

MINUTES of a MEETING of WILTON TOWN COUNCIL held online on: TUESDAY 1st September 2020 at 7.00pm

Joining the Meeting online

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 Claire Churchill, Adam Cook, BK, Elizabeth, Claire Forbes, Graham, Ivan Hagan, Richard Hayes, Michael Latimore, Mark Bastick, Gail Moore, Russell Mouland, R Small, Susan, Larissa Tonkin, Sue van Leest, Corinne Whiloch, Rosemary Wye & John Wyeth.

MAYOR MAKING 2020/2021

81/20 To elect a chair to Mayor preside over the Election of Mayor

Cllr Edge was proposed. As there were no other nominations, he took the chair.

Cllr Edge in the chair,

82/20 To elect the Mayor of Wilton for the year 2020/2021.

(a) The Council has nominated Councillor Andy Kinsey as Mayor for the remainder of the year.

(b) The Mayor will give an address and confirm Acceptance of Office.

Cllr Kinsey thanked the previous Mayor, Cllr Ivan Seviour for all his work and service for Wilton over the eighteen years he has been a Town Councillor.

Cllr Kinsey in the chair

(c) The Mayor of Wilton will appoint his Consort or announce other arrangements.

Cllr Kinsey appointed his wife to be his consort for the duration of his mayoralty. He also told the meeting that he had asked the Rev Mark Wood to be his chaplain. His nominated charities for his Mayoral Appeal would be the Scout Group and for the Camp Site Quest. This is raising money to buy a camp site which the scouts can use since they have lost the use of Great Yews. He gave thanks to his predecessor, Ivan Seviour.

83/20 To elect the Deputy Mayor of Wilton for the year 2020/2021.

(a) The Council has nominated Councillor Charlotte Blackman for Deputy Mayor.

(b) The Deputy Mayor will give an address and confirm Acceptance of Office.

Cllr Blackman thanked councillors for their support and undertook to support Cllr Kinsey during his term of office

CLOSE OF MAYOR MAKING

MEETING OF WILTON TOWN COUNCIL

Cllr Johnston requested that the meeting be recorded.

Community engagement

Cllr Edge – told the meeting that Larissa Tonkin had sent emails to Councillors and asked for these to be considered at this meeting so perhaps these could be heard at this point.

Cllr Kinsey – suggested that since the emails covered a lot of ground it might be better to hold a special meeting with Councillors and members of the Covid Group.

Cllr Edge – said that there were a number of issues in addition to the future of the Covid Group. There was the question of harassment that has been made against Cllr Johnston and we need to know what the result of the PAL meeting and when the actual disciplinary proceedings are going to take place.

Cllr Kinsey – said that Cllr Seviour had told him that he had not received any complaints.

Cllr Edge – told the meeting that it was recorded in the minutes of the Town Council meeting of August 4th that: “*Cllr Johnston said:- “. . . I have now been officially accused of bullying and harassment by the Town Clerk.”*” We need to take action on that Mr Chairman.

Cllr Kinsey – asked the Clerk for his advice on how to proceed.

The Clerk – told the Mayor that it would not be appropriate for him to offer advice on a complaint made by him against a councillor. My advice to the Council if it wants to investigate this matter properly would be to seek some external advice. However you will all know that I have resigned because I find it absolutely intolerable to work in the conditions that I have been expected to work in for the past six months.

Larissa Tonkin – told the meeting that she had raised concerns in her emails of 28th August. She asked what plans Wilton Town Council had to deal with a predicted second spike of Coronavirus infections and how it will support the health system with the departure of the Town Clerk. Wilton has agreed to support this and yet with no discussion the system we are being told it will be mothballed. The Clerk has supported this seven days a week well beyond his paid role with good will and great energy and Wilton has become so much stronger as a result. This will not be supported in the same way by a locum clerk and I don’t imagine the Town Council has the appetite to pay for the hours that were put in and not paid for.

A Covid plan doesn’t just happen it needs to be planned for and put in place now. She asked how the Town Council was going to go on supporting Wilton in the event of a further peak with day to day help and support for local businesses. She said she was very worried that there have been resignations from three councillors and we are very clear as to why we have lost the Clerk. She wanted to know how the Council was going to manage that and what plans there are to change the situation. How the Town Council is meeting compliance needs. She wanted to know how the Council was responding to the fact that the Clerk has been under significant stress and has experienced accusations of bullying. She said she had listened to six month’s of Council meetings and had listened to some of the comments made by specific councillors who seemed to be linked to the bullying end. Actually it is not just the Clerk who has found that difficult. She said that she was devastated that you are losing your Clerk rather than address the matter appropriately and the Town Council owes the people of Wilton an apology because this has affected our ability to move on as a town This attitude has affected the town negatively because of either inaction or intentional ignoring. She was really distressed that the council, after all the work and dedication by those of us who have worked with Wilton Help, hadn’t told us about mothballing it.

Councillor Pauline Church gave her report to the Town Council

- *Wilton Parkway* – the deadline for next available bidding round, the accelerated proposals fund, is November 2020. She has discussions with Richard Johnston and Paul Gamble to work out a strategy based on the successful Devizes bid. In the light of the government’s new focus on railways and the change in the application process we need to refresh our Atkins study and reflect a more creative and economically relevant proposition. So she is working closely with the Devizes team to join up with the way that they got a successful result. A new working party will be set up to move that forward so it will be all systems go to meet the deadline.
- *Outstanding works at Redrow* – disappointing progress regarding the section 106 legal work situation due to the holiday season in August but we’re now back on track. I plan to hold a Zoom meeting in with Our Enterprise, which runs the Veterans Centre, Redrow and Wiltshire Council for

the benefit of Wilton Hill and Erskine Park residents so that they can be updated on the progress so far. This will be some time in October.

- *Covid 19 Situation* – In South Wiltshire the focus has been on returning children to school. We have also been working on the People Friendly Streets of Salisbury which has been pushed back a month due to the lack of availability of all the highways kit that is needed
- *County budget* – She presented the forecast budget which shows a deficit of £5.9 million by the end of 2021 Our reserves carried forward to the end of 19/20 was £9.5 million so we're going to predict a balanced budget. Budget setting for next year will be key. We expect there to be a reduced base budget due to lack of house building due to Covid and more households will be on our listing of Universal credit which means that they get reduction of their Council tax. The base budget for parishes will be down as will the base budget for Wiltshire Council.

Questions for Cllr Church

Cllr Edge – you said you're meeting with Our Enterprise, RedRow and Wiltshire Council. Our Wilton need to be involved in that are they invited?

Cllr Church – there's no reason why not. It's not an actual meeting its more of an update on things like the roads, the gates, what's happening to the Veterans Centre, the Care Home and things that the residents need an update on. It won't be a face to face meeting but a presentation via Zoom to as many residents as want to attend. There's no reason why Our Wilton can't be involved. It's really about the day to day resolution of those issues that the residents have concerns about.

Cllr Edge – Our Wilton CIC is in partnership with Red Row and Our Enterprise.

Cllr Church – There's just some additional work that Our Enterprise is doing which is having an impact on some of the projects that are operational which is what we're focussing on right now. What we've got to do is get those improvements in place.

Cllr Edge – I'm also pleased to see that you've been able to reduce the deficit. Was that with government help?

Cllr Church – Our ability to reduce the deficit is down to two things, government support of some £29 million and on top of that it's also down to spending controls.

AGENDA

84/20 Apologies

None were offered

85/20 Minutes of the Full Council Meeting held on August 4th 2020

Cllr Johnston proposed that the words "NOTE: These views are not endorsed by Wilton Town Council" after her personal statement be removed. The motion was seconded by Cllr Church. After being put to the vote and defeated by 5 votes to 3 with 1 abstention.

Resolved: that the minutes of the Full Council Meeting held on August 4th 2020 be approved as a correct record without amendment and signed by the Chairman. (*prop Cllr Edge, sec Cllr Batchelder – nem con*)

86/20 Declarations of Interest

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

Resolved: to note

87/20 Community Engagement

Cllr Kinsey told the meeting that we have a complaint regarding the Clerk and I propose to seek advice and then come back to the Council.

Cllr Johnston – I would like to reassure Larissa Tonkin that we will not be losing the general power of competence because we keep that until after the next election when we have to vote on whether we think we meet the requirements.

The second thing is I will deal with some of the remarks made on my alleged behaviour. It has always been the same if anyone believes that a councillor has breached the Council's code of conduct then they can report him or her to the monitoring officer at Wiltshire Council. I have referred myself to the monitoring officer because I want these allegations to be fully investigated. The Office has come back to me saying that they cannot take it any further because they do not have any evidence or details and I can't produce that because I don't know what the substance of the allegations are. I encourage anyone to refer me to the monitoring officer if they think that I have behaved in an inappropriate way. I wholeheartedly agree that the Town Council needs an external organisation to come in and give a thorough review of the council and all its processes.

Cllr Edge – The power of competence is only valid whilst the council has 75% of its members elected and the Council's Clerk is suitably qualified.

Secondly, the Town Council has a very good and robust set of standards which have been introduced over the past few years. It is under those rules that the accusation has been made against Cllr Johnston by the Clerk and so it is for the Council to deal with that. With regards to referring matters to the Monitoring Officer it is a very long drawn out process which invariably ends with the councillor in question receiving a rap on the knuckles. The powers of the monitoring officer are very limited. However, we, as a Town Council, have much more under our Standing Orders and I think we should deal with the matter in house.

Cllr Church – to clarify under the general power of competence is covered by Statutory Instrument number 965 of 2012 which clearly states that the Council shall have the power of competence whilst the council has 75% of its members elected and the Council's Clerk is suitably qualified. However, if the circumstances change, the council will continue to hold the power of competence until the next annual meeting.

Cllr Johnston – said that according to SI 965 the general power of competence would be held until the next election year. So in May 2021 the first meeting after the election the council would be able to vote on whether or not it is eligible to maintain (or otherwise) its power of competence.

Cllr Kinsey – proposed that there be a special meeting of the Town Council to discuss matters raised in Larissa Tonkin's emails. This was carried. **Resolved:** to hold the meeting

88/20 Resignation of Councillor Ivan Seviour

The Council is asked to note the resignation of Councillor Ivan Seviour. Ivan served on Wilton Town Council for 18 years and completed four terms as Mayor with his wife Jane as consort. The vacancy will be notified to the County Returning Officer in due course. **Resolved:** to note

89/20 Resignation of Councillor Batchelder

The Council is asked to note the resignation of Councillor Trevor Batchelder. Trevor served on Wilton Town Council for 18 years and completed three terms as Mayor with his wife Sheila as consort. The vacancy will be notified to the County Returning Officer in due course.

Resolved: to note

Cllr Batchelder agreed to continue to sign cheques until other arrangements are put in place. He has also agreed to continue as key holder for the Pavilion.

90/20 Resignation of Clerk

To note that the Town Clerk, Steve Milton ACIS FSLCC, has tendered his resignation. Steve's contract will end on 26th September but with time off in lieu and leave accrued his final working day will be 11th September.

Cllr Matthews – expressed his thanks to Cllrs Seviour and Batchelder for their work as Town Councillors over the years. He also told the meeting of his appreciation and thanks for the work of the Town Clerk. He added that it had been suggested that the Clerk may sue the Town Council for constructive dismissal. If this is so, and judgement is in favour of the Clerk, it could cost the Town Council a six figure sum.

Town Clerk – would like to re-assure the people of Wilton that he would not be seeking to sue the Town Council for constructive dismissal.

Cllr Batchelder – gave thanks to all the Councillors for their support in the past. It has given him great satisfaction to serve the community. He leaves with a heavy heart but after careful consideration has decided that health factors have led him to this conclusion. He was also gave thanks to the Council's administrative team. He was very sorry to see the Clerk leaving and gave very warm wishes to the remaining councillors and hoped that current problems are sorted out.

Cllr Edge – gave his thanks and appreciation to the retiring councillors and said that this had been a very convivial council until recently. He was particularly sorry to see the Clerk leaving and wished him well.

91/20 Annual Town Meeting

To note that the requirement to hold an annual town meeting has been suspended by the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020). The requirement will apply again in 2021.

Resolved: to note

92/20 General Power of Competence

Part 1 of the Localism Act 2011, gives eligible councils, "the power to do anything that individuals generally may do." It is a 'power of 'first resort' for 'qualifying' councils, enabling them lawfully to undertake activities that may have previously required specific legal authority. This is known as the general power of competence. To be eligible, a council must:

- It must pass a resolution at a meeting of the council that the criteria have been met.
- Two thirds of the councillors must have been elected at the last ordinary election at the time of the resolution.
- Have a qualified clerk. The clerk must hold one of the prescribed qualifications – CILCA, a sector specific Certificate of Higher Education or the first level of a foundation degree in Community Governance.

The Council is now required to confirm its eligibility by formal resolution.

Clerk – told the meeting that the statements made by Cllrs Church and Johnston were correct. The council will not lose its power of competence when I leave. This will remain in place for the rest of the year. So the council will need to take a vote tonight to confirm it eligibility.

The motion "to confirm Wilton Town Council's eligibility to lawfully undertake matters with a General Power of Competence." - prop: Cllr Church, sec Cllr Crossley.

Cllr Edge – asked that vote be recorded.

In favour - Cllrs Blackman, Church, Crossley , Matthews and Taylor (5)

Against - Cllr Edge (1)

Abstained - Cllr Johnston (1)

The motion was carried.

93/20 COVID-19 Wilton HELP Volunteers

The Council took the decision to scale back the Covid-19 Response on 17th July. Since that time, support has continued on a reactive basis only. The number of requests has dropped to under 10 per week. The Council has maintained its call centre subscription in case there is a resurgence, but it is felt that this can now be dropped back to a minimal level. It is proposed to mothball the service

completely from the end of September. Members have previously agreed to thank the 58 volunteers who helped out during the pandemic with a celebratory event. Regretfully, until public gatherings are permitted this must be kept on hold.

It was agreed to discuss this item at a special meeting on Tuesday 8th September.

94/20 Planning Applications Received

To consider the following planning applications

(a) **20/05899/LBC:** Conversion of Two Existing Outbuildings to Form Boiler/Plant Room - 32 King Street, for Salisbury Almshouse & Welfare Charities **Resolved** : to support

(b) **20/05986/FUL & 20/06718/LBC:** Single storey rear extension, internal first floor alterations to create new en-suite and associated works - Ditchampton House, 29 Shaftesbury Road **Resolved** : to support

(c) **20/05989/FUL:** Erection of detached dwelling with garage parking - Land Adjacent Church Court, Crow Lane **Resolved** : Not to support

(d) **20/05242/FUL:** Insertion of window at first floor level - 22 Bulbridge Barns, Bulbridge Farm, Burcombe. **Resolved** : to support

(e) **20/06543/TPO:** Holm Oak tree - reduce crown by up to 2.5m from extremities - to manage tree size in proximity to property - 3 Kings Gate, Wilton **Resolved** : to support

(f) **20/06475/FUL:** Proposed single-story rear extension to infill between existing extension and the property boundary - 87 North Street **Resolved** : to support

95/20 Date of Next Meeting To note that the next meeting will be held on Tuesday 6th October at 7.00pm – meeting format to be confirmed.

96/20 To close the meeting

There being no further business, the Chairman closed the meeting at 7.52pm

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.