

Joining the Meeting online

Cllr Ivan Seviour – Mayor of Wilton
Cllr Andy Kinsey – Deputy Mayor of Wilton
Cllr Trevor Batchelder
Cllr Charlotte Blackman
Cllr Pauline Church
Cllr Alan Crossley
Cllr Peter Edge
Cllr Paula Johnston
Cllr Phil Matthews
Cllr Teresa Taylor

In Attendance Mr Steve Milton, *Town Clerk*, and Mr Hugh Abel, *Minute Secretary*.

Also Present Adam Cooke, Claire Forbes, Hannah Abbey, Jason, Julie Lane, Larissa Tonkin, Sam, Susan, Ben Varga, Kate Varga, Maria La Femina, Susan Robinson and Corinne Whiloch

Cllr Seviour in the Chair

Upon the commencement of the meeting, *Cllr Johnston* raised four Points of Order regarding the validity of this meeting and the Annual Town meeting on 26th May. She asserted that the Local Authority and Police or Crime Panel's Corona Virus Flexibility of Local Authority and Police or Crime Panel's Meetings Regulations 2020 did not override or supersede the Council's own Standing Orders.

Cllr Johnston - Point of Order Number One. This meeting tonight cannot proceed as three clear days have not elapsed since the meeting summons was sent to Councillors. It is a legal requirement that the agenda is sent out with the summons. The earlier time sent on the 2nd 2020 at 1525hrs had no agenda attached. The summons with agenda was received on 2nd July at 1959hrs. This contravenes Standing Order No 3, point 3 which states that: "A minimum of three clear days of notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or of a day appointed for public thanksgiving or mourning." The advertised starting time of this meeting is 1900hrs so the statutory legal requirement has not been met. The agenda is also incorrect it is entitled Mayor Making which is not happening tonight.

The Town Clerk – informed the meeting that the agenda had been sent out on Thursday 2nd July which left Friday, Saturday and Monday as three clear days – the Council had complied with the law and SO 3 (3). He explained that this was the normal arrangement for provision of notice for all meetings of the Council.

Cllr Seviour – ruled that Standing Orders had been complied with and he dismissed the point of order.

Cllr Johnston – Point of Order Number two is regarding the validity of the previous meeting that was held on 26th May 2020. It was advertised as the Annual Meeting of the Town Council. Standing Order 5 point 5 was contravened as that standing order states that "the first business conducted at the Annual Meeting of the Council shall be the election of the Chair and Vice Chair if there is one of the Council." This is a legal requirement. The election did not take place. Therefore that standing order was contravened. As the required by law and standing order first business of the Annual meeting of the Town Council was not concluded the subsequent meeting was invalid and should not have taken place.

The Town Clerk – told the meeting that he had responded to this point on numerous occasions since the meeting in May and his advice was unchanged, namely that the Local Government Act 1972 and the Council's own Standing Orders have been superseded by fresh legislation - The Local Authorities and Police

and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 . That legislation permits the Council to determine when the appointment of Chair and Vice Chair is held. His considered professional advice was that the Town Council had acted both reasonably and lawfully.

Cllr Seviour – ruled that he accepted the advice of the Town Clerk and that the Town Council had acted both lawfully and reasonably and dismissed the point of order.

Cllr Johnston – told the meeting that all she was trying to do is to ensure that we are acting legally and according to our own rules and on many occasions we are not doing that. I am simply pointing out to you the standing orders show that to be the case.

The Town Clerk – The Clerk felt that Cllr Johnston was presenting her opinions as fact. The Clerk explained that it was his statutory role to advise the Council and while he accepted reasonable challenge, he felt that the ongoing criticism levelled at him had gone too far and clearly implied that his advice in these matters could not be relied upon. The continual criticism was undermining his position and professional standing and affecting his wellbeing. He stated that he considered this to be bullying.

Cllr Church – told the meeting that she was very supportive of the Town Clerk and appreciated all that he does for the Town Council. At the same time she completely supported Cllr Johnston's position. So she sought advice from a fellow Wiltshire Councillor as she felt that as the agenda and minutes were published on the Town Council's headed paper as an AGM, she would have expected the election of a Chair and Vice Chair to have occurred. The deputy Monitoring Officer gave advice (to the clerk) that said if he was advising the Town Council (which he wasn't in this case as this was informal advice) he would have been likely to recommend that the Council does look at securing a date to hold a meeting when these decisions can be made reasonably quickly to remove any ambiguity. I recognise that formal advice wasn't requested by the Town Council but I sought informal advice to take the Council forward and to make sure that got an AGM in place as quickly as possible so that we can re-run the elections of Mayor and Deputy Mayor as soon as possible.

Cllr Edge – told the meeting that he believed it was inappropriate to seek Wiltshire Council's advice on a matter over which it had no authority. The right course of action should have been to ask for advice from the Town Clerk. It was, he believed an abuse of Cllr Church's position as Cabinet member of Wiltshire Council to ask the Monitoring Officer for advice.

Cllr Church – said she did not believe it to be an abuse of her position but had sought informal advice in order to help this council move forward.

Cllr Seviour – told the meeting that there had never been any problem about fixing a date for a meeting to elect the Mayor and Deputy Mayor when the traditional civic ceremonial meeting could be held. This had simply been deferred because of the current restrictions on public gatherings.

Cllr Johnston – My third point of order is that the Mayor did not give the required notice to the motion he put to the meeting this contravenes standing order number 9.1 *Electing a Chair and Vice Chair at the Annual Meeting of the Town Council is a statutory requirement;*

"Standing Order 9: Motions to meetings require a written notice to be given to the proper officer. 1, A motion shall relate to the responsibility of the meeting for which it is tabled and any eventual relate to the council's statutory functions, powers, obligations for any issue which affects the council's area and its residents." The election of a Mayor or Chair is not only a statutory requirement but it also affects the Council's area and residents. The motion as such could not be voted on and was therefore invalid.

The Town Clerk – stated that in accordance with Standing Order 10 the Mayor’s motion did not need prior notice to the Clerk, as it related to a matter set out in the agenda. In the Clerk’s opinion the motion and vote were both valid

Cllr Seviour – said he was pleased to have taken the Town Clerk’s advice and there was where he proposed to leave the issue, he dismissed the point of order.

Cllr Johnston – Finally point number 4. Standing Order 5.10 was contravened. It states that: “*following the election of a Chair for the Council and a Vice Chair if there is one of the Council, at the Council’s annual meeting, the business shall include . . .*” there follows a long list of items but as no Chair or Vice Chair was elected, the Council contravened this standing order by conducting the business. That concludes my point and you may or may not want to comment.

The Town Clerk – drew attention to his advice to councillors issued that day and on numerous occasions previously, namely: that the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 permits the Council to determine when the appointment of Chair and Vice Chair is held and it provides for the continuation in office of the existing Chair until that time. Therefore, it was lawful for the Council to postpone the decision and lawful for the incumbent Mayor to continue in the Chair and to conduct the business. The Council had previously decided to postpone the Mayor-making until the earliest opportunity when the public could be physically present. This remains the formal position of the Council

Cllr Seviour – said he was content that he Council had acted lawfully and the previous decisions were valid – he dismissed the point of order.

Cllr Edge – said that all the points Cllr Johnston has raised would be perfectly valid in a normal year but we agreed, because of the exceptional circumstances, we would defer the appointment of Mayor and Deputy Mayor until we can convene a public meeting and conduct the process with the traditional ceremony as we always have done.

Cllr Seviour – told the meeting that he felt this ongoing dispute was concluded and that the Council should now move on.

Town Clerk – apologised to the meeting and to Cllr Johnston for the tone of his remarks, he said this had been unprofessional of him and he was sorry for any offence caused. In mitigation, he explained that the unceasing criticism had affected him more than he had expected. He repeated that he was feeling intimidated and bullied. He believed his position was being systematically undermined but that he was not inclined to quit his role, rather he would stand up and challenge such behaviours regardless of the personal consequences.

The Town Clerk left the meeting to regain his composure before returning

MEETING of WILTON TOWN COUNCIL

Cllr Seviour in the Chair

Community Engagement session

No matters were raised under this heading

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Councillor Pauline Church gave her report to the Town Council

- *Volunteer Groups* – She reported that these groups had worked very hard to support their communities for the past two months. Their help and service has been amazing and she hoped that this would continue into the future.

- *Well Being Hub* – Alongside the volunteers, Wiltshire Council's Well Being Hub has now reduced its hours in response to decreased demand. She wanted to thank the Town Clerk and all involved their work has been incredible.
- *Wilton Parkway* – no further updates but by way of a reminder, Wiltshire Council has accepted the new government Restoring Your Railway Fund. Expressions of interest have been in and been approved and schemes up and down the country accepted, Devizes Parkway being one of them. We are now waiting for Wilton and Corsham to bid for the more substantial fund. Wilton is much further forward in the process than Corsham and we're waiting for the accelerated proposals fund to come forward which has to be submitted by our local MP and John Glenn is very supportive.
- *Crossing on A36* – There is a commitment to install a crossing on the A36 which is covered by a agreement within the section 106. The developer is looking for a contractor to do the work and is working with Highways England. In March, before the lockdown, Wiltshire Council was advised that the agreement was close to being signed. In the meantime, Wiltshire's legal team have begun proceedings with Redrow over a breach of contract and they have four months from 11th March to remedy the situation.
- *New Cut roundabout* – this is now complete.
- *Silver Street road works* – the opportunity to carry out drain clearance from four corners to Wilton House. This hasn't been done since Victorian times. As well as new inspection hatches the engineer has installed new ducting so that the traffic lights can be moved to the other side of the pinch point. The work is almost complete and the road could re-open this coming Friday or Saturday. There is still some drainage works to be done but this will happen at a later date.
- *A30/A36 Roundabout* – Wiltshire Council have at last agreed to tidy this up.
- *Speeding on the Avenue* – She has asked Wiltshire Police to arrange mobile speed checks there and there have been some successful prosecutions.
- *Supporting Local Businesses* – Wiltshire Council has been supporting local businesses and have introduced temporary pavement licences today to promote a café culture.
- *Cycle and walking friendly streets* – a new fund has been set up to encourage development of cycle and pedestrian usage in market towns and this should probably be referred to the appropriate committee.
- *New Cabinet position* – Cllr Church told the meeting that she has been appointed as Cabinet member for Finance, Procurement and Commercial Investment.

Cllr Seviour – would also like to add his thanks to the volunteers who have been working through the lockdown to help so many local people. The scheme was the envy of many local authorities.

Questions for Cllr Church

Cllr Matthews – said that there had been reports of county authorities likely to go bankrupt. Was Wiltshire Council likely to be one of them?

Cllr Church – There was another tranche of funding announced last week and we anticipate that we should get a substantial amount. This would protect Wiltshire for this financial year.

Cllr Edge – gave his congratulations to Cllr Church for her new position. He mentioned speeding on the Avenue and efforts to get a SID installed there a couple of years ago. He asked if it were possible to retrieve the data collected by a metro count some five or six years ago. It had showed that average speeds were over 40 mph.

On another matter he has been contacted by the owner of the Tinkerbell garage on the A30 who said that there he has seen a 65% drop in custom at his garage owing to the diversions put in place because of the drainage works in Wilton. He had been told by Atkins that it was a Wilton Town Council initiative. He was had told the proprietor that it was a Wiltshire Council operation and wanted that fact made clear.

Cllr Church – said that she would try and get the former metro count. Regarding Tinkerbell garage she confirmed that the work in Wilton was a Wiltshire Council operation. She asked Cllr Edge to refer the garage owner to her and she would see if there was any support available for his situation.

Cllr Edge – said he had passed on both Cllr Church's and Cllr Wayman's detail to the garage owner.

Cllr Batchelder – offered his congratulations to Cllr Church. He asked about the archaeological investigation of part of the drainage works outside Wilton House and asked if this were likely to cause any delays.
Cllr Church – told the meeting that she did not believe this discovery would delay the works.

Cllr Matthews – Asked Councillor Church to comment on the application by Naish Felts to demolish the former coach works in and the strengthening/straightening of the bridge in North Street.

Cllr Church – told the meeting that Naish Felts have been granted planning consent to build a new factory at High Post. As you are aware, the application to build 61 houses on the Felt Mill's site in Wilton dates back to 2003. If it were to lapse, there is little likelihood that another application for a similar development on the site would be granted because of updated regulations about building on flood zones. The planning officer is waiting for details from the Highways Department before going forward.

AGENDA

50/20 Apologies

Cllr Glyde offered his apologies owing to a previous engagement.

Resolved: to accept his apology.

51/20 Minutes of the March Full Council Meeting and the Extraordinary Council Meeting

Resolved: That [the minutes of the Full Council Meeting held on March 26th 2020](#) be approved as a correct record and signed by the Chairman.

52/20 Declarations of Interest

- a. None were offered.
- b. Dispensation requests – none had been submitted

Resolved: to note

53/20 Chairman's Announcements

Last year the Mayoral Appeal was for Wilton Primary School to build an outside learning area on the site of the former swimming pool. Whilst fundraising has been disrupted by the Covid pandemic, it is hoped that the work can be completed over the summer holiday break. The work in total is likely to cost some between £50,000 and £60,000 and this donation of £2,500 from the Mayoral Appeal.

Cllr Edge suggested that Cllr Seviour approach Wilton Rotary for a donation and also the Men's Shed.

54/20 Community Engagement

No matters had been raised under this heading.

55/20 COVID-19 Update Report and Next Steps for Wilton HELP

The Council considered [the Town Clerk's report](#). The Council had been following government guidance and, as that changes, it had been reviewing the facilities and services that we offer.

Sports Pavilion – it was felt to be premature to re-open it as we have no capacity to decontaminate the hall nor could we supervise activities without additional resources. So we are proposing that this should remain closed for the time being.

Cemetery – Thanks to Cllr Matthews this has continued to operate throughout the Covid period with burials and the scattering of ashes proceeding as normal with no restrictions apart from numbers permitted to attend.

Public Conveniences – we have been able to keep these open with the co-operation of our contractors.

Open Spaces – all of the Town's open spaces have remained open for public to use for exercise.

The tennis courts opened a few weeks ago and are operating effectively.

The play areas opened this past weekend. All the equipment was deep cleaned and there are signs indicating how the equipment should be used.

Street furniture. There is no way this can be realistically cleaned so we have to rely on people following government guidance and signage.

Council Meetings – The National Association of Local Councils continue to advise that we continue with our on-line meetings. The Town Clerk therefore recommended that the Council continue in this way until at least the next cycle and review the situation as the further relaxation of social distancing is announced by the government.

Mayor Making – this has been put on hold until it can be held in the traditional ceremonial way.

Council Offices – these are remaining closed to public visitors for the time being. The Assistant Clerk is working from home and the Town Clerk goes in regularly to pick up correspondence.

COVID-19 Wilton HELP – this was launched in the last week in March. To date, the volunteers had handled 1,882 calls of which 1,775 resulted in a request for assistance. There has been an overwhelming response from the volunteers who have kept it running over the last three months. The Clerk reported that there had been a slow but steady decline in demand for the service. It had dropped from around 20 calls a day to roughly half that number each day but there were still a number of people relying on the service. Over recent weeks operating hours had been reduced; closing first on Sundays and then on Saturdays. The Clerk reported that the service in its present form would close from 17th July but a skeleton service would carry on beyond that date to offer ongoing help to the most vulnerable residents. So it was proposed to continue the service for a further two weeks whilst plans are drawn up for the future.

This Clerk recommended that £1,500 of the Wiltshire Community Foundation grant funding be ear-marked to support Wilton Help and any group that may emerge from the existing scheme.

The Clerk also recommended that the Town Council continues to act as the official sponsor of Wilton HELP and any emerging successor group. This would offer assurance under the Council's volunteering policy and cover under the Council's insurance – as the Council does for other volunteer groups that it promotes.

The Town Clerk recommended that both he and Cllr Crossley, one of the administrators of the scheme, work together with Larissa Tonkin and some of the other volunteers actively involved to running the scheme work to develop a way of taking the scheme forward so that there is a proper legacy and something lasting to go forward.

Finally, financing the scheme generates an enormous amount of work in terms of invoicing and paying volunteers' expenses because each transaction results in three of four jobs but once we move to a simpler system it will be necessary to keep going beyond the 17th July.

The Chairman then put these recommendations to the meeting - carried nem con

Resolved: to adopt all the recommendations in the Covid 19 Update Report.

Cllr Matthews – added details of the burials and cremations that have taken place at the cemetery. He also told the meeting that Wilton was one of the few places that had kept its public lavatories open during the lockdown.

Cllr Church – asked how we are with the funding and what our financial position is.

Town Clerk – The scheme was allocated £10,000 at the start. Of this some £6,500 has been spent which has reimbursed volunteers costs (mainly for shopping). Clients are invoiced and, so far, £3,600 had been received, leaving around £2,400 outstanding. The Council has also received a grant of £2,600 which from the Community Foundation.

Cllr Crossley – agreed with these figures and added that there are still some £500 for shopping trips that have yet to be invoiced.

Cllr Johnston – asked if this information could be presented every month so that we can make sure we're funding it properly.

56/20 Wilton Town Council Policies and Procedures

To note and reconfirm the Council's existing policies and procedures, as set out below:

[Standing Orders](#)

[Scheme of Delegation](#)

[Code of Conduct](#)

[Financial Regulations](#)

[Procurement Policy](#)

[Statement of Internal Control](#)

[Risk Management Policy](#)

[Data Protection Policy](#)

[Equalities](#)

[Dignity at Work](#)

[Grievance](#)

[Disciplinary](#)

[Flexible Working Policy](#)

[Volunteering](#)

[Press and Media Policy](#)

[Mayor Making Procedure](#)

[Community Grants Policy](#)

[Grant Application Form](#)

[Cemetery Policy](#)

[CCTV Policy](#)

[Complaints Policy](#)

[Flag Flying Policy](#)

[Lone Working Policy](#)

[Freedom of Information Policy](#)

[Publication Scheme](#)

[High Consequence Infectious](#)

[Disease Policy](#)

Resolved : to reconfirm these policies and procedures.

57/20 Neighbourhood Plan – Update

The Town Clerk reported that drafting had started. The Introduction and History were now complete and work was continuing.

58/20 Staffing Matters

Over the last month Councillors have been discussing the need to increase the Council's staffing resources. Discussion has focused on the possible employment of:

- Handyperson/grounds person
- Volunteer and events coordinator

The Clerk advised that the provision of additional grounds maintenance and street scene resources were to form part of the Service Delegation and Asset Transfer (SDAT) negotiations with Wiltshire Council. These negotiations were deferred due to Covid 19 but are likely to resume now that lockdown is easing. The Clerk recommends that these matters should stand referred to the Staffing Committee for further consideration.

Resolved: to refer to the Staffing Committee.

(It was agreed to try and work out when the Council's committees could start up again.)

59/20 Looking after the Council's Money

Members noted payments authorised in June. Due to the high volume of additional transactions resulting from COVID-19 volunteer payments and client invoices it had not been possible to complete the bank reconciliation for June or prepare the quarterly budget monitoring report.

Cllr Church – asked how long it was since accounting or bank reconciliation had been done.

Town Clerk – it has not been done in this current financial year so far.

Cllr Church – asked if there was a plan of action within the Council to get that going again.

Town Clerk – there has been problems with the new software that we are using so we have had to ask RBS resolve that. We have also had to set up a purchase ledger from scratch which has involved a great increase in the number of transactions being processed.

Cllr Batchelder – offered his help in this area if it were needed.

60/20 Town Clerk's updates

- **Pavilion:** New radiator has been fitted and the rear yard has been cleared.
- **Castle Meadow:** car park surfacing has been delayed. Japanese Knotweed removal underway – contracted to Wiltshire Wildlife.
- **South Street Car Park:** Planning permission for the Milk Vending Machine had been due for decision on 3rd June, although the Planning Portal had not yet been updated with the decision notice. Cllr Church reported that the Conservation Officer had raised concerns due to the proximity of the Grade II listed Michael Herbert Hall.
- **Minster Street:** The installation of the electricity meter by SSE at the tennis court has been delayed because it is classed as a domestic installation and these are currently on hold. Wildflower turf has been booked for installation in September. Dead tree removed from land adjoining the Shopping Village. Play equipment cleaning ordered though Idverde which has also cleared moss and detritus from under some installations.
- **Public Toilets:** New RADAR lock fitted. New soap and toilet roll dispensers installed
- **Wilton in Bloom Planters:** 6 sponsored planters have been delivered to Wilton Depot ready for installation. Permission to install the planters has been refused by Wiltshire Council because of the Covid 19 pedestrian regulations. Plants are not currently available from Idverde's suppliers and so orders will be placed with Wilton Garden Centre
- **River Wylde Signs:** New signs delivered for installation. Posts have been painted.
- **Speeding on The Avenue** – Wiltshire Council has been asked to undertake a further Metrocount survey in a more suitable location. The SID, which is shared with neighbouring parishes, has proved unreliable and therefore the Clerk recommended the purchase of a new SID which would be entirely under Wilton's control.
- **Wishford Road Play Area** – installation of equipment delayed.
- **Bulbridge Bus Shelter** - shelter damaged by fire, new panels ordered.
- **Flood Barrier** – arrangements in hand for removal
- **Market Place** – Idverde had been unable to source plants for the hanging baskets from their usual suppliers. Wiltshire Council has been asked to consider installing new bike parking as part of its programme to encourage walking and cycling. Carriageway repairs in Minster Street and Kingsbury Square have also been suggested. An application for additional cycle parking has been submitted.
- **Cemetery** – broken bench is to be replaced in the near future.

Cllr Church – proposed that the Town Council purchase the best available SID for use in the Town.

Resolved: to instruct the Town Clerk to proceed with research and purchase of a SID for use in Wilton

Cllr Taylor – asked if a dog bin could be installed by the garages at the top of the Hollows. There was one behind the Men's Shed which was not being used and could be re deployed if a new post was put in place.

Cllr Edge – told the meeting that permission to put a dog bin up there had been granted by Wilton Estate.

Cllr Kinsey – asked if traffic calming roundels could be painted on the road in the Avenue.

Cllr Church – said that the first stage would be to get the metrocount done and follow advice on the best means of traffic calming.

Cllr Matthews – said he was happy to take the hanging baskets in the market place down if Cllr Edge were available to assist. It was agreed to store them behind the Pavilion.

61/20 Date of next meeting

To note that the next meeting will be held on Tuesday 4th August at 7.00pm
– meeting format to be confirmed.

62/20 To close the meeting

There being no further business, the Chairman closed the meeting at 8.25pm

Equality Statement

In the exercise of their responsibilities, Wilton Town Councillors have committed to uphold the Code of Conduct and to have full regard of the following in decision making:

- Equal Opportunities (age, race, gender, sexual orientation, marital status and any disability)
- Data Protection(GDPR)
- Health & Safety
- Human Rights.