

Minutes of a meeting of the Full Council of Buckingham Town Council held on **Monday 11th May 2009** upon the rise of the Annual Meeting in Room MB1 in the Masons Building, University of Buckingham, Hunter Street, Buckingham.

Present: Councillor H Cadd
Councillor Mrs P Desorgher
Councillors P Hirons
Councillor D Isham
Councillor R Lehmann
Councillor A Mahi
Councillor H Mordue
Councillor Ms P Newell
Councillor Mrs P Stevens
Councillor R Stuchbury
Councillor M Try

Also Present: Anne Wilson - Town Clerk

06/09 Apologies for Absence

RESOLVED to receive and accept apologies from Cllr. T Bloomfield, Cllr. Mrs G Collins, Cllr. P. Collins, Cllr. G Loftus, Cllr. M. Smith and Cllr. W Whyte.

07/09 Declarations of Interest

RESOLVED to note that there were no declarations of any personal or prejudicial interest.

08/09 Minutes

RESOLVED to confirm the minutes and confirm the recommendations therein of the Full Council Meeting held on Monday 23rd March 2009.

Councillor Mrs Stevens stated that residents were finding it difficult to follow the new format of the minutes. Cllr. Stuchbury felt it was not up to the Clerk to change the format of the agenda and minutes without the agreement of the Town Council. The Town Clerk stated that she had not changed the format but was using the style she had used for many years and were similar to many types of Council nationwide. Cllr. Mordue stated that there was no written down procedure for the production of minutes and there is no need to say who did what in them and it was up to the Committee Chairman to be happy with the format of the minutes and for them to agree the draft that is circulated with an officer. The Town Clerk reminded members that minutes should not be taken verbatim but was happy to include a bit more detail of the discussions that took place rather than write "It was discussed".

Councillor Stuchbury was concerned that there was no finance item on the agenda. Cllr. Mordue had spoken to the Town Clerk about this who had stated that that accounts and budgets fell within the remit of the Finance and Administration Committee Terms of Reference and therefore cheques would be agreed at that Committee. The Town Clerk confirmed this and stated that the End of Year Accounts would be on the next full Council Agenda. Cllr. Mordue stated that the Town Councils Financial Regulations dictated how the Council managed its financial affairs.

Cllr. Stuchbury asked why the subject of room hire for Council and Committee meetings was not on the agenda. Cllr. Mordue stated that it was up to each Committee Chairman to agree to the venue of meetings but events had more meetings than any other committee.

RESOLVED that Events Committee meetings venue costs be placed as an item for discussion on the agenda of the next meeting of the Finance and Administration Committee.

09/09 Interim Minutes

RESOLVED to confirm the minutes and confirm the recommendations therein of the Interim Council meeting held on Monday 12th April 2009.

10/09 Planning Committee Terms of Reference

Cllr. Lehmann stated that he was not seeking to undermine the Planning Committee but following his own personal concerns on applications such as opposition to the new housing adjacent to Tescos, Whitehart and the Tingewick Road housing development he wished to remove the subjectivity of the Planning Committee into an objective environment.

The amended motion reads:

“That this Council agrees that decisions relating to planning applications of substantial housing, retail and industrial developments, that will impact on the town, should be made by the Council and that the terms of reference of the Planning committee be amended to reflect that recommendations must be made to the Council for housing applications for more than 20 units and any new multi-unit retail and industrial developments.”

Cllr. Mordue reminded Cllr Lehmann, with agreement from Cllr. Hiron that the Town Council are only a statutory consultee and not a decision making authority when it comes to planning.

Cllr. Lehmann proposed that in light of his recommendation that all large development applications be referred to Full Council. Cllr. Hiron rejected the motion stating that if an eco-town then diversity needs to be considered as well. Cllr. Stuchbury stated that the Council should not be frightened of the motion and the proposal was not trying to take over the role of the Planning Committee and seconded the motion.

Cllr. Mordue proposed an amendment that large development applications should be discussed by the Planning Committee. Seconded by Cllr. Hiron there were 4 in favour and 6 against.

The substantive motion was with 7 in favour, 1 against and 2 abstentions.

11/09 Planning Committee

RESOLVED to confirm the minutes and confirm the recommendations therein of the Planning Committee meetings held on 30th March 2009 and Monday 20th April 2009

12/09 Environment and Property Committee

RESOLVED to note that Cllr. Isham was present at the meeting.

With this minor amendment it was **RESOLVED** to confirm the minutes and confirm the recommendations therein of the Environment and Property Committee meeting held on Monday 6th April 2009.

13/09 Events Committee

RESOLVED to confirm the minutes and confirm the recommendations therein of the Events Committee meeting held on Tuesday 14th April 2009.

Cllr. Stuchbury stated that a collection would be taken at Music in the Market for the Town Mayors charities and that the Committee would be discussing options to celebrate Local Democracy Week.

Cllr. Stuchbury announced that with help of the Buckinghamshire Partnership coach parking had been secured at the Total Garage. The Town Clerk had written letters to the Old Gaol, Stowe and the Tourist Information centre informing them of the new parking and had taken some photos to look at he the signage needed for the Total sight.

Cllr. Stuchbury reported that he had attended an adhoc meeting with officers from AVDC, Cllr. McPartland, the Town Clerk and Cllr. Smith to discuss the sensitive nature of car parking in the town. AVDC would be attending a future full council meeting to make a presentation on car parking in the near future.

14/09 Finance and Administration

RESOLVED that members felt that although they did acknowledge that the minutes were an accurate record of the meeting of the Finance and Administration Committee held on Monday 27th April 2009 they were too brief and asked that the Town Clerk meet with the Committee Chairman and the Deputy Town Clerk, who clerked the meeting on the 27th April to increase the amount of information on the discussion held at the meeting.

15/09 Chairmen's Committee

RESOLVED that Members received the notes from the Informal meeting of the Chairmen's Committee held on Thursday 2nd April 2009. Cllr. Mordue stated that the notes were there as a record of the meeting held one month after the Town Clerk had joined the Council and contained no decisions or legal obligations on the Council.

16/09 Chairmen's Meetings

Councillor Rob Lehmann had asked that that "Chairmen's Meetings" be placed on the agenda as an item for discussion. He was not pleased that such a meeting had taken place and despite what was stated in by Cllr. Mordue in min. no. 15/09 above he felt that the notes gave the Clerk the authority to go and do work.

Cllr. Mordue stated that the meeting was informal and was to find out how the Town Clerk felt things were going in her new role and give her the opportunity to bring matters to Council at a later date on any areas of concern or decisions that the Council needed to make. At previous Chairmen's meetings the Clerk was not present. The Town Clerk confirmed what Cllr. Mordue had said and that the proper process was to bring items to the relevant committee for approval however reminded members that the day to day management of the office fell within her remit as Town Clerk. The Town Clerk also reminded members that they could not make decisions on their own without going through a committee too which does happen in every Council.

Cllr. Stevens stated that although she was present, attending on behalf of Cllr. Stuchbury, no agenda had been circulated before the meeting although it was handed to her on the day. Cllr. Lehmann stated that Chairmen were no one special and had no additional responsibilities to any other member and everyone should have been invited to the meeting.

Cllr. Mordue stated that there have always been Chairmen's meetings but it is a long time since the Council has had a new Clerk and these meetings give the opportunity for informal discussions as many Councillors do not have day to day contact with the office. He continued by saying that you cannot run an office by Committee and if the Council were present the Town Clerk would feel that she was having an appraisal in front of a whole Council instead of the correct process of her line manager and the Chairman of Finance and Administration.

The Town Clerk stated that most Councils' have a Chairmen's Committee where informal discussion is held to enable the Council to make a more informed decision on the night when a decision is needed.

17/09 Every Action Counts

Councillor Ms Ruth Newell, as Chairman of the Buckingham Wildlife group, brought to the attention of members a report entitled "Every Action Counts". Members felt that this fell in nicely with the remit of the Buckingham Bag Group and this matter would be discussed further at the next meeting of the Events Committee.

18/09 Buckingham Plan

RESOLVED that Members noted the two comments with regard to the publication of the Buckingham Plan received from Padbury Parish Council and the second one from Cllr. Huw Rhys Lewis of Aylesbury Vale District Council.

Cllr. Mordue stated that the Buckingham Plan was the idea of Buckingham Town Council and through working with AVDC some of the ideas contained within it could be amalgamated in the larger plans for Buckingham. Cllr. Stuchbury felt that this plan was part of a wide political debate and felt that it was unfortunate that the Council has a different viewpoint from them.

RESOLVED that the Town Clerk respond to the two letters thanking them for their letters and comments but Buckingham Town Council have made their decisions and the Buckingham Plan is a living document which long term will be reviewed and monitored.

19/09 EDP Consulting Ltd

RESOLVED that whilst Members noted the information with regard to the removal of the existing telegraph pole and chamber for the Town Council extension they unanimously agreed that the Town Clerk should write and ask for justification for the extortionate prices, a breakdown of the costs together with drawings showing the current situation and the future proposals.

20/09 Buckinghamshire Extended Services

Councillor Mordue will give a verbal report to members at the meeting about Buckinghamshire Extended Services and how they could benefit the community of Buckingham. There was a sum of money that could help make better use of sports facilities and activities in Buckingham. The meeting was made up of local clubs and groups and ideas came up such as forming a Buckingham Youth Council, nets for the athletics club etc. It was suggested that the Town Council act as the bank for the town but the incentives have to come from other. A group would be formed to look at the options and Cllr. Stuchbury would arrange a meeting in the near future.

Cllr. Isham stated he would have preferred to see a written report for members to consider from the officer that attended the meeting, on this occasion the Deputy Town Clerk. Cllr. Stuchbury stated that he felt that the proposals were at a too earlier a stage for a written report to be submitted to Council.

21/0 Crime Figures for Buckingham

RESOLVED that members noted the crime figures for February and March 2009 for Buckingham.

FURTHER RESOLVED that members noted that the AG followed by a number in each corner of the report depicted areas of the town but no more information can be given to the Council for confidentiality reasons. Members are able to find more information on crime statistics relating to Buckingham on the Thames Valley Police Website or on www.crimestats.thamesvalley.police.uk

22/09 Aylesbury Area Consultation on Schools

RESOLVED that Members noted the response received from Buckingham County Council with regard to the Aylesbury Area Consultation on schools.

23/09 Circular Walk Project Review

RESOLVED that Members noted that Mark Gadd had carried out an Evaluation Review of the Circular Walk Project as required to meet the SEEDA funding criteria. Malcolm Godwin of Bucks County Council had reviewed the evaluation review and has confirmed that it is comprehensive and meets the requirements.

FURTHER RESOLVED that the Town Clerk write and thank Sue Moore, John Barnett and Mark Gadd for delivering the project and working with Buckingham Town Council.

24/09 Reports from Conferences

RESOLVED that Members noted the reports from the Town Clerk on conferences she has recently attended:

- Green Matters Conference in Aylesbury run by Aylesbury TC and NALC
- Larger Local Councils Conference in Nottingham run by the Society of Local Council Clerks
- Local Government Working Together Conference in Milton Keynes run by Milton Keynes Council
- Local Council and markets Seminar in Lichfield run by NALC and NABMA

Cllr. Isham stated how interesting he had found the Green Matters Conference. Cllr. Hiron felt that the Local Government Working Together Conference was a mixture of some good and some bad speakers.

FURTHER RESOLVED that Members noted the reports from the Deputy Town Clerk on conferences he has recently attended:

- Roles and responsibilities of Town Councils Conference in Winslow run by AVALC
- Stepping Stones Conference in Coventry run by NALC

Cllr. Isham had attended the AVALC Course and found it to be very beneficial with good speakers.

Both the Town Clerk and the Deputy Town Clerk were thanked for their reports.

25/09 Equality and Human Rights Commission (EHRC) - Public Sector Equality Duties

RESOLVED that Members noted that an Equality Bill is going through parliament at the current time and noted the information attached to the agenda before guidance is issued by the EHRC in the near future.

26/09 National Association of Local Councils' (NALC) Conference

RESOLVED that this time would be put on the next meeting of Full Council. Members noted that the NALC Annual Conference entitled "Putting People First" was to be held in London on the 4th and 5th September at a cost of £207.00 plus one night's accommodation.

The Town Clerk expressed an interest in attending the NALC Conference.

27/09 A New Deal for Buckinghamshire

RESOLVED that Members noted the New Deal for Buckinghamshire information The Deputy Town Clerk had brought this information to members as a result of the Bucks County Council session at the NALC Stepping Stones Conference where it was referred to and Bucks CC stated that this model was how they worked with their Parish and Town Councils although both him and Cllr. Whyte who also attended the conference where this was presented disputed the content.

FURTHER RESOLVED that Cllr. Hirons and the Town Clerk review the document and report back to the next meeting of Full Council.

28/09 Ken Tagg

RESOLVED to accept the quote from the second company with regard to awarding of the contract to reduce in height the wall at Ken Tagg Play Area £3995.00

29/09 Lights in Chandos Park

RESOLVED that the amended quote be accepted to replace the light fittings on the Lamp posts in Chandos Park at a cost of £1866.92.

FURTHER RESOLVED that the Town Clerk look at how quotes are obtained for works and the length of time those quotes are valid for given the change in prices over the financial year of the replacement of the light fittings in Chandos Park.

30/00 The Buckingham Literary Prize

RESOLVED that Members noted the information with regard to the Buckingham Literary Prize and deferred the item to the Events Committee for further discussion.

31/09 Together We Can Tackle Anti-Social Behaviour

RESOLVED that Members noted the information with regard to this new incident form and would encourage residents to fill in these forms to report anti-social behaviour if appropriate.

32/09 Reports from Representatives on Outside Bodies

RESOLVED that Members noted the reports from representatives on the following groups:

- Buckingham and Maids Moreton Neighbourhood Action Group
- Buckingham Economic Group
- Buckingham Community Centre

Members noted that there was a meeting with Traders to which all Town Councillors were invited on Tuesday 2nd June 2009 at 6 p.m. in Waitrose.

33/09 Newsletters, Magazines and Items of Interest for Members

RESOLVED that Members noted the following items of interest:

- The Buckingham Society newsletter
- Chiltern District Council - Community Care Guide - a guide to community services and information
- Options Wells Street Centre – March/April 2009
- DIS Extra – NALC's Direct Information Service - No.: 705, 706, 707 and 708
- Agenda and minutes for the Access for All Group Meeting on the 20th April
- The Spire April 2009 – the Magazine of Ss Peter and Paul, Buckingham
- In Focus – Buckingham Community Action

34/09 Licensing Application

RESOLVED that Members made the following comments on the application for Pizza 2U, Buckingham Industrial Park, Buckingham MK18 1HJ for a premises licence to serve alcohol for consumption on and off the premises from 11.00 -23.50 every day:

The Town Council made the following observations and opposed the application based on the following:

- Pizza 2 U has a condition on its planning consent that does not allow takeaways (advert on their web page says 15% off if you collect)
- Pizza 2 U has been selling alcohol for many months and we suspect since it has been selling alcohol since it opened
- The plan shown on page 4 of the written application reads as if there is already an alcohol store on the premises on the first floor and the main plans with the application submitted are not adequate for the license applied for
- Alcohol has therefore been sold without a license to date – this is illegal
- Alcohol sales are advertised on their most recent flyer that has been delivered through local house and business property doors in the town
- Only recently has the sale of alcohol been removed from their web site
- Serious concern that section L of the application says provision of alcohol indoors – so does this mean you order a takeaway, have a drink while you are waiting to collect it and then drive home – this is encouraging drinking and driving from an out of town location
- Section M says the sale of alcohol for consumption both on and off the premises too but section P d) The prevention of a public nuisance - states that "Alcohol is only served with food"
- That acceptance of this alcohol licence will open the doors for other premises to apply for the same on an industrial estate
- Issues under the Crime and Disorder Act could apply – noise, litter and security on an industrial estate

35/09 Chairman's Announcements

Cllr. Mordue announced that he would personally be donating a past Mayoress badge to the Town Council which could be passed on from year to year.

36/09 Date of the next meeting: Interim Council - Monday 8th June 2009
Full Council - Monday 29th June 2009

COMMITTEE IN PRIVATE SESSION

37/09 Exclusion of Public and Press

RESOLVED In terms of Schedule 12A, Local Government Act 1972, the following items will be likely to disclose exempt information relating to establishment and contractual matters and it is, therefore, **RESOLVED** that pursuant to the provisions of the Public Bodies (Admissions to Meetings) Act 1960 the public and press be excluded.

Signed Date
Town Mayor

COMMITTEE IN PRIVATE SESSION

BUCKINGHAM TOWN COUNCIL

TOWN COUNCIL MEETING

MONDAY 11TH MAY 2009

38/09 Minutes

RESOLVED to confirm the confidential minutes and confirm the recommendations therein of the Full Council Meeting held on Monday 23rd March 2009.

39/09 Finance and Administration

See minute no. 14/09

Signed Date
Town Mayor