

Minutes of the Extra-ordinary Virtual Meeting of Bingham Town Council
held on Tuesday 16 June 2020 at 7:00pm

PRESENT:

Councillors: J Stockwood, M Stockwood, F Purdue-Horan, A Shelton, G Simms, W Stapleton, P Moskwa, M Monni, G Williams, J Best, V Leach, T Wallace, R Bird and J Lewis.

Officers: S Pyke (Town Clerk) and J Riddle (Deputy Clerk)

Public: 80

As the meeting commenced, the Mayor, talked to his presentation on the Council's Standing Orders in relation to public participation and disorderly conduct.

The Mayor then explained that an incorrect agenda had been published to the website and talked to the agenda that Council would be following this evening. Councillor Wallace then raised a point of order in relation to why Councillors Lewis and Wallace's agenda had been lawfully served and should stand this evening.

The Mayor responded saying he was following the advice of the independent Monitoring Officer.

The Clerk stated that Councillors Lewis and Wallace's agenda had been validly drawn and should stand. If the meeting followed the Mayor's agenda then any decisions could be subject to legal challenge.

The Mayor reiterated his earlier point that he was following the advice of the independent Monitoring Officer.

1. APOLOGIES

All Councillors were present

2. DECLARATIONS OF INTEREST

Councillor Williams declared a personal interest in agenda item 4, Wynhill Community Facilities Improvement as he is a coach at Bingham Rugby Club. Councillor Williams will speak to the item in his capacity of Chair of Recreation and Amenities, but will abstain from the vote.

Councillor Wallace asked which Standing Order the Mayor was observing to stand by the Mayor's agenda. The Mayor reiterated his earlier point that he was following the advice of the independent Monitoring Officer.

3. PUBLIC PARTICIPATION

Councillor Wallace proposed a motion which was seconded by Councillor Simms that Standing Orders limiting public participation to 20 minutes should be set aside.

The motion carried.

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Members of the public made it known that they wished to speak and the Clerk indicated that members of the public had submitted questions via emails.

Questions related to the senior office staff, the staff review and the staff re-organisation consultation; block voting due to personal relationships was raised and further queries related to the Mayor's decision to proceed with an alternate agenda to the one published as well as requests for the independent Monitoring Officer's advice; the Resilience Sub-Committee and avoidance of public questions was raised as a concern and the need for so many items to be placed into confidential business was queried. A request was made to receive the roles and responsibilities of the current Town Clerk and the proposed new position of Town Manager. A query was also raised on the advertising of any new posts internally and externally.

Two questions sent in by the public were then read, one related to the re-structure and items being placed into confidential matters and the staffing item on the agenda. A second piece of correspondence was in relation to access to the staffing review, advertising externally of the new positions, HR advice and previous employees with outstanding grievances applying for the new roles.

The Mayor apologised for the last meeting, as virtual meetings were new and the Council was adapting to the new way of holding meetings. The Mayor responded that the Monitoring Officer would be asked for a written response that could be read out at a later date. The Mayor suggested that Freedom of Information requests were submitted to the Clerk for information requested. It was also confirmed that any decisions of Council on the office re-structure would be taken with the advice of Ellis Whittam.

4. WYNHILL COMMUNITY FACILITIES IMPROVEMENT

It was proposed by Councillor Moskwa and Councillor Monni that:

(a) The loan will be a fixed rate loan for £400,000 from the Public Works Loan Board over a borrowing term of 30 years. The annual loan repayments will come to around £19,126.64 at 2.62% interest. The loan repayments would be an increase on the current precept of 6.4%, representing an increase of around £5.30 on the annual Council Tax payable for a Band D household.

(b) Notes that the Council has allocated £50,000 reserves to pay the initial annual loan repayments. The cost of future loan repayments to each household would be reduced by the future precept being shared by additional houses being built in the parish.

(c) Delegates to the Mayor, Chair and Vice-Chair of the Recreation and Amenities committee to work with the Proper Officer to prepare the loan application and supporting documentation

(d) To proceed with a one month public consultation on applying for the loan

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(e) That if the outcome of the public consultation is public support for the loan, the Council will make the formal resolution to seek the Secretary of State's approval for the proposed borrowing at the Town Council meeting on 28th July 2020.

The above proposals were voted on block, it was **RESOLVED**: to unanimously support the above proposals. Councillor Williams did not vote having earlier declared an interest.

For the purposes of PWLB application consideration, the above resolutions have been re-stated below, in the format, as per the Ministry of Housing, Communities and Local Government guidance:

It was **RESOLVED** to seek the approval of the Secretary of State for Housing, Communities & Local Government to apply for a PWLB loan of £400,000 over the borrowing term of 30 years for the Wynhill Community Facilities Improvements. The annual loan repayments will come to around £19,126.64. It is also intended to increase the council tax precept for the purpose of the loan repayments by 6.4% which is the equivalent of an additional £5.30 a year. This will be subject to a precept increase consultation.

Provided the outcome of the public consultation is public support for the loan, the Council will confirm the formal resolution above.

The order of the agenda was changed at the discretion of the Mayor, as per Standing Orders, agenda item 5 would be heard last.

Councillor Wallace raised a point of order relating to whether it was appropriate to move item 5 to Confidential Business. The Mayor responded advising that as per the Monitoring Officer's advice, Councillor Wallace could vote against the resolution to move agenda item 5 into Confidential Business.

6. COUNCILLOR MOTION

Bingham Town Council makes available funds from Covid-19 humanitarian aid fund for Bingham community groups or sport clubs who have suffered with a loss of income as a result of pandemic.

Proposed: Councillor Gareth Williams Seconded: Councillor Wayne Stapleton

RESOLVED: to unanimously support the above proposal

The HR expenditure referred to in the confidential business is the Council's decision to pay for confidential employment law advice regarding the performance and management of a particular employee. It is reasonable to consider the discussion of the motion will include reference to:

- a) the confidential legal advice to the Council
- b) the performance and management of a particular employee

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A recorded vote was requested whether to close the meeting to the public:

For:

Councillor Best
Councillor Monni
Councillor Moskwa
Councillor Purdue-Horan
Councillor Shelton
Councillor Stapleton
Councillor J Stockwood
Councillor M Stockwood
Councillor Williams

Against:

Councillor Bird
Councillor Lewis
Councillor Simms
Councillor Wallace

Abstain:

Councillor Leach

RESOLVED: to close the meeting to the public

The Clerk and Deputy Clerk left the meeting for this item. Minutes were taken by Councillors.

5. CONFIDENTIAL BUSINESS

PUBLIC BODIES (ADMISSION TO MEETINGS) ACT 1960
PRIOR TO THE COMMENCEMENT OF THE NEXT BUSINESS, THE FOLLOWING
RESOLUTION WAS PROPOSED, SECONDED AND CARRIED:

“That in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the press and public be temporarily excluded, and they are instructed to withdraw”

5.a Councillor Motion

That, following the analysis of HR Expenditure for the year to 31 March 2020 and associated issues, prepared by Cllr Tony Wallace, this council has no confidence in either the Mayor, Cllr John Stockwood or Chair of the Policy & Resource Standing Committee, Cllr Francis Purdue-Horan. Council demand that both stand down from their current positions.

Proposed by: Councillor Tony Wallace Seconded by: Councillor John Lewis

For:

Councillor Bird
Councillor Leach
Councillor Lewis
Councillor Simms
Councillor Wallace

Against:

Councillor Best
Councillor Monni
Councillor Moskwa
Councillor Purdue-Horan
Councillor Shelton
Councillor Stapleton
Councillor J Stockwood
Councillor M Stockwood
Councillor Williams

The motion was not supported.

Meeting closed 8.45pm

.....CHAIRMAN

Date: