

Frodsham Town Council



Minutes of the meeting of Frodsham Town Council

Held on Tuesday 24 June 2014 at 7.30pm
In the Small Hall, Frodsham Community Centre, Frodsham

Meeting 3

Present: Cllrs Warren (Chair), Wales (Town Mayor), Bondi, Brown, Dawson, Kelly, Oulton, Pusey, Pennington, Redhead, Sutton and Taylor. Mr J Wild (Town Clerk), Mrs A Scriven (Office Manager), Neil Flanagan (PCSO), 1 member of the press and 7 members of the public.

The personal interests of Cllr S L Riley & Cllr a W Dawson on this agenda are noted on the basis that they are both elected members of this Council & CWaC. Cllr Dawson is also a member of the Police & Crime Panel. Cllrs Dawson, Riley, & Wakefield are members of Frodsham Foundation.

Part A		
No	Item	Note/Decision/Action
41	Apologies for Absence	Cllrs Riley, Shearn & Wakefield
42	Declarations of Interest	Cllr Oulton re Friends of John Williamson Cllr Pusey re Sutton Parish Council, and Frodsham Community Association Cllr Redhead re Frodsham Youth Association Cllr Dawson reiterated the interests listed above. Cllr Bondi re Frodsham Water Sports. Cllr Pennington re London Road Allotments
43	Frodsham Foundation: to receive report if available	Cllr Dawson reported that the Foundation was currently working with NEETS (People Not in employment, education or training) on confidence building and assisting with creation of effective CVs. Cllr Pusey noted that he had been invited to the next meeting of Frodsham Foundation to speak to them regarding his application to join and enquired as to the process likely to take place. Cllr Dawson stated that in his opinion Cllr Pusey should be invited back to the meeting after the application decision was made, but that he was not fully aware of the process and that this would be decided by the directors.
44	Local Police: To receive report (if PC/PCSO is available)	PCSO Neil Flanagan reported on events since the last meeting, including: <ul style="list-style-type: none"> • 2 burglaries (1 of which was a distraction burglary) • Theft of ladders • Theft of fuel from Gates Garage • Shoplifting from Boots Chemist (1 perpetrator had been caught & received a 6 month prison sentence for various crimes.) • Motorbike nuisances at Queensway – looking to obtain a section 59 Nuisance Notice in order to seize vehicles. Anti-social behaviour had increased this month, but alcohol related problems remained at low levels, so the strategy seemed to be working. The PCSO had held a meeting with Helsby High on the potential problems that alcohol could cause. There had been a heavily reported incident on the Marshes involving the death of a dog caused by another dog and the PCSO was hoping to arrange an awareness day later in the year to encourage responsible dog ownership. The South Ward walk had taken place and Neil was keen to promote the other ward walks – North Ward on 29 June (10am/Salt works Farm), East Ward on 13 July (5pm/Community Centre) and West Ward on 22 July (6pm/Leisure Centre).

		<p>There had been a further successful driver engagement day on Fluin Lane. 28 drivers had recorded speeds of over 34mph and various other offences, such as driving without seatbelts and using mobile phones. Two of these were issued with official notices with the remainder being shown a DVD. The highest speed recorded was 52 mph.</p> <p>Unfortunately, there was no more funding for driver engagement days, though 'smiley SID' could be used in the future. The next area to be targeted in this way would be Ship Street.</p> <p>The dates for the next Police surgeries were 2 July – Costa Coffee (10-12pm), 7 July – Medical Centre (1-3pm) and 10 July – Library (5-7pm). As attendance at the surgeries continued to be very low, PCSO reported that one of them may need to be dropped after the summer. One option to improve attendance might be to arrange a surgery immediately prior to Town Council meetings. This would be investigated further.</p> <p>The possibility of some speed monitoring equipment being available to purchase in the future was to be looked into.</p>
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Council agreed to move item 62 into Part A and would be discussed after item 53

<p>45</p>	<p>Opportunity for Public to Speak: Mrs. Ballam wished to state her support for Cllr Pennington, hoping that he would not be made to resign. If there were pressure on him to resign, this should apply equally to Cllr Kelly. Cllr Pennington confirmed he had no such intention.</p> <p>She went on to list the following issues:</p> <ul style="list-style-type: none"> • Park Lane – Mrs. Ballam was concerned regarding the sale of Park Lane and was of the opinion that not all information relating to the sale had been properly published. • Sainsbury's – Mrs. Ballam was upset about the imminent arrival of the new store in Eddisbury Square and felt that the public had not been sufficiently involved in the planning application process. She felt the Town and Borough Councils should have opposed the new store. She was unconvinced about the promise of new local jobs and feared other local businesses might suffer. • She felt the Council needed to do more to Support local business. Frodsham town centre was struggling, and losing its uniqueness, with too many charity shops, takeaways and estate agents, and not enough to make people want to visit... • Churchfields – she felt that there were secret plans for the Churchfields development, and she was unhappy at having been criticised for displaying early draft plans for the scheme. <p>She felt that Councillors were "power mad", not respecting their privileged position on the Council, or representing the views of local people.</p> <p>In response, Cllr Dawson said that FTC (or CWAC for that matter) were not able to decide which companies came to Frodsham. FTC and CWAC could give views on planning applications, and in fact FTC had objected to the extension to the rear of the new shop. But its views carried similar weight to those of members of the public. Cllr Dawson also stated that the Local Development Plan has suggested that Frodsham's retail area might contract in the future, though he was opposed to this view. Currently he pointed out that Frodsham was one of the most successful retail areas in the Borough in terms of low number of vacant shops. There was help for business owners in the form of Business Rate relief – but beyond that little that even CWAC could do. It had to abide by the law, and could not oppose every unpopular scheme, though it did do so when it considered this necessary.</p> <p>The Chairman said that he had reported in the media last year that FTC supported the independent and indigenous retailers in Frodsham, and had written to Mrs Ballam in response to a query from her, to say as much.</p>	
<p>46</p>	<p>Minutes of Meetings 1 (AGM) and 2, 27 May 2014</p>	<p>Both sets of minutes were approved by Council and signed by the Chair as a true and accurate record.</p>
<p>47</p>	<p>Matters Arising from each</p>	
<p>47.1</p>	<p>Meeting 1 – 27 May 2014</p>	<p>The Clerk reminded all councillors who had yet to do so, to attend NatWest bank with two forms of ID, as advised previously. The new account could not be opened until all had done this.</p>

47.2	Meeting 2 – 27 May 2014	<p>The Council had put forward the list of alternative names for the new road off Dig lane, but CWAC had stayed with Fern Meadows (item 33).</p> <p>There was further discussion on Ward names. There had been some public resistance to the new names chosen. Views remained split within the Council as to the best way forward on this. A straw poll conducted by the Chairman supported, on balance, the desire to stay with the present North, South, East and West Ward names. Cllr Dawson would bear this in mind when attending the forthcoming Governance Review Meeting. The Chairman offered to contact the Governance Review Committee or to attend the meeting if required, to field the FTC position (item 34).</p> <p>In the anytime, the Chair or Clerk would contact CWAC and let them know about the Councils view (item 34). Action: Chair/ Clerk</p> <p>The Clerk would put the planned consultation on “You Decide on Punishment of Offenders” on the next agenda, to give the PCSO the opportunity to brief the council on this (item 36). Action : Clerk</p> <p>Cllr Bondi asked about the matter raised under Item 27, relating to Item 295 from the previous meeting. Clerk to liaise with Cllr Bondi to ensure matter satisfactorily resolved. Action: Clerk</p> <p>It was noted that the Theatre in the Quarter request for funding would be dealt with by the WW1 Working Group.</p>
48	CWAC Local Plan (Part 2)	The Chair reported that the submission has been made, and copied to all members. The Part 2 draft should be available later this year and there will be a full opportunity to give further comments.
49	Planning Applications It should be noted that Borough Councillors voting on planning matters at the Town Council do so on the information currently before them. Their opinion may change if further information is received by the time these matters are considered by the Borough Council.	
49.1	Planning Committee Meeting 1: 28.05.14	Noted. <i>R1: That FTC approves the attached draft Terms of Reference for 2014-15 for the Planning Committee.</i> Agreed
49.2	Decisions taken by Borough Council	Noted
50	Finance	
50.1	Paid Expenditure – 1.5.14 – 31.5.14	Noted
50.2	Received Income – 1.5.14 – 31.5.14	Noted
50.3	Budget Spend & Bank Reconciliation to 31.5.14	Noted
51	Committees & Work Groups	
51.1	Policy & Process – 11.06.14	
<p><i>R1: That FTC accept the revised TOR for Policy and Process</i> Agreed – Councillors were given hard copies to include in their “black folders” for future meetings.</p> <p>Cllr Taylor asked that all Councillors keep a watchful eye on the website, and report to the office any broken links etc. that they became aware of.</p> <p>There was an outstanding action from the previous meeting, regarding the apology requested from Cllr Pennington. This matter had been recorded under Matters Arising (Item 28) of Meeting 2. The deferred recommendation was R7 from Item 32.4 of the same meeting. This said;</p>		

R7: That Cllr Pennington is asked to fully and unreservedly apologise in public for the derogatory words he used, failing which he should be removed from all committees and working groups.

Cllr Taylor summarised the position: A complaint had been made by a member of the public, and unhappiness with the comments expressed publicly by councillors about Cllr Pennington's comments that the Council was worse than the Second World War and Hitler. This had been dealt with under due Council process. Cllr Pennington had made a written apology, which had been read out by the Clerk at the last meeting. Council had not, on balance, felt that the written apology provided had been sufficient.

The recommendation had been deferred to allow time for the Chairman to speak to Cllr Pennington, who had not been at the last meeting. He was to be offered the opportunity to provide an apology that the Council found acceptable.

The question being put to Cllr Pennington at this meeting as to whether he would offer a fuller apology, his response was that he would not, and that this was "final". He said that he had been just over 5 years old when the war had started. Having lived through it, he felt qualified to comment on it. He had meant what he said.

He pointed to the work he had done for the Council – the knowledge he brought, and the way he had fought for the Council over Crowmere. However, he felt that being removed from Committees and Working Groups would give him the opportunity to "say what he wanted". He stood by what he had said: "the present Council was the worst he had ever known".

The Chairman expressed regret that this was the position, and confirmed that if removed he would no longer be able to represent Council, on external bodies, or in any negotiations.

An amendment to accept the written apology was not supported, and on a named vote the recommendation was **agreed**. All voted in favour of the recommendation, except Cllr Pusey (against), and Cllrs Oulton and Bondi (abstained).

*R2: That FTC approve and adopt the revised Code of Conduct. **Agreed***

*R3: That FTC agree the Guidelines for Media Contact. **Agreed.***

*R4: That FTC agrees a grant of £500 to Rotary for the Festival in Park. **Agreed** a grant of £300, to be topped up by £200 from the Chairman's Allowance.*

*R5: That FTC rejects the application for a grant of £500 from FCA for the Soap Box Derby **Agreed** a grant of £200*

*R6: That FTC agrees a grant of £200 for the History Society, for heritage plaques **Agreed***

*R7: That FTC agrees that all requests for funding NOT covered in the areas of work of another committee should go to P&P for consideration before going to FTC. **Agreed***

51.2 | **Community – 16.6.14**

*R1: FTC to approve new Community TOR. **Agreed***

R2: That the Council join the Allotment Association at a cost of £55 per annum.

It was explained the joining would give the Council access to advice, including legal advice. This membership was IN ADDITION to individual memberships (see R3 below). **Agreed**

*R3: That allotment prices be increased by £5 from next year – independent of any rises the Council wants to make at the time, to cover individual allotment holder's membership of the Allotments Association. **Agreed***

Cllr Kelly stated – with reference to earlier comments about "secrecy", that the minutes explicitly referred to the plans of early discussions on the proposals to improve Townfield Lane Play Area.

51.3 | **Festival of Walks Group - 27.05.14**

The Chairman thanked all concerned, including the public, for their help. The festival helped the town, by encouraging inward investment. People had been attending from some distance. The WW1 walk had been a particular success. He looked forward to next year.

51.4 | **Cemetery Group – 09.06.14**

Minutes for the last meeting were not yet available. But issues the Committee had so far begun to address included the potential purchase of more land, and the need to improve the land we had.

51.5	WW1 Commemorative Group – 18.06.14
<p>R1: That FTC approve the TOR Agreed</p> <p>R2: That FTC approves purchase of a wreath for paying at Menin Gate, Ypres, in April 2015 at a cost not exceeding £50. Agreed. Cllr Wales would be attending – and representing FTC - at his own cost.</p>	
52	<p>Christmas Festival</p> <p>The report and template from the Foundation was now to hand, and had been circulated to Councillors. It split the work that needed to be done into work streams. It identified different parts of the community which might lead on different work.</p> <p>There were three different ways to handle; to form a Christmas Festival Working Group, to bring back to the office to run, or to give the work to an events promoter.</p> <p>Cllr Pusey was well placed to liaise between different organisations on this. The Community Committee would have the first discussion on this, bringing a recommendation to the next FTC. Clerk to place in next Community agenda. Action: Clerk/Cllr Pusey</p>
53	<p>Frodsham Survey</p> <p>The data was now back from analysis and rough draft reports were ready. There was a need to consider how best to present that data to the public. It might require some explanation. The Clerk asked for views on the extent to which data presented should be analysed or interpreted - and if so by whom?</p> <p>Data was still subject to audit – the Clerk had contacted the internal auditor to get this in hand.</p> <p>During discussion the following points were made;</p> <ul style="list-style-type: none"> • Should the Working Group be brought together again at this stage? It had been suggested in the past that a further meeting might be called. • A degree of independence was needed for any interpretation, to allay suspicion in some quarters of partiality. • Cost would argue against using a private contractor, as did lack of local knowledge. CWAC may be able to field their Locality Manager, who did NOT live in Frodsham, but knew the process and had local knowledge. • There were some calls for minimal interpretation of data. <p>It was agreed to investigate the scope for the Locality manager to prepare the data and add any light touch interpretation/guidance necessary. The Working Group would be reconvened also. Action: Clerk</p>
<i>Brought forward from Part B</i>	
62	<p>Park Lane Sale</p> <p>The Chairman summarised the current position. It had, since the original decision to sell last year, been a complex matter. We had received representations from members of the public at meetings and elsewhere. Most recently, feedback had been sought through a detailed house to house survey. The sale process had been frozen while this happened.</p> <p>In the meantime an external audit had proved that the process and decisions made had not been illegal or improper. We had learned a fair bit along the way about how to run such exercises. It was important to rebuild confidence in the Council.</p> <p>Now that we have the emerging results from the significant piece of work that was the survey, it was important that the Council had acted. 63% (unaudited figure) of respondents in the town had said they supported the sale. Should we now unfreeze the sale, and let it proceed?</p> <p>During discussion the following points were made;</p> <p>One Councillor proposed the sale be halted. The land was now open, safe and well used. He believed we should hold on to the land, which would</p>

		<p>increase in value, and the Council had sufficient funds to do everything it wanted to do, and Ship Street would furnish more money at some stage.</p> <ul style="list-style-type: none"> • One Councillor said that he believed the question was what the park could become – local residents had always believed the park was not viable in its present state – but had put forward ideas for its development. He believed the sale would bring shame on the Council. It was not the new houses that would be the issue, but loss of green space. The Chairman expressed sympathy with the ambitions of local people for the site, but asked if these could not better be met by freeing up capital and spending it in various parts of the town. It should be 100% clear that all the money would be reinvested in play and recreation in Frodsham. • One Councillor expressed a desire to explore any third ways that might emerge from ideas from the residents, even at this stage. But the principle remained that cash was needed. • Having asked the public what they thought, they could then not be ignored. The public might feel that the Council lacked the courage of its convictions. • As there was an agreement in place, albeit frozen, the Council should not lightly reopen the bidding process. Some councillors argued for a stay of execution, by deferring a decision until other ideas came forward. • Further delay was seen as unwelcome by some. We voted in October last year to sell, and started the process. We should bear in mind the agreement with the prospective purchaser. • At the same time it was recognised that it was open to any individual to make an offer for any piece of land at any time. If the decision to unfreeze were taken tonight, there would still be time lapse for other offers to be made, or for local residents to make concrete proposals. • The law required the Council to get the best consideration for its assets sold, that it could. <p>It was proposed that exchange of contracts in the sale of Park Lane take place not before 60 days from the date of this FTC meeting, and that all the proceeds of any sale be reinvested in Play and Leisure in Frodsham.</p> <p>The Chairman checked for any declarations of interest from those present, and none were made.</p> <p>A named vote was called for. All voted in favour except Cllrs Pennington, Pusey and Oulton, who voted against. There were no abstentions, and the Chairman did not vote. Carried.</p> <p><i>Cllr Pennington left the meeting at 10.10 PM</i></p>
54	CWAC Items	
		<p>Cllr Dawson referred to the Governance Review Committee meeting the following day, when a decision would be made amongst other things in the ward names for Frodsham (see earlier). He recorded that he had not supported the new names proposed at the time.</p>
55	Councillors' Items	
55.1		<p><i>Cllr Bondi was pulling together a report on Hob Hey Wood. One aspect requiring attention was that of access. The area around the bridge had become sloppy and muddy. Permission was sought from the Council to fund an efficient and cost effective way of resolving the problem. Environment Committee would bear the cost.</i></p> <p>It was noted that paths generally in the area were overgrown and muddy. Some were almost blocked. CWAC contractors had started to resolve but had not finished the work. They needed to be asked to return and finish it.</p> <p>The Council agreed that Environment Committee should proceed with the work above to proceed, to be funded from the Environment Budget.</p>

56	Consultations -	
56.1	NALC Charter	Deferred to a later meeting
57	Clerk's Report	Volunteers were required for the Summer Festival coming up on 12 July. Cllrs Warren and Kelly volunteered to help.
58	Chairman's Report	A written report would follow.
59	Mayor's Report	Written report circulated
60	Any Other Matters	Cllr Dawson asked that agenda time at a future meeting be set aside to consider how Frodsham used the civic powers it had to grant freedom of the town, etc. Cllr Wales agreed to lead. Action: Cllr Wales There was a need for the Council to consider how it could best respond to points made by the public – in meetings and on social media – where inaccurate things were said. This might require a Town Meeting type slot on future agendas. Time to be set aside to consider. Action: Clerk
Part B		
61	London Road Allotments	Chairman provided an update.
62	Park Lane Sale – next steps	Moved to Part A

Meeting closed at 10.25 PM

List 1	Planning Decisions Taken by the Unitary Council		
Reference	Address	Description	Decision
14/01270/FUL	40 Main Street	6 x 1bedroom apartments	Withdrawn

Signed _____ Dated _____

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