

MINUTES OF THE MEETING OF THETFORD TOWN COUNCIL,
HELD IN THE COUNCIL CHAMBER, KING'S HOUSE, THETFORD, ON
WEDNESDAY, 26TH JULY 2011,
STARTING AT 7 P.M. WITH THE OPEN FORUM

Present:

The Mayor, Councillor D G Mortimer, Chairman

Councillors:

Mrs S J Armes
C Clark
Miss C A Fulford
J A Harding
T J Jermy
R G Kybird

Mrs P P Quadling
B J Skull
M G Spencer
Mrs P A Spencer
D W R Sully
S N H Wright

Open Forum

Mr J Snow referred to the Thetford CCTV Group in his capacity as Thetford Business Watch representative. He reported that, following the May 2011 local election, the three Town Council representatives were no longer Councillors. He wondered whether members of the present Council would be interested in involving themselves. Councillors Clark, Fulford and Quadling agreed to have their names put forward.

Mr S Wilson asked for an update on any developments affecting the future of the Red Lion public house. The Mayor confirmed that discussions with a likely future occupant were at a delicate stage and that he could offer no more by way of comment for the time being.

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136/11 DECLARATIONS OF INTEREST

Councillor Mrs S J Armes re-stated for the record her personal interest, as a member of Thetford Garden and Allotment Club, in the proceedings of the Allotments Committee *[as declared under unconfirmed minute 107/11 from that Committee's 13th July 2011 meeting: item 139/11(c) below refers]*.

Councillors Miss C A Fulford and S N H Wright declared personal interests in item 144/11(a) below as members of the Thetford Tourism and Heritage Partnership.

Councillor Mrs P P Quadling declared a prejudicial interest in item 1511/11 owing to her personal situation and was not present for the discussion or vote.

137/11 MINUTES

Council Meeting held on 28th June 2011

Unconfirmed minutes numbered 59/11 to 70/11 inclusive referred.

Afternote: Need to renumber unconfirmed minutes

Following the July 2011 Council meeting, the Town Clerk noticed he had duplicated the numbers assigned to the first five numbers on the June agenda (being 59/11 to 63/11), these having already been assigned to the minutes of the 22nd June 2011 meeting of the Guildhall & Markets Committee meeting (as received at the 28th June meeting).

To get round this problem, the Town Clerk is assigning minute references 64/11A to 64/11F to the following six June agenda items:

64/11A: Declarations of Interest (previously 59/11)

64/11B: Minutes (previously 60/11)

64/11C: Apologies for Absence (previously 61/11)

64/11D: Committee Matters (previously 62/11)

64/11E: Mayor's Remarks and Report (previously 63/11)

***64/11F: Town Council Representatives on Other Bodies
(previously 64/11)***

Therefore, minutes 64/11A to 70/11 inclusive now cover the June 2011 proceedings.

Councillor Mrs S J Armes requested brief officer updates on the following:

1. Reinstatement of the Civic Links Committee [renumbered minute 64/11B now refers]
2. Parish Boundaries [minute 67/11(a) refers]
3. Unauthorised Work on Land Adjacent to Nuns Bridges [minute 67/11(b) refers]

Reinstatement of Civic Links Committee

The Mayor, Councillor D G Mortimer, confirmed that, following a recent informal discussion with the Chairman of Thetford Twinning Association, reinstatement was now proposed.

Parish Boundaries

The Mayor confirmed his acceptance of personal invitations from the two neighbouring Parish Council Chairmen to meet soon for initial, informal discussions. He would be accompanied by the Town Council's Moving Thetford Forward Board representative, Councillor R G Kybird, with no officers to be present.

Unauthorised Work on Land Adjacent to Nuns Bridges

The Town Clerk reported a further meeting earlier in the day with the Council's solicitor, as certain points of detail relating to proven land ownership had yet to be resolved.

RESOLVED that the minutes of the Council Meeting held on 28th June 2011, excepting those items dealt with following the exclusion of press and public [addressed under item 150/11 below], be confirmed as a true record and signed/initialled by the Mayor as Chairman.

Afternote: Renumbered minutes 64/11A to 70/11 inclusive refer.

138/11 APOLOGIES FOR ABSENCE

Apologies were received on behalf of Councillors Mrs B J Canham, D M Crawford and T J Lamb.

139/11 COMMITTEE REPORTS

RESOLVED that the reports of the following meetings be received and adopted, subject to any amendments to the unconfirmed minutes referred to below:

- (a) Planning Committee: 6th July 2011
Minutes 82/11 to 93/11 inclusive referred.
- (b) Amenities Committee: 12th July 2011
Minutes 94/11 to 105/11 inclusive referred.

Amendments agreed:

98/11: Matters Arising - Thetford Town Guide

It should have been noted that a further meeting was imminent.

101/11: Bins, Benches and Seats

The following bin locations should have been referred to, namely:

- (i) Benbow Road (replacement for torched bin)
- (ii) Canons Walk (replacement)

Reference should also have been made to the ongoing discussions with a group of young people over the placement of a memorial bench in memory of a recently deceased friend.

Update provided:

103/11: Surestart Event in Castle Park

The Town Manager reported that this event was not now going ahead.

- (c) Allotments Committee: 13th July 2011
Minutes 106/11 to 113/11 inclusive referred, including four Recommendations under minute 110/11 and one under 112/11.

Amendments agreed:

110/11: Breach of tenancy agreements by tenants

It was agreed that the appeals committee of Councillors, referred to in the Recommendation, should comprise any three non-members of the Allotments Committee.

110/11: Allotment Site Wardens

It was agreed that 'Representative' was a better word than 'Warden' in this context.

Comment passed:

110/11: Roadways at London Road and Mundford Road
Repair of the London Road entrance was agreed to be a priority.

- (d) Cemetery Committee: 13th July 2011
Minutes 114A/11* to 119/11 inclusive referred

**Afternote: The agenda and unconfirmed minutes had 113/11 as the first item. As this was the number assigned to the last item of the Allotments Committee meeting covered under (c) above, the first item (Election of Committee Chairman etc) will be re-numbered 114A/11 in the minute book, with the next item (Declarations of Interest) becoming 114B/11.*

Date of next meeting: Agreed to be 24th August 2011, starting at 3 p.m. in the King's House Council Chamber, but preceded by a Cemetery Tour, starting at 2 p.m.

- (e) Guildhall & Markets Committee: 19th July 2011

[Afternote: On the agenda for this meeting, 124/11 was the number assigned to the 'Date of Next Meeting' item. At the meeting, no date was agreed, so 124/11 has been assigned to the final 'additional item' in the minutes, relating to a business hirer's request for a reduced hire charge], including three Recommendations under minute 123/11(a), one Recommendation under minute 123/11(b) and one Recommendation under minute 124/11.

Amendment agreed (apart from one or two minor re-wordings and presentational changes):

122/11: Minutes

Agreed to be a resolved matter, not a Recommendation.

[Afternote: agenda item 122/11 referred to two meetings of this Committee, namely, 14th June and 22nd June 2011, both sets of minutes having been received by Council on 28th June. Unconfirmed minute 122/11 referred only to the earlier meeting. It is proposed that reference be made to the later meeting as well in the minute book version.]

- (f) Finance Committee: 20th July 2011

Minutes 125/11 to 135/11 inclusive referred, including Recommendations under minutes 128/11, 129/11 130/11, 131/11, 132/11, 133/11, 134/11 and 135/11.

Amendment agreed

133/11: Adoption of a Local Procurement Strategy

It was agreed to add a sentence to the Recommendation: "This would reflect the terms of a Local Procurement Policy to be approved at the next meeting."

Documents annexed hereto

- 2011/12 First Quarter Financial Report (as received under minute 128/11)
- 2011/12 Budget (as adopted under minute 129/11)

140/11 MAYOR'S REMARKS AND REPORT

The Mayor, Councillor D G Mortimer, referred members to the lists of Events Attended and Forthcoming Events, included in the agenda papers.

List of Events Attended:

June

30 Thetford Grammar Junior School Prizegiving

July

3 Lord Mayor & Sheriff of Norwich Annual Civic Service

6 Thetford Business Forum Breakfast

7 Thetford Academy Celebration Evening

8 Dinner with the Vice Commander, Third Air Force, RAF Mildenhall

10 Band Concert, King's House Gardens

12 Leaving Do for Pearl Mumford, Laburnum Grove

13 South West Norfolk District Scouts AGM

14 Thetford Team Ministry Licensing of the Revd Tony Heywood as Team Vicar

15 Opening Abbey Community Carnival

The Chairman of Norfolk County Council Cllr Shelagh Hutson's Summer Reception

17 Walk For Youth

Weeting Steam Rally

21 Meeting with Thetford Twinning Association

23 The Vice Commander, Third Air Force, RAF Mildenhall Fiesta

Events Attended By The Deputy Mayor Councillor Mrs Pauline Quadling

- | | |
|----|--|
| 14 | Thetford Music Project End of Year Concert |
| 15 | Queensway School Opening Carnival/Fete |

141/11 TOWN COUNCIL REPRESENTATIVES ON OTHER BODIES

Moving Thetford Forward Board

Councillor R G Kybird reported on the most recent Board Meeting, which had been held on 14th July 2011. Amongst the items he commented on were the proposed governance changes, which would see a Scrutiny Panel come into existence as an alternative, supervisory body to the existing Board. What was being considered was a 10-person Panel, of whom four would be representatives from the town and parish council sector: two from Thetford Town Council and one each from Croxton Parish Council and Brettenham & Kilverstone Parish Council.

Councillor Miss C A Fulford raised, not for the first time, her continued concern at the unavailability of the Board minutes on the MTF website.

142/11 REPORTS FROM COUNTY COUNCILLORS AND DISTRICT COUNCILLORS

County Councillor Mrs M P Chapman-Allen had nothing to report.

County Councillor M P Brindle commented on Children's Services at some length, referring to the following issues and developments: Academy funding, the settling-in of the new Principal, future youth service provision and a likely far greater reliance on volunteers. In passing, he complimented Cllr Mrs Chapman-Allen for having made a very good case for the funding at an NCC Cabinet meeting.

He went on to speak of the need for potential foster parents to step forward and of there being several school governor vacancies currently.

Turning to health-related matters, he referred to current discussion around Health Service reform and proposals for more local ('local' = at county level) service provision.

His final remarks concerned the 'Southern Cross experience' in Thetford. He was interested in knowing what the experience of local families might have been when dealing with that care home provider.

143/11 REPORTS FROM THE TOWN CLERK AND TOWN MANAGER ON THEIR ATTENDANCE AT ANY EVENTS AND/OR EXTERNAL MEETINGS OF NOTE

Town Clerk

The Town Clerk referred to two meetings he had attended, namely, the 14th July Moving Thetford Forward Board meeting (already referred to by Councillor Kybird under item 141/11 above) and the Breckland Cabinet meeting (also attended by Councillor Kybird), which had taken place earlier that day (26th July). In both cases, the Town Clerk's interest had been in monitoring the progress of the Thetford Area Action Plan. The *Proposed Submission* version of the latter had been a key agenda item at both meetings and both the Board and Cabinet had accepted the contents in almost every particular. The document would be put before the next meeting of Breckland Council on 4th August 2011. If endorsed at that meeting, a six-week period of statutory consultation would be commencing later in August, with Thetford Town Council one of the consultees.

Town Manager

The Town Manager referred to two events attended and provided a match funding update.

The first event was the Thetford Business Forum meeting on 6th July, also attended by the Mayor (and referred to under item 140/11 above).

The second event had taken place the previous week, when she had been one of the officers introduced to the Parliamentary Under-Secretary of State for Communities and Local Government, Baroness Hanham, who had visited the town to see how £37million of European Regional Development Funding had benefited Breckland. The Town Manager's post had initially been supported by ERDF funding.

The match funding update was in respect of the raked seating proposed for the Carnegie Room. Breckland Council would not now be arriving at a final decision before September 2011. From the Town Manager's perspective this was an unexpected and disappointing delay.

144/11 ITEMS REQUESTED BY COUNCILLORS

(a) Thetford Festival Support

Councillor S N H Wright had requested this item, being keen to know the degree to which the Town Council might wish to support the Festival, which would be starting on Friday 26th August and ending on Sunday 4th September.

He reported the Moving Thetford Forward funding contribution of £7.5k and the £500 funding application, submitted to Keystone Development Trust.

The Town Manager confirmed that, whilst it was not intended to charge any venue hire fees, the following events would incur Council staffing costs (always assuming staff availability on the dates in question):

26th and 27th August: *A Midsummer Night's Dream* in King's House Gardens

27th August: *Thetford Food and Drink Festival*, with venues to include the Large and Small Courts.

4th September: *Festival Finale* in King's House Gardens.

RESOLVED that the Town Council cover any staffing costs incurred in the organisation of the above events plus publicity costs (latter amounting to about £120).

(b) Thetford Academy South Site: Future Use

Councillor S N H Wright had requested this item too. There was general agreement that the Town Council should be in the vanguard of any discussions.

After a brief discussion, it was:

RESOLVED that the Town Clerk agree with Councillor Wright the names of those to be invited to an exploratory meeting, convened by the Town Council.

145/11 PARISH POLL UPDATE

The Town Clerk reported that the Returning Officer had confirmed a fee of £5,700 to be incurred in organising and administering the Parish Poll on 9th August 2011.

He intended appending to these minutes for the record a summary of the points he had covered at the Parish Meeting, which had taken place on 11th July and which had resulted in the call for a Poll being made by the requisite number of electors.

In the course of a brief discussion, it was agreed that, whilst the Town Council would not express a view on the Poll question ahead of polling day, it would encourage turnout by publicising the Polling Notice on its website together with additional information relating to electoral roll eligibility. At the nine polling stations themselves, it was hoped that notices could be placed in advance of polling day, reminding electors which Ward or part-Ward(s) were served by which station.

It was also agreed to cover the cost of advertising polling day in *About Thetford*.

(Afternote: There was uncertainty at the meeting about whether the print deadline for that month's issue might have been missed; in the event, it did prove possible to have front-cover prominence given to the Poll.)

RESOLVED that the above points of agreement be acted upon.

ANNEX PAPER TO MINUTE 145/11

Summary of Events leading to the Calling of a Parish Poll on 9th August 2011

In the course of the Open Forum preceding the Council Meeting on 28th June 2011, Mr Stuart Wilson presented a demand from himself and nine other local electors for a Parish Poll on the moving of the bus station.

Once the meeting was underway, the question to be asked in the Poll was considered under an agenda item, already part of that evening's published agenda (item 67/11c referred). This item had been requested by Councillor Carl Clark, who was asking for a show of hands, whereby town councillors could indicate whether they supported the Bus Station being moved to Minstergate/St Nicholas Street. What this show of hands indicated on the evening was that, of the 15 town councillors present, 9 were against a move, 2 were for a move and 4 were abstaining, with the 4 making clear their wish to receive a project update from *Moving Thetford Forward* before committing themselves.

At around this point in the meeting, Mr Wilson passed the Town Clerk a note. This indicated that, in Mr Wilson's view - based on his interpretation of the legislation - the wording of the question to be put to the electorate in the Poll would have to be agreed before the meeting came to an end.

The Town Clerk was by now not at all certain that correct procedure was being followed and it was already his intention to seek expert advice. Nonetheless, as a precaution, he recommended that the Council consider there and then the wording of the question, in case it transpired that everything had, in fact, been in order. The question put by Mr Wilson was supported by 9 of the councillors present, it being worded as follows:

Should the bus station move from the town centre Anchor site to the smaller site between Minstergate and St Nicholas Street?

In the days following the 28th June meeting, the Town Clerk obtained advice from Breckland Council's solicitor, who duly confirmed the following points:

- Firstly, the Open Forum does not form part of a Council Meeting.
- Secondly, meetings of Thetford Town Council are not Parish Meetings.
- Thirdly, demands for Parish Polls can only be made at Parish Meetings¹.

That is why the Mayor then agreed to convene a Parish Meeting on 11th July 2011, the Town Clerk and he having agreed it would be unreasonable in the circumstances to deny Mr Wilson and others an opportunity to demand a Poll by the correct means, especially given the majority support expressed by the Town Council on 28th June to put to the electorate the question proposed by then.

The other factor the Mayor and Town Clerk had to bear in mind was the financial cost of organising a Parish Poll. Whilst the Town Council would not itself be directly involved in organising and administering the Poll (that duty was the District Returning Officer's), the Town Council would, under existing legislation, have to bear the entire cost. Given that charge to the public purse, the Mayor and Town Clerk wanted to be

¹In conformity with legislative provision enshrined in Part III of Schedule 12 of the Local Government Act 1972

absolutely sure that no challenge to the validity of any Poll result could ever be made on purely procedural grounds.

At the Parish Meeting on 11th July, those electors attending were asked to record their names and address details on sheets provided at the door. Over 150 electors were present when Mr Wilson was invited by the Mayor, who presided at the meeting, to make his case for a Poll. The eventual demand presented by Mr Wilson was supported by an overwhelming majority of the electors present. The Mayor and Town Clerk were in no doubt that a valid poll demand had been made. The meeting went on to approve the wording of the subject question. This differed slightly from that voted upon by the Town Council on 28th June, the wording being as follows:

Do you want the bus station to move from its current site at the Anchor to the site on St Nicholas Street?

Following the Parish Meeting, the Town Clerk notified the Returning Officer by means of a letter dated 12th July 2011 of the demand made, providing details of the proposer (Mr Wilson) and the wording of the question.

The Returning Officer announced in due course that Polling Day would be Tuesday, 9th August 2011, with the nine polling stations to open at 4 pm that afternoon and close at 9 pm that evening.

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146/11 POLLING DISTRICTS, POLLING PLACES AND POLLING STATION REVIEW

Copies of a letter addressed to 'Parish Councillors via Parish Clerks' by Breckland Council's Electoral Services Manger, dated 4th July, had been included in the agenda papers.

Given the 'political' aspect of what was set out, it was agreed to be inappropriate for the Council as a corporate body to express a particular view.

RESOLVED that it be left to individual Councillors to consider any response that they or any party they represented might wish to make.

147/11 BRIEFINGS ISSUED BY THE NATIONAL ASSOCIATION OF LOCAL COUNCILS

Copies of the following briefing documents had been included in the agenda papers.

- (a) Chief Executive Briefing, dated 13th July 2011:
Open Public Services White Paper
- (b) Communications Briefing, dated 14th July 2011:
The Queen's Diamond Jubilee Beacons
- (c) Policy Briefing, dated 14th July 2011:
The Localism Bill – Progress So Far
- (d) Legal Briefing, dated 20th July 2011:
The Future of Standards of Conduct of Members of Local Authorities in England - Update

Only (c) prompted comment, the other three being simply noted.

RESOLVED that all the above briefings be noted. As regards the Diamond Jubilee Beacons, it was agreed to commit the Town Council to participation in the Jubilee celebrations. More details would be requested of the Beacon scheme as a preliminary step.

148/11 RENEWAL OF SUBSCRIPTION PAYABLE TO THE NORFOLK ASSOCIATION OF LOCAL COUNCILS

Copies of a letter and attachment received from the Lead Officer of Norfolk ALC, dated 7th July 2011, had been included in the agenda papers, together with a copy of *Norfolk Link Extra – New Councils 2011*.

Although the Town Clerk had suggested on the agenda that this might be a matter for possible referral to the General Purposes Committee, members were keen to resolve things there and then.

When asked his view, the Town Clerk conceded that the benefits of membership locally were not that evident. What membership of the county body did provide was access to information released by the national body

(NALC), four examples of which had been addressed under the previous agenda item. That said, he acknowledged the likely availability of such information from alternative sources. The Town Clerk observed, in conclusion, that, for an officer to advise against continued membership might be considered somewhat presumptuous, given that councillors too were meant to benefit from being part of 'the Norfolk family' of councils.

A vote on continued membership was then called for by the Mayor as Chairman:

RESOLVED, by a strong majority of those present, not to renew Thetford Town Council's membership of The Norfolk Association of Local Councils; payment of the outstanding 2011/12 subscription would not be made.

YOUTH COUNCIL RECESS

Provision had been made on the agenda for The Mayor to call for an adjournment at this point in the meeting. This would have provided members of Thetford Youth Council with an opportunity to comment on proceedings. In the event (owing to holiday arrangements), no member of TYC was present. Nonetheless, it was agreed to include this item on all future Council agendas.

149/11 EXCLUSION OF PRESS AND PUBLIC

RESOLVED that, pursuant to the Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded for the remaining item of business on the grounds that publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be discussed.

150/11 MINUTES

Council Meeting: 28th June 2011 – items addressed following the exclusion of press and public

Unconfirmed Minute 73/11: Guildhall Bar Contract – Performance Review

Councillor Miss C A Fulford pointed to an error in the Payment Breakdown Summary, where the second item (5 events, yielding £372) related to Dad's Army Museum events and not Leaping Hare events. The Town Clerk acknowledged this error and would ensure that the minute book version of that minute presented the true picture.

RESOLVED that, subject to the correction referred to above, minutes 71/11 to 73/11 inclusive be confirmed as a true record and signed/initialled by the Mayor as Chairman.

151/11 COMMITTEE REPORT

RESOLVED that the report of the following meeting be received and adopted:

Personnel Committee: 5th July 2011

Minutes 74/11 to 81/11 inclusive referred, including Recommendations under minutes 78/11, 80/11 and 81/11.

152/11 CEMETERY COMMITTEE RECOMMENDATION

The Town Clerk reported that there was nothing, after all, to report under this item, as he had not yet had an opportunity to bring a recent letter received to the Committee's attention, although he had informed the Mayor of its contents.

Additional Item: Nomination of the Chairman-Elect of the Road Safety Committee

As all members of the Committee were present, it was agreed to have them nominate one of their number as Chairman-Elect. That nominee would then be in a position to attend any meeting of the General Purposes Committee in the event of that being convened before the Road Safety Committee itself had had a chance to meet formally.

Members of the Road Safety Committee agreed to nominate Councillor Mrs P A Spencer as their Chairman.

RESOLVED that the Council note and endorse this nomination.

Chairman