J M Markwell
	Deputy Town Clerk	Mr R A Davidson
	Assistant to the Clerk	Mrs N Westwood
	Public	0

Those in attendance at the meeting were notified of the emergency evacuation procedure from the Town Council offices. Those in attendance at the meeting were notified that mobile telephones should be turned off or switched to silent mode for the duration of the meeting.

3629. To receive Members' Apologies for Absence

Apologies for absence had been received from the Cllrs' J Groom (family ill-health), J Reed (ill-health), M Ross (ill-health), M Starreveld (holiday), Mrs Y Thompson (operation recovery) and R Turner (holiday).

The apologies were accepted.

3630. To receive Members' Declarations of Interest

Cllr Pickering declared an interest in item 3639.

3631. To approve the minutes of the Extraordinary Town Council meeting held on Tuesday 1st May 2018 (pages 6057-6059) and Full Council meetings held on Tuesday, 8th May 2018 (pages 6065-6068) and Tuesday, 15th May 2018

The minutes of the Extraordinary Town Council meeting held on Tuesday 1st May 2018 (pages 6057-6059) and the Full Council meeting held on Tuesday, 8th May 2018 (pages 6065-6068) were approved. Minutes of the Full Council meeting from Tuesday, 15th May 2018 had not yet been circulated.

Adjourn meeting for public participation and reports

The Mayor, Cllr Sharman, adjourned the meeting.

Police report

There was no Police representative in attendance.

County Councillor report and questions

Cllr White had nothing to report, other than the previously reported emergency pot-holes on A1122 at the Railway Crossing which are scheduled for repair.

Borough Councillors report and questions

There was no Borough Councillor in attendance.

Public Participation

There were no members of the public present and no members wished to address the committee in such a capacity.

Accordingly, the Mayor resumed the meeting.

3632. To receive Councillors' Questions

Cllr Fox is disappointed to see that the Town Council website is out of date.

Cllr Hobbs advised members that the Community Development Committee are looking for interested participants to join a Town Council Dragon Boat team for the Water Festival. Cllr Hayes added that pulling a team together has proved difficult in the past, but she would be happy to volunteer.

Cllr Pyatt would like to make members aware that the Downham Games was a success, it had been the best yet with over 240 runners and 84 Bow and Arrow shooters.

Cllr Pyatt would like to thank the Mayor & Deputy Mayor for attending the event. Cllr Doyle thanked Downham Games for all their hard work.

3633. To adopt the Standing Committee Minutes of:

Community Development Committee

Proposed – Cllr Hobbs

Seconded – Cllr Pickering

‘That the minutes of the Community Development Committee meeting of Wednesday 4th April 2018 (pages 6030-6033) as approved be adopted’

All in favour

Finance & General Purposes Committee

Proposed – Cllr Mrs Hayes

Seconded – Cllr Lawson

‘That the minutes of the Finance and General Purposes Committee meetings of Tuesday, 27th March 2018 (pages 6017-6020) and Tuesday, 24th April 2018 (pages 6051-6053) as approved be adopted’

All in favour

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Planning & Environment Committee

Proposed – Cllr Fox

Seconded – Cllr Horne

‘That the minutes of the Planning and Environmental Committee meetings of Tuesday 1st May 2018 (pages 6060-6064) and Wednesday 23rd May 2018 as approved be adopted’

All in favour

Property Committee

Proposed – Cllr Pegg

Seconded – The Mayor, Cllr Sharman

‘That the minutes of the Property Committee meetings of Tuesday 17th April 2018 (pages 6044-6047) as approved be adopted’

All in favour

Town Hall Committee

Proposed – The Mayor, Cllr Sharman

Seconded – Cllr Stacey

‘That the minutes of the Town Hall Committee meetings of Wednesday, 25th April 2018 (pages 6054-6056) as approved be adopted’

All in favour

3634. Payment of Bills

There was one bill for payment to be approved on behalf of the Neighbourhood Plan for Cicero Communications Limited for a Consultation Strategy, Design and Create Questionnaire and Consultation Analysis and Report at the cost of £866.25 + VAT.

Proposed – Cllr Lawson

Seconded – Cllr Hobbs

‘That the bill for Cicero Communications Limited at the cost of £866.25 + VAT be paid’

All in favour

3635. Clerks Report

The Clerk had nothing to report.

3636. To agree and accept the Annual Accounts 2017/18 as recommended by the Finance and General Purposes Committee

Proposed – Cllr Hayes

Seconded – Cllr Lawson

‘That the Annual Accounts 2017/18 as recommended by the Finance and General Purposes Committee be agreed and accepted’

All in favour

3637. To agree and accept the Annual Governance Statement 2017/18

Proposed – Cllr Hayes

Seconded – Cllr Stacey

‘That the Annual Governance Statement 2017/18 be agreed and accepted’

All in favour

3638. GDPR and legislative implications, with regard, to the current Standing Orders

‘That the current Standing Orders are rescinded as they do not reflect several legislative changes and, as such, are no longer fit for purpose.’

Cllr Hayes assured members that parts of the Standing Orders that are not legal requirements could be amended but advised that the model Standing Orders should be adopted for the time being. NALC has an updated copy of Standing Orders with the new legislation; if we fail to adopt the new Standing Orders, “Cllr Hayes is, concerned we are not complying with legal requirements. It would be much easier to start with the new Standing Orders as a new base and add as and if required.”

Cllr Fox stated that rescinding means that the current Standing Orders along with annexes will no longer exist, this would mean that the Town Council will no longer have financial regulations. They do not even mention The Mayor. The Standing Orders were only approved in April.

Cllr Pickering agreed that the model Standing Orders should be used and there will be an opportunity to revisit the current Standing Orders to add any extra information.

Cllr Pegg addressed the committee, and concurred with Cllr Fox. There is an additional paper with the model Standing Orders ‘LO4/18’ that he had not seen until today. The model Standing Orders remain unchanged since 2013. Any new legislation should just be added to the Councils’ current Standing Orders. There is so much legislation that not all of it can be covered in Standing Orders. The current Standing Orders have been built up over the years. The Town Council are doing it wrong by rescinding. It is not necessary.

Cllr Lawson felt that it would be a risk, rescinding the current Standing Orders, therefore the Council should continue with the current and add and remove.

Cllr Hobbs was very concerned with risk. There is a much greater risk of being non-compliant. The Council should use the NALC model Standing Orders and add new layers to it. We NEED to be compliant and must not even consider to be non-compliant.

Cllr Stacey would like to back Cllr Fox, he is very concerned. He believed those that had wrote the model Standing Orders are no longer around. With rescinding the current Standing Orders we will be rescinding all the annexes including the Financial Regulations. Cllr Stacey would suggest that things were not done in a hurry, he would not oppose rescinding the Standing Orders but needs more time to think about it.

The Clerk advised that LO4/18 document had been circulated prior to the meeting. The Clerk advised that the current Standing Orders should be rescinded, and the model Standing Orders should be used, asking that her advice be formally minuted.

Cllr Hayes read a list of areas the Standing Order working party have established are non-compliant in the current Standing Orders. Cllr Hayes advised that Financial Regulations should be a totally different document not an annex and the council will not be without Financial Regulations.

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Cllr Hayes questioned if members of the Town Council are prepared to work against legislation? If so, then she would not like to be a part of that.

Cllr Hepworth thanked Cllr's Fox and Stacey for all the time and effort that has been put into the current Standing Orders, she has nothing but respect for them both. It is important to be compliant. Cllr Hepworth suggested that it would be best and easiest for the new Standing Orders working party to use the model Standing Orders as a template to work on drawing from Cllr Fox and Stacey's sterling work.

Cllr Fox commented that if Cllr Hayes had a set list of orders that were not compliant then they could be easily amended/removed.

Discussions continued, and The Mayor requested a named vote.

Proposed – Cllr Hayes Seconded – Cllr Pickering

‘That the current Standing Orders are rescinded as they do not reflect several legislative changes and, as such, are no longer fit for purpose.’

For – Cllrs’ Doyle, Hepworth, Hobbs, Horne, Pyatt & Sharman

Against – Cllrs’ Daymond, Fox, Pegg & Stacey

Abstain – Cllr Lawson

The motion was carried.

Proposed – Cllr Hayes Seconded – Cllr Pickering

‘That the Council adopt the new NALC Model Standing Orders 2018 (England) to allow the Council to undertake its business and ensure adherence to its current mandatory, statutory and legal requirements. Failure to do this results in the Council business being frustrated and consequently outside of the required legal framework to also endeavour to ensure relevant Downham Market Town Council Standing Orders are moved across as expeditiously as possible.’

For – Cllrs’ Doyle, Fox, Hepworth, Hobbs, Horne, Lawson, Pyatt, Sharman & Stacey

Against – Cllrs’ Daymond & Pegg

Cllr Fox stated that the Town Council now have no Financial Regulations and these regulations must be adopted immediately.

The Clerk advised that if the Council do not have their own Financial Regulations then they automatically abide by model Financial Regulations.

Cllr Fox would like the Financial Regulations complete on the table ready for the next Full Council meeting.

New General Data Protection Regulations (GDPR) (Regulation (EU) 2016/679)

a. Signing of forms

The Clerk informed members that only 8 signed GDPR compliance forms had been returned. These must be returned immediately.

There followed some discussion on how to reduce the risks and issues councillors were having with their own emails.

Proposed – The Mayor, Cllr Sharman Seconded – Cllr Fox

‘That the Council pay Norfolk Computer Services, as per quotation for 20 councillor email addresses at an annual cost of £39.90 + VAT per Councillor and a one of charge for installation and training at a cost of £360.00 + VAT’

For – 10 Against – 1 Abstain – 2

3639. To discuss arrangements for the hire of the Town Hall for the Festival 2019

Cllr Pickering had declared an interest in this item.

The Mayor who is also Chairman of the Town Hall Committee, feels that any equipment should be free of charge as is the hall hire for Festival week. Going forward, Terms & Conditions must be signed and the Town Council must be informed in advance.

Cllr Lawson questioned if the Town Hall projector was covered under the Town Hall insurance – Yes.

Members would like to support the Festival Committee.

A thank you card had been sent in to the Town Council from the Festival Committee to thank everyone especially the outside staff who had been extremely helpful for the entire week.

Proposed – The Mayor, Cllr Sharman Seconded – Cllr Lawson

‘That the Festival Committee would have to advise in advance, what Town Hall equipment will be required for the Festival and would be required to sign Terms & Conditions and an agreement that any breakages must be paid for’

For – 12 Declared Interest - 1

3640. To rescind the Neighbourhood Plan Committee

Proposed – The Deputy Mayor, Cllr Doyle Seconded – Cllr Hobbs

‘That the Neighbourhood Plan Committee be rescinded.’

All in favour

3641. To reform the Neighbourhood Plan as an Advisory Committee

Proposed – The Deputy Mayor, Cllr Doyle Seconded – Cllr Hobbs

‘That the Neighbourhood Plan Committee be reformed as an Advisory Committee consisting of the following members; Cllrs’ Groom, Hobbs (Chairman), Pegg & Mrs Thompson, Borough Cllr Westrop, Mr Davy, Mr Loveday, Mr Strutt & Mr Warden.’

For – 12 Abstention - 1

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Cllr Horne would like to comment that the Neighbourhood Plan is absolutely essential, and that the Committee should get all the help needed and should be supported.

Cllr Hobbs gave a brief update; a Consultant is now in place, funds are in place and the committee are on track.

3642. To receive report on the Downham Market Festival – Cllr Pickering

The Festival went very well, and the weather was kind. The Council float was cancelled, however for some unknown reason it still made the journey along with a notice stating it was the Town Council float. An email had been received stating that a gentleman from The Borough Council of King's Lynn & West Norfolk Public Spaces hadn't received an event plan. However, an event plan, road closure and all other relevant documents were submitted to the Borough Council in the usual manner. Cllr Pickering and the Festival Committee would like to thank all those that attended and supported the events.

Cllr Horne commented that the Festival Committee should be congratulated for all their hard work. All members agreed. The Mayor & Deputy Mayor enjoyed attending as many events as they could over the week. It was agreed that a letter of thanks be sent from the Town Council.

Cllr Hobbs would ensure that the Council float for Festival is arranged through the Community Development Committee.

3643. To receive report on the Joint Burial Board – Cllr Fox

Cllr Fox had nothing to report.

3644. To receive report on the Twinning Club

No members of the Twinning Club were in attendance. Cllr Groom will be asked if she could provide reports in the absence of Cllr Ross.

3645. To receive report on the Jubilee Community Centre – Cllr Sharman

The Jubilee Community Centre Committee have been looking into grants. Mr Davidson has worked hard on a letter that has been sent to the Borough Council of King's Lynn & West Norfolk requesting advisory or financial help.

3646. To receive verbal report from the Human Resources Committee

Members agreed that an official letter of thanks should be written to the men from the Town Council for their work during Festival Week. *Clerk*

The Mayor, Cllr Sharman was saddened and shocked to read a letter of resignation from the Town Clerk, Mrs Jean Markwell. Mrs Markwell will officially be leaving her post on Friday, 31st August 2018.

Members thanked Mrs Markwell for her commitment over the past 20 years and wished her every success for the future. A round of applause and three cheers were given to Mrs Markwell.

3647. Mayor's Announcements

The Mayor had nothing to announce.

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To receive confidential reports

Proposed – Cllr Sharman

Seconded – Cllr Mrs Hayes

‘To invoke Standing Order 3d, that in view of the confidential nature of the business about to be transacted, it is advisable in the public interest, that the public and/or the press be temporarily excluded, and they are instructed to withdraw.’

All in favour

3648. To receive confidential report from the Human Resources Committee

3649. To discuss sale of Council owned property

The meeting came out of confidentiality.

The Mayor thanked everyone for attending and closed the meeting at 8:50pm.

Chairman

Date