

**MINUTES OF THE MEETING OF OAKHAM TOWN COUNCIL HELD ON
WEDNESDAY SEPTEMBER 13TH 2017 AT THE OFFICES OF OAKHAM TOWN
COUNCIL, VICTORIA HALL, 39, HIGH STREET, OAKHAM**

PRESENT:

Cllrs, Michael Haley (Chair), Peter Ind, Anne Skipworth, Martin Brookes, Adam Lowe, Joyce Lucas BEM, David Romney, Sally-Anne Wadsworth, Paul Buxton

ABSENT: None

4 members of the public were also present

Cllr Oliver Bird (RCC) was invited to speak by the Chairman on Agenda items 13 and 15

481/17 APOLOGIES - Standing Order 1(u)

None

482/17 DECLARATIONS OF INTEREST

- (i) No Disclosable Pecuniary Interests were declared
- (ii) Cllr Wadsworth declared an interest in items 16 and 22. Cllr Wadsworth stated she would take part in discussions and any vote
- (iii) Cllr Skipworth declared an interest in item 15. Cllr Skipworth stated she would take part in discussions and any vote
- (iv) Cllr Haley declared an interest in item 27. Cllr Haley stated he would take part in discussions and any vote

It was then proposed by Cllr Brookes, seconded by Cllr Romney to alter the order of business so that Item 27 on the Agenda would be considered next. This motion fell with 2 votes for, 4 against and 3 abstentions

483/17 MINUTES (Appendix A)

- (i) It was proposed by Cllr Romney, seconded by Cllr Wadsworth and unanimously resolved that the minutes of the meeting held on Wednesday 9th August 2017 were adopted as a true and accurate record

484/17 CHAIRMAN AND MEMBER'S REPORTS

- (i) Cllr Lucas, tabled a report on her attendance at a Oakham In Bloom meeting
- (ii) Cllr Ind gave a verbal report on his attendance along with the Chairman at a meeting with Rutland County Council

Cllr Brookes asked that the paragraph concerning the Chief Constable be retracted from the Chairman's report. The Chairman refused

485/17 COUNCILLOR'S QUESTIONS

One question was asked by Cllr Brookes and was answered by the Chairman without discussion

Cllr Lowe raised the fact that Cllr Brookes was not observing the recording protocol by refusing to place his recording equipment on the designated table as is required by Council policy

486/17 CLERK'S REPORT – For information only

Play Inspection

An inspection of the three parks took place today. Once the office has received this report, members will be sent a copy.

Work has been carried out to the pour around the 5 Bay Contact Swing at Royce's.

With reference to the Supernova replacement pour, the Clerk has arranged to meet with the Area Sales Manager of Wicksteed, for a quotation for remedial works and for the complete surfacing area. Once this is received, I will bring back to Council

Floral Displays

Planters will be collected on 20th September 2017

Correspondence

I have received a communication from a member of the public which I will read out when the item comes up

487/17 DEPUTATIONS BY THE PUBLIC

None

488/17 WORKING GROUPS AND STEERING GROUPS STRATEGY

(Appendices Bi –Biv)

Members noted the reports.

It was then proposed by Cllr Lowe, seconded by Cllr Lucas and unanimously resolved to authorise expenditure on the PPWG report of up to £400

Cllr Brookes thanked Cllr Wadsworth for her hard work on organising the park events

Following comments made by Cllr Brookes aimed at the Chairman, the Chairman responded by reading 2 of Cllr Brookes recent allegations concerning his behaviour and telling lies to the Council:

Allegation: *I am told the chairman wants to speak to OTC members about the (Neighbourhood) plan main due to your lack of reporting to council. He feels public deputations is the only chance.*

Response from the NPSG Chairman:

Neither of these statements are true.

I know that you report to the Council though the meeting schedule and I also know that there are other ways to address the Town Council other than by public deputations!

Allegation: *(conduct complaint) At the last council meeting Cllr Michael Haley lied and treated me with no respect both serious breaches of the code of conduct and the nolan principles*

I am not sure Cllr Haley can ever be honest in a council meeting.

During the meeting Cllr Haley distributed a report detailing events and activities carried out by the Neighbour Plan Steering Group. This is a rolling report, the latest can be found here:

<http://oakhamtowncouncil.gov.uk/wp-content/uploads/2017/01/Item-8-Appendix-Di-Neighbourhood-Plan-Steering-Group.pdf>

I noticed a Person named Lewis had been paid £40

I attempted to ask Cllr Haley why this expenditure had not been approved by full council because a working group cannot spend any money without prior consent of the council. Cllr Haley was very rude and disrespectful and gave a dishonest reply. He said the payment did not need to be approved by council and accused me of attacking the working group.

At next week's meeting members are being asked to approve the £40 payments and what looks like additional travel costs not listed in the report but written on a receipt provided for council.

<http://oakhamtowncouncil.gov.uk/wp-content/uploads/2017/01/Item-19-Appendix-O-Reimbursement-of-Expenses.pdf>

The meeting was recorded and is available at my YouTube account

Response: *the NPSG action plan (Council's resolved means of reporting WG progress) shows £40.00 in the resource column. It does not state that this has been paid and the SG member has not yet been reimbursed. The recording clearly shows that the Chairman stated that the member of the SG paid for the event out of her own pocket and that it would be coming to the September meeting (it is on the agenda). The recording also shows that the Chairman was not rude or disrespectful in any of his replies and does not accuse Cllr Brookes of attacking the SG.*

The member of the Steering Group referred to has e-mailed:

We discussed my going on the course at a SG meeting in June, I think. It was specifically designed for people working on NPs. I felt someone ought to attend this and managed to make arrangements quite late in the day so that I could attend. When I applied to go on the course, which Liz had notified us of and which took place on July 10th, I was told by Rebecca Breakwell of NACRE that the fee of £40 had to be paid by the next day, the deadline for membership. This I paid electronically through my bank and attended the course in Rothwell accordingly.

After this, I then asked if I could be reimbursed and was told that it would have to be cleared by the SG and the TC. I then put in my paperwork and the claim to Allison - not sure when exactly - end of July? - but not in time for any TC meeting until the one on September 13th. Allison told me that the claim would be dealt with at that meeting.

Does that make it clear? I cannot see why on earth the matter is any of his concern. Why would you or anyone else on the SG lie about anything? There was no time in advance of the course to obtain the money from the TC to pay for the course.

Cllr Brookes responded by calling the Chairman a bully

489/17 POPPIES ON LAMPOSTS (Appendix E)

It was proposed by Cllr Skipworth, seconded by Cllr Romney and unanimously resolved that The Council agrees to support the scheme and obtain 15 Poppies and approves the £45 expenditure

490/17 WWI COMMEMORATION EVENT (Appendix F)

It was proposed by Cllr Ind, seconded by Cllr Buxton and resolved with 8 votes for and 1 against by Cllr Brookes that the Council earmarks a contribution in the 2018/19 budget the sum of £2K for this event

491/17 FREEMAN (Appendix G)

- (i) It was proposed by Cllr Lowe, seconded by Cllr Haley and unanimously resolved that the Council agree to bestow the honour of the Freeman of the Town upon Sir Laurence Howard
- (ii) It was proposed by Cllr Skipworth, seconded by Cllr Haley and unanimously resolved that the Council set up a working group consisting of Cllrs Lowe, Ind and the Clerk

- (iii) It was proposed by Cllr Haley, seconded by Cllr Skipworth and unanimously resolved to approve a budget of up to £500

492/17 REQUEST TO USE CUTTS CLOSE

It was proposed by Cllr Romney, seconded by Wadsworth and unanimously resolved to grant permission to Circus Vladimir to hire Cutts Close at a rate of £115.00 per night under the Councils usual conditions

493/17 PARKING REVIEW – SCHEME PROPOSAL FORM (*Appendix I*)

Before discussions took place it was noted by members that the form contained an error. Cllr Bird confirmed that the form was for administrative purposes only and had no legal standing.

- (i) It was proposed by Cllr Haley, seconded by Cllr Romney and resolved with 7 votes for, 1 against and 1 abstention to support the proposal from the Longhurst Group regarding a residents parking scheme waiting restrictions in Derwent Drive
- (ii) Cllr Lowe proposed that the Council support the above proposal with a financial contribution. There was no seconder, therefore this motion fell
- (iii) It was proposed by Cllr Romney, seconded by Cllr Ind and resolved with 8 votes for and 1 against that the Council would not be willing to make a financial contribution

Cllr Lucas left the room and returned

494/17 AMENDMENT TO STANDING ORDERS (*Appendix J*)

- (i) It was proposed by Cllr Romney, seconded by Cllr Brookes to suspend Standing Order 6 (e, r). This motion fell with 4 votes for and 5 against
- (ii) It was proposed by Cllr Brookes, seconded by Cllr Skipworth that this item is deferred so the Council can seek legal advice. This motion fell with 4 votes for and 5 against
- (iii) It was proposed by Cllr Lowe, seconded by Cllr Skipworth and resolved with 8 votes for and 1 against to go through each recommendation

- (i) Page 5 (Meetings, section s) - delete *supported by two other councillors* and replace with supported by a majority vote of councillors present
Proposed by Cllr Ind, seconded by Cllr Haley to accept
Resolved with 7 votes for and 2 abstentions
- (ii) Page 6 (Meetings, section t vi) - add and actions required
Proposed by Cllr Lowe, seconded by Cllr Ind to accept
Resolved with 8 votes for and 1 against
- (iii) Page 10 (Proper Officer, section (a)) - delete *by the Council to undertake the work of the Proper Officer* and replace with by the Chairman to undertake such work as is necessary. Delete last two sentences
Proposed by Cllr Haley, seconded by Cllr Ind to accept
This motion fell with 3 votes for and 6 against. Therefore it remains unchanged
- (iv) Page 11 (Proper Officer, section (b) xviii) - delete *and Parks*
Proposed by Cllr Haley seconded by Cllr Wadsworth to accept
Unanimously resolved
- (v) Page 15 (Rules of Debate, section e) - delete third sentence and replace with The contributions or speeches by a Councillor shall relate only to the motion under discussion and shall not exceed 3 minutes without the consent of the Chairman of the meeting. Councillors will be allowed to speak once only during each item of

business, except by invitation of the Chairman in order to clarify a point previously made.

Proposed by Cllr Lowe, seconded by Cllr Lucas to accept

Resolved with 7 votes for, 1 against and 1 abstention

- (vi) Page 17 (Rules of Debate, section r) - *delete entire section* (now subsumed within section e as amended/expanded above)

Proposed by Cllr Haley, seconded by Cllr Ind to accept

Resolved with 8 votes for and 1 against

- (vii) Page 17 - sections *s* and *t* to be re-lettered *r* and *s* to take account of previous change

Proposed by Cllr Lowe, seconded by Cllr Ind to accept

Resolved with 8 votes for and 1 abstention

- (viii) Page 20 (Disorderly Conduct, section d) - delete *may take such further steps as may reasonably be necessary to enforce it and/or he may adjourn the meeting* and replace with *will adjourn the meeting and may reconvene it at an appropriate venue*

Proposed by Cllr Skipworth, seconded by Cllr Buxton to accept

Resolved with 8 votes for and 1 against

- (ix) Page 29 (Delegation of Functions, section a) - delete *and Parks*

Proposed by Cllr Lowe seconded by Cllr Skipworth to accept

Unanimously resolved

- (x) Page 29 (Delegation of Functions, section b) - delete *Sub-committee* and replace with *Committee*

Proposed by Cllr Haley seconded by Cllr Lowe to accept

Unanimously resolved

- (xi) Page 30 (Delegation of Functions, section c) (i)- insert in the opinion of the Staffing Committee it appears

Proposed by Cllr Ind, seconded by Cllr Haley to accept

Resolved with 8 votes for and 1 abstention

- (xii) Page 30 (Delegation of Functions, section c) (iv) insert specific

Proposed by Cllr Haley seconded by Cllr Ind to accept

Unanimously resolved

- (xiii) Page 30 (Delegation of Functions, section c) (vi) insert by means of reports to Full Council

Proposed by Cllr Skipworth seconded by Cllr Ind to accept

Unanimously resolved

- (xiv) Page 30 (Delegation of Functions, section c) add (vii) these delegated powers shall also apply to all staff related issues

Proposed by Cllr Ind, seconded by Cllr Haley to accept

Resolved with 5 votes for, 3 against and 1 abstention

- (xv) Page 33/34 add 35 e-mail Accounts

a. All Council business electronic mail between the Clerk's office and Councillors will be made via Council provided e-mail addresses. An electronic copy of all correspondence to be maintained by Council.

b. These e-mail addresses are only to be used for Council business. E-mails are open to scrutiny and possible FOI requests.

- c. E-mail will not be used to debate any Council business that should come before Council or Committee meetings for debate and resolution
 - d. Councillors may wish to continue to contact each other by private e-mail addresses however Council will not accept any responsibility for this traffic or the contents thereof
- Proposed by Cllr Ind, seconded by Cllr Haley to accept
Resolved with 7 votes for and 2 against

It was proposed by Cllr Lucas, seconded by Cllr Wadsworth and unanimously resolved to extend the meeting by 30 minutes to allow for business to be concluded

495/17 WORKING WITH OAKHAM TOWN PARTNERSHIP (Appendix K)

- (i) It was proposed by Cllr Lucas, seconded by Cllr Romney to defer this item. This motion fell with 3 votes for and 6 against
- (ii) It was proposed by Cllr Brookes, seconded it by Cllr Romney and resolved with 5 votes for and 4 against that Council do not accept OTP's invitation for Cllr Haley to become their OTC representative

496/17 CLLR BROOKES – CONDUCT COMPLAINTS (Appendices Li – Lii)

- (i) It was proposed by Cllr Brookes, seconded by Cllr Romney that the formal letter is issued to Cllr Brookes and that the letter is only published on OTC website for 1 month. There was 3 votes for, 3 against, and 3 abstentions. This motion fell with the Chairman using his casting vote
- (ii) It was proposed by Cllr Lowe, seconded by Cllr Haley and resolved with 6 votes for, 1 against and 2 abstentions that the formal letter is only published and not the Decision Notice
- (iii) It was proposed by Cllr Ind, seconded by Cllr Haley that the formal letter is published on OTC website and notice boards. There was 2 votes for, 2 against and 5 abstentions. This was resolved with the Chairman used his casting vote
- (iv) It was proposed by Cllr Haley, seconded by Cllr Lowe and resolved with 8 votes for and 1 against by Cllr Brookes that the Chairman pursues the mechanism for a conciliation process with a consultant recommended by the Monitoring Officer and reports his findings, together with costs, to Council

It was proposed by Cllr Lucas, seconded by Cllr Wadsworth and resolved with 8 votes for and 1 abstention by Cllr Lowe to extend the meeting by 30 minutes to allow for business to be concluded

Cllr Romney left the room and returned

497/17 STATEMENT OF ACCOUNTS (Appendix M)

It was proposed by Cllr Ind, seconded by Cllr Romney and resolved with 8 votes for and 1 abstention to approve the Statement of Accounts – August 2017

498/17 FINANCIAL RESERVES BANKING ACCOUNTS (Appendix N)

Members noted the report

499/17 REIMBURSEMENT OF EXPENSES (Appendix O)

It was proposed by Cllr Skipworth, seconded by Cllr Haley and resolved with 8 votes for and 1 against to authorise a payment of £58 for a course fee and travel expenses

500/17 EXTRAORDINARY MEETING

It was proposed by Cllr Ind, seconded by Cllr Wadsworth and resolved with 4 votes for, 1 against and 4 abstentions to call an Extraordinary meeting for 18th September 2017 to

discuss, the Local Plan Review and the Electoral Review of Rutland. To ensure sufficient notice Agendas were distributed to members

It was proposed by Cllr Brookes to alter the order of business so that each item could be considered individually as an exempt item. There was no seconder so the motion falls

501/17 EXEMPT ITEMS

It was proposed by Cllr Ind, seconded by Cllr Haley and resolved with 6 votes for, 1 against and 2 abstentions to exclude the Press and Public under Section 1 of the Public Bodies (Admissions to Meetings) Act 1960, as amended, during consideration of Items 22, 23, 24 and 25 on the agenda as they concern contractual and confidential matters

The Chairman reminded members that nobody should be recording any part of the meeting during discussion of the following items

502/17 MINUTES (Appendix P)

It was proposed by Cllr Brookes that the supplementary confidential record minute no 458/17 be retracted. There was no seconder so the motion fell.

It proposed by Cllr Ind, seconded by Cllr Lucas and resolved with 6 votes for, 1 against and 2 abstentions to confirm the minutes of the Extraordinary meeting held on Wednesday 19th July 2017

It was proposed by Cllr Lucas, seconded by Cllr Wadsworth and resolved with 6 votes for and 1 against and 2 abstentions to extend the meeting by 30 minutes to allow for business to be concluded

503/17 OCC BUILDING (Appendix Q)

It was proposed by Cllr Romney, seconded by Cllr Wadsworth and resolved with 8 votes for and 1 abstention that Council resolved not to accept the proposed amendments to the Heads of Terms

504/17 CO-OPTION (Appendix R)

It was proposed by Cllr Lowe, seconded by Cllr Wadsworth and resolved with 8 votes for and 1 abstention that Council accepts the recommendations from the co-option interview panel and duly appoints Mrs Jean Denyer and Mr Nick Woodley.

It was proposed by Cllr Haley, seconded by Cllr Romney and unanimously resolved that both the candidates serve on the Oakham South East Ward

505/17 VOTE OF NO CONFIDENCE IN THE CHAIRMAN

It was proposed by Cllr Brookes a vote of no confidence in the Chairman. There was no seconder so this motion fell

There being no further business, the Chairman closed the meeting at 22.11

Signed: _____

**11th October 2017
Chairman**