

Droitwich Spa Town Council

MINUTES of the meeting of Droitwich Spa Town Council held in the Council Chamber, St. Richard's House, Victoria Square, Droitwich Spa on **Monday 24 September 2018** at 6.00pm.

PRESENT: Councillor Mrs C Bowden (Mayor)
Councillor R G Beale
Councillor G R Brookes
Councillor G A Duffy
Councillor L Evans
Councillor Mrs S Harris
Councillor A Humphries
Councillor A H Laird
Councillor W T Moy
Councillor A Roberts
Councillor A M Sinton
Councillor Mrs K Tomalin

APOLOGIES for absence: Councillors S Best, Ms J Bolton, Mrs AJ Hawkins, RJ Morris, RE Murphy and TJ Noyes.

PUBLIC QUESTIONS SESSION

Mr John Armstrong registered the following enquiry through the Town Clerk earlier in the day by email and a response was issued at that time. Mr Armstrong attended at 5.45pm to raise his question directly for further consideration within public participation.

That –“Considering the Neighbourhood Plan comes under the Localism Act 2011 to promote involvement with the public in an open and transparent way. Why are the public being excluded from this agenda item (number17)?”

The Mayor responded that the item is in confidential session because it involves financial and legal matters. Mr Armstrong also raised that financial matters involves public funds. The Town Clerk clarified further that agenda item 17 includes confidential financial & contractual arrangements. There were no further questions submitted for consideration.

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109 DECLARATIONS OF INTERESTS

Councillor WT Moy declared a non-prejudicial interest in Agenda Item 10 – Wychavon District Council New Homes Bonus as the Chairman of the SOBB'S Charity.

110 MINUTES OF THE MEETING OF COUNCIL HELD ON 11 JUNE 2018

RESOLVED That the Minutes of the Meeting of Council held on 11 June 2018 be confirmed as a correct record and signed by the Chairman.

111 MAYOR'S ANNOUNCEMENTS

Councillor Mrs Bowden reported upon recent events that she had attended, including:

- The Mayoral Charity Fund Raising evening on Saturday 22 September. This was a very successful Line Dancing evening held at the Community Hall. The event was very enjoyable, well attended and successfully raised £813.00 towards this year's Mayoral Charities fund.
- The Horticultural Society Annual Flower Show on 27 August which was well supported by the public and had very impressive displays of flowers and fruits & vegetables despite the very hot summer
- The official opening of the Café Delicieux on Queen Street on 18 August.
- The Salt Fest on the 8 September which was very well attended despite changeable weather.
- The official opening of Salwarpe Fete on 18 August which was a very hot day and for which many families attended.
- On 11 September Councillor Mrs Bowden was invited for lunch at Gaudet Luce Golf Club by the Rotary Club and presented a talk to Rotary Club members.

Councillor Mrs Bowden also advised of forthcoming events as follows,

- A further Mayoral Charity fund raising event on 16 November at the Black Pole Inn which will involve a skittles night and fish & chips supper.
- A commemorate plaque unveiling ceremony for Miss Kate Brackley as reported as part of the Community & Amenities Committee agenda from 10 September. The date and arrangements are to be confirmed in due course.

112 TO RECEIVE A BRIEF UPDATE ON POLICING IN DROITWICH SPA

The Chairman welcomed Sergeant Sarah Kent to the meeting. Sergeant Kent reported that due to the start of autumn and darker winter evenings burglaries once again become an issue to be aware of.

Two hand outs were referenced – a poster for the local Neighbourhood Watch and face book link and a wallet sized contact card detailing the West Mercia Police Community Messaging Service. Both initiatives are proving successful to heighten public awareness and help combat crime

Sergeant Kent updated that car key burglary was still prevalent in the Town and appears to target higher value and performance vehicles. Best advice is to keep vehicles garaged where possible and use traditional robust steering or crook lock devices as an additional deterrent measure. Car keys are recommended to be kept out of sight from hallways and front doors in houses but not to be stored overnight in bedrooms. This is on the understanding that criminals may target the interior of houses searching for car keys and it is better to release the keys rather than put personal safety at risk. Additional deterrent measures covered included metal or faraday storage boxes to keep “keyless” entry fobs protected from hacking and to fit tracker devices to vehicles, trailers, motor cycles and quads etc. Positively two males from the Warwickshire area had recently been arrested with one further male remaining as an outstanding arrest for this kind of criminal activity.

For other burglaries Sergeant Kent confirmed that a male had been apprehended and charged for an incident on Coppice Way on 24 August. This successful arrest originated from the diligence of PSCSO Angela Lesley who had followed up partial recognition

of a vehicle type and number plate. With technology support this helped identify the individual who received a 16 week suspended sentence at Court on 27 August. Other successes included an Individual apprehended in a town public house for possession and intent to supply class A drugs. This resulted in a conviction and four and half year custodial sentence with further recovery actions through the Proceeds of Crime Act. On connected matters a cannabis factory had been discovered within a house on Coppice Close.

Sergeant Kent acknowledged the Mayors report regarding Salt Fest on 8 September which had been a busy day with successful engagement with many members of the public. All manner of Police work was covered on the day and Councillor Beale had attended to support with the Neighbourhood Watch campaign.

The recent Malvern Hills and Wychavon District Council Community Safety Awards 2018 Event had recognised PCSO Angela Lesley and the Droitwich Spa West- Safer Neighbourhoods Team. This is a commendable achievement and the Awards Event is open to all partner agencies including the emergency services, health and housing associations.

The Town Clerk made reference to the agenda papers and the accompanying summary of costs attributed to the Spring Meadow public open space area and the illegal occupancy by a Travellers Group between the 10 and 15 June 2018. The Town Clerk differentiated between the costs and explained that £1306.98 related to legal costs and cleaning up of the site from the eviction process, whereas the remaining £12,240.41 was expenditure incurred for upgrading the perimeter boundaries of the Town Council land . The Town Clerk explained that this was a Land Owning Authorities responsibility and as such it is hoped that the measures taken and investment made will sufficiently strengthen and protect the area against similar repeat incidents from happening. It was noted that the article published by the Standard Newspaper on 21 September unfortunately did not present this matter clearly. The Town Clerk thanked Sergeant Kent for her support in handling the Travellers incident which was a difficult experience for everyone involved. Councillor AM Sinton and Councillor Mrs S Harris both proposed a vote of thanks for the Police for their support and thanked the Town Clerks team for their work in resolving these matters.

The Mayor thanked Sergeant Kent for her informative report.

113 HIGH SCHOOL – UPDATE FROM HEAD GIRL AND HEAD BOY

Eluned Perkins, Head Girl and Oliver Sinnassamy, Head Boy were welcomed to the meeting. Eluned and Oliver advised of:

- The sixth form had helped with the circulation & completion of approximately 250 questionnaires for the Neighbourhood Plan Group during July.
- The Annual Charities Week is being arranged to start on 15 October 2018 with three beneficiary recipient charities comprising St Richards Hospice, Help for Refugees and Papyrus.
- An open evening is planned for prospective students giving an opportunity to visit the school campus, speak with existing students and a show case for various activities, groups and displays with stalls in the main building concourse.
- The Deputy Head has reported being pleased with the GCSE and A level results this summer. For GCSE this is the first set of results scored on the new grading system (1 to 9) and “Progress 8” appears to be higher than the National average results.
- Through the summer £1 million has been spent on improving the school heating and lighting amenities and the Amphitheatre project has now been finished.

Councillor Mrs Bowden thanked Eluned and Oliver for reporting upon the activities at the school so well. Eluned was also commended for her work with the sixth formers helping Wychavon District Council to undertake a questionnaire exercise as part of the current People & Places Initiative. Councillor GR Brookes reminded Council that there is an open evening at 6.00pm on 2 October at St Andrews Hotel in Droitwich Spa for the WDC People & Places project.

Councillor AM Sinton thanked Eluned and Oliver and Councillor A Humphries endorsed this including special mention of their help towards the Neighbourhood Plan Group work.

114. YOUTH COUNCIL – UPDATE FROM YOUTH COUNCILLORS

Katie Bowen updated that no meetings had taken place for Youth Council since the recent beginning of the new Academic Year and as such there was not a lot to report at this early stage. During the summer the Droitwich Spa Arts Festival and Chateau Impney Hill Climb events had been very successful and well supported by the Youth Council. The Youth Day on 14 July in St Andrews Square was a particular highlight and had been an excellent showcase event for all kinds of performing arts and talent within the local community youth age groups.

Following completion of the High School amphitheatre Katie reported that plans are being made for an inaugural outdoor cinema event tentatively scheduled for summer 2019. Councillor Mrs Harris suggested that the Youth Council may wish to consider the film – “Mamma Mia 2” as an option for the production as it is one of her favourite movies. Councillor Mrs Bowden thanked Katie for her informative report.

115 TO RECEIVE THE MINUTES OF THE UNDER MENTIONED COMMITTEE MEETINGS

- A) Planning Committee- 2 July 2018
- B) Community & Amenities Meeting -2 July 2018
- C) Planning Committee -30 July 2018.
- D) Resources Committee- 30 July 2018
- E) Planning Committee -10 September 2018
- F) Community & Amenities – 10 September 2018

RESOLVED That the minutes of the Committee Meetings listed be confirmed as a correct record and signed by the Chairman.

116 GENERAL DATA PROTECTION REGULATIONS

The Town Clerk made reference to the General Data Protection Regulation full policy Document which had been adopted by the Town Council on 9 April 2018 in preparation for the new General Data Protection Regulation (GDPR) which replaced the longstanding Data Protection Act in May 2018. The new policy significantly tightens up the rules on privacy and disclosure of personal information. The policy was issued to all Councillors in April 2018 at the point of resolution for adoption

and a further copy provided as an advance agenda component (Agenda Item 9) for the Full Council Meeting 24 September 2018. The Town Clerk explained that any breaches of the GDPR will need to be fully investigated as well as possible referral to the Standards Committee for consideration. The Town Clerk further explained that there had been two incidents regarding GDPR over the past few weeks and one of these was incorporated within an ongoing Standards Complaint case.

The Town Clerk emphasised the importance that all Councillors familiarise themselves with the policy and its responsibilities with particular attention towards emails marked “private and confidential” concerning Town Council business being forwarded on to third parties not within the intended circulation list.

RESOLVED That the General Data Protection Regulation (GDPR) and its related Responsibilities are understood and noted.

117. WYCHAVON DISTRICT COUNCIL NEW HOMES BONUS

The Town Clerk made reference to the circulated details from the Wychavon District Council Supporting Communities Event which took place at the Pershore Civic Centre on 5 July 2018. The information included an explanation of the New Homes Bonus (2018-2021) Community Legacy Grant Scheme. This information was also circulated to all Town Councillors on 6 July 2018. The Town Clerk explained that there will be a two stage competitive bidding process in 2018, 2019 & 2020 which is a different aspect to previous similar schemes. Parish and Town Councils have the opportunity to register up to two applications each year of the scheme. Initial expressions of interest are invited before 23 November 2018 and proposals which align with the overall aims of the fund and meet criteria will be invited to submit a full detailed application by 18 January 2019. Members were asked to consider suitable innovative and ambitious capital projects that create a lasting community legacy in order to accord with the expressions of interest and full application timescales.

Councillor WT Moy provisionally requested that the SOBB’S, Lido Park outline planning application project be considered as a possible recipient to benefit from this scheme. The Town Clerk noted this request and suggested that further consideration be made towards additional suitable projects. The Town Clerk also suggested that there was an opportunity at the forthcoming Resources Committee Meeting on 15 October 2018 to consider the New Homes Bonus options further.

RESOLVED That the Wychavon District Council, New Homes Bonus – Community Legacy Grant Scheme details be noted including the expressions of interest & application timescales for the 2018/2019 Municipal Year. Further consideration was noted for the Resources Committee meeting scheduled on 15 October 2018.

118. COUNTY COUNCIL MATTERS

Councillor GR Brookes updated that at this stage there was nothing to report.

119. DISTRICT COUNCIL MATTERS

Councillor Mrs S Harris advised that meetings at Wychavon District Council were currently resuming after the summer and there was nothing significant to report at this stage.

120. WYCHAVON DISTRICT COUNCIL- THE CHAIRMANS DIAMOND
JUBILEE COMMUNITY RECGNITION AWARD 2018/2019

The Town Clerk updated that nominations are now invited to be submitted through the Town Council office for this award no later than Friday 21st December 2018. The Town Clerk also advised that two community members names had already been suggested, one each from Councillor Mrs S Harris and Councillor AH Laird.

RESOLVED That the nomination procedure and deadline date for the Wychavon District Council Chairman's, Diamond Jubilee Community Recognition Award 2018/2019 be noted.

121. ACCOUNTS FOR PAYMENT

Creditor Payments were presented to the Council.

RESOLVED That the statement of accounts for payment be received and the expenditure totalling £19,116.96 as now appended be approved and duly passed for payment.

122. TO CONSIDER THE EXCLUSION OF THE PUBLIC AND PRESS BY
PASSING THE FOLLOWING MOTION

To consider that the press and public be now excluded from the meeting under the provision of the Public Bodies (Admission to Meetings) Act 1960 by virtue of the confidential nature of business about to be transacted which involves financial and legal matters.

RESOLVED That the press and public be now excluded from the meeting under provision of the Public Bodies (Admission to Meetings) Act 1960 by virtue of the confidential nature of the business about to be transacted which involves financial and legal matters.

123. NEIGHBOURHOOD PLAN

To consider the private and confidential email summary which originates from the Droitwich Spa Town Council and Wychavon District Council Liaison Meeting on 20 August 2018. The Town Clerk explained that this summary was circulated marked "private & confidential" to all Town Councillors by email on 6 September and presents 5 possible options forward together with 10 associated issues & risks. In addition a further short summary is provided which presents further consideration points which have emerged after the 20 August 2018 Liaison Meeting.

The Town Clerk updated that Councillor RJ Morris had notified apologies for today's meeting earlier that afternoon and as such had requested the attached statement to be circulated in the meeting and read out. The Town Clerk read out the statement received from Councillor Morris [*statement attached*].

Councillor AM Sinton read out the following statement and proposal.

“Madam Mayor and Fellow Councillors

A very wise person once said to me “If you are in a cul-de-sac turn round and get out of it”. Such are my feelings about the stalemate that has been reached with the Neighbourhood Plan for Droitwich Spa. I supported it from the outset but it has become very obvious during the summer months that in its present form it is undeliverable. The reasons for this have been well-documented and have presented very ably by our Town Clerk on your purple sheets so I do not propose to go through them all now. Before I propose the motion I should like to state the following however.

- 1. I am very aware of the amount of work put into the project by a dedicated team of volunteers and trust this will be noted by the new administration after May 2019 when they decide on the next steps.*
- 2. The Council does not wish to apportion blame for the need to implement this decision on any individual or group of individuals.*
- 3. I have not reached the decision to propose this motion lightly. It is the result of discussions with people whose experience and expertise I respect including the M.D. and Leader of Wychavon District Council, the Professional Consultant and our Town Clerk.*
- 4. I am grateful to the Leader of the Opposition for seconding this motion. He has been a loyal member of the NP group and has reluctantly conceded that it is a necessary outcome in the light of the circumstances.*
- 5. I am very concerned by some of the personal animosity that has been evident during recent months. The motion is not motivated by any such factors but by a considered examination of the present situation. I would ask that if the motion is passed it is accepted by all Councillors as a democratic decision.*

Madam Mayor I propose the following:

The Town Council appreciates and is grateful for the time and hard work that the Droitwich Spa Neighbourhood Plan Group have dedicated to the development of a Neighbourhood Plan for the Town. It also notes the following important constraints.

- The time demands imposed by the imminent review of the SWDP. This concern is endorsed by Wychavon District Council.*
- The pressures on staffing and resources within the Town Council. These are having a detrimental impact on the core business and the development of future projects.*
- The emerging costs of the project. It is clear that these will exceed the mandate and budget.*

In view of all these constraints the Town Council recognises that the continuation of the Neighbourhood Plan in its present form is not sustainable. It is therefore proposed,

- 1. That the Neighbourhood Plan project is suspended with immediate effect,*
- 2. That the present Town Council recommends to the new administration from May 2019 that they may consider if they so desire to begin the process of developing a Town Plan for Droitwich Spa.*
- 3. That the Town Clerk should be requested in consultation with the Emergency Committee of the Town Council to renegotiate contract options with the professional NHP Consultant – Mr Peter Hamilton”.*

Councillor A Humphries read out the following statement and seconded the motion.

“Mayor, fellow Councillors, Town Clerk I would like to second the motion proposed by Councillor Sinton here today but I do this with a heavy heart.

This is not because I don’t think this is the right thing to do as, for the reasons Councillor Sinton has put before you, it is. I have a heavy heart on this occasion because, as you all know, I seconded the original motion for the adoption of a Neighbourhood Plan, fully support our town having a Neighbourhood Plan and were than an option before us today that would allow us to have exactly that, I would be supporting it instead.

Councillor Sinton has eloquently laid out the reasons for the motion before the Town Council this evening so I do not propose to go over these again. However, the current model we are following is unsustainable in the short term. Financial costs are now beyond what was anticipated and going up as is the use of staff resources added to the plan not now being able to fit in with the timetable linked to the SWDP.

It may be that the next administration wants to follow this recommendation or they may not – that is there choice as they are not bound by our decision but I feel it is better for them to have the opportunity to make that choice given the recent history of the Neighbourhood Plan.

Service in public office means you are sometimes faced with difficult decisions irrespective of both your personal politics and personal opinions – this is one of those times for me, I feel that, despite what I have previously said to you today, I have to support a motion that is in the best interests of the majority of residents of our town both practically and financially”.

***Councillor Alan Humphries (LLB Hons, PDLP)
Leader of the Opposition
Droitwich Spa Town Council***

The Town Clerk explained the importance of maintaining a clear and concise exit strategy to communicate the resolution reached. Namely to inform Mr Jack Hegarty – MD, Wychavon District Council , Mr Peter Hamilton – Consultant, Cass Associates and Councillor RJ Morris & Councillor Mrs A Hawkins in their capacities as nominated Town Council Representatives for the Neighbourhood Plan Group (as well as in their respective positions of Chairman and Vice Chairman of the Neighbourhood Plan Group). This was confirmed to be actioned the following morning [25 September2018].

RESOLVED

1. That the Neighbourhood Plan project is suspended with immediate effect,
2. That the present Town Council recommends to the new administration from May 2019 that they may consider if they so desire to begin the process of developing a Town Plan for Droitwich Spa.
3. That the Town Clerk should be requested in consultation with the Emergency Committee of the Town Council to renegotiate contract options with the professional NHP Consultant – Mr Peter Hamilton.

The meeting ended at 7.20 pm.

Chairman of Council -----
28 January 2019



