

STANDARDS REPORT

Final Report **2009-10/07**

1 Introduction

- 1.1 This report has been commissioned by North Lincolnshire Council's (the Council) Monitoring Officer following a decision by the Council's Review Sub-Committee of the 3rd June 2010 that part of Mr Martin's Complaint against Councillor J P Vickers be investigated pursuant to section 57A (2) of the Local Government Act 2000 as amended.
- 1.2 The Complaint was first heard by the Council's Assessment Sub-Committee on 16th March 2010. The Complaint raised three issues, firstly, failing to declare personal and/or prejudicial interests, secondly, allegedly preventing access to information and thirdly, allegedly bringing his (Councillor Vickers') office and authority into disrepute. On 16th March 2010, the Assessment Sub-Committee decided that only the allegation regarding failing to declare personal and/or prejudicial interests should be referred for investigation.
- 1.3 The Complainant exercised his right to request a review of the decision that was taken on 16th March 2010. Therefore, a Review Sub-Committee met on 3rd June 2010 to consider the Complainant's request. The decision of the Review Sub-Committee was to uphold the decision of the Assessment Sub-Committee regarding the allegation of preventing access to information, but to overturn the decision regarding bringing his office and authority into disrepute. Therefore, in accordance with the decision of the Review Sub-Committee, I will be investigating whether there has been a failure to declare personal and/or prejudicial interests, and whether the authority in question has been brought into disrepute.
- 1.4 This investigation was conducted pursuant to the above Act and Regulations issued thereunder.
- 1.5 This is the final report and will be sent to North Lincolnshire Council's Standards Committee for consideration
- 1.6 In preparing this report my colleague Mrs J.Dodson has assisted me by taking shorthand minutes of the interview held with Councillor J.P. Vickers.

2. Nature of Complaint

- 2.1 This complaint has been made by Mr Montagu Martin and it concerns the alleged conduct of Councillor John Paul Vickers. Councillor Vickers is a Councillor for Barton Town Council.
- 2.2 The Complainant alleges that at various Meetings of the Barton Town Council, Councillor Vickers failed to disclose personal and prejudicial interests as a Trustee in the Community Heritage Arts and Media Project (CHAMP) and/or

as Director and Vice Chairman of CHAMP Limited, and that at certain meetings he failed to withdraw from the Meeting at the appropriate time. Within his complaint, Mr Martin refers to various Meetings and has produced Minutes from those Meetings. For completeness, I have considered all the Minutes that the Complainant refers to (regarding those aspects of the Complaint I have been instructed to consider) and I have produced a table of those Minutes detailing what interest, if any, Councillor Vickers declared at those Meetings. This table is at **Appendix 1**.

- 2.3 The Assessment Sub Committee has not directed me to consider the allegation of preventing others from gaining access to information, therefore I have not investigated this element of the Complaint.
- 2.4 In addition to failing to disclose personal and prejudicial interests, the Complainant alleges that Councillor Vickers conducted himself in a manner which could bring his Authority, Barton Town Council, into disrepute.
- 2.5 The Review Sub-Committee has directed that I consider paragraphs 8, 9, 10 and 12 of the Code of Conduct relating to personal and prejudicial interests, and paragraph 5 in relation to the allegation of bringing his authority into disrepute. Therefore, I have only considered these paragraphs (**Appendix 2**).

3. Code of Conduct

- 3.1 I understand that the Barton Town Council adopted the revised Model Code of Conduct on 4th July 2007.
- 3.2 The Review Sub-Committee directed that I consider whether the following paragraphs of the Code had been breached:

8 – (1) You have a personal interest in any business of your authority where either-

(a) it relates to or is likely to affect-

- (i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;*
- (ii) any body-*
 - (aa) exercising functions of a public nature;*
 - (bb) directed to charitable purposes; or*
 - (cc) one of whose principal purposes includes the influence of public opinion or policy(including any political party or trade union)*

of which you are a member or in a position of general control or management.

9 – (1) Subject to sub-paragraphs (2) to (7), where you have a personal interest in any business of your authority and you attend a meeting of your authority at which the business is considered, you must disclose to that

meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

10 – (1) Subject to sub-paragraph (2), where you have a personal interest in any business of your authority you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

12 – (1) Subject to sub-paragraph (2), where you have a personal interest in any business of your authority-

(a) you must withdraw from the room or chamber where a meeting considering the business is being held-

(i) in a case where sub-paragraph (2) applies, immediately after making representations, answering questions or giving evidence;

(ii) in any other case, whenever it becomes apparent that the business is being considered at that meeting;

unless you have obtained a dispensation from your authority's standards committee;

(b) you must not exercise executive functions in relation to that business; and you must not seek to improperly influence a decision about that business.

AND

5 - You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.

4. Methodology and Interviews undertaken

4.1 One interview was conducted at Pittwood House (now the Civic Centre). This was with Councillor John Paul Vickers. My colleague, Mrs J Dodson, accompanied me at that Interview. Minutes were taken of this Interview, which were then sent to Councillor Vickers for him to check and sign as a true and accurate record of his Interview with me. Councillor Vickers was afforded the opportunity to be accompanied at the Interview but chose to attend alone.

4.2 I have only interviewed Councillor Vickers during the course of my Investigation. This is because Mr Martin helpfully provided a comprehensive Complaint, which includes a detailed 7 page written submission, and an accompanying ring binder enclosing Minutes of various Meetings. Therefore, I have been able to understand his Complaint sufficiently without the need to interview him.

4.3 I have referred to the Standards Board for England Guide for Members dated May 2007 and to the advice relating to Dual-hatted members (**Appendix 3**).

5. Mr Martin's Written Submission

- 5.1 Mr Martin's written submission detailing his complaint is at **Appendix 4**. The Complaint relates to a proposal by the Community Heritage Arts and Media project (CHAMP) to take over the administration/management of the Barton Assembly Rooms. I will consider the allegation relating to personal and prejudicial interests first, and then the allegation relating to bringing his (Councillor Vickers') Authority into disrepute.

Failure to disclose personal and prejudicial interests.

- 5.2 Mr Martin's detailed submission refers to various Meetings and whether Councillor John Paul Vickers should have declared personal and/or personal and prejudicial interests at those Meetings. Therefore, I will consider each Meeting that Mr Martin has referred to and what interest Councillor Vickers declared at those Meetings. The detail of the Meetings and interests declared is taken from the copies of the Minutes that Mr Martin has provided me with. I have no reason to doubt that those Minutes are not accurate and true copies of the Meetings mentioned in Mr Martin's Complaint. Copies of those Minutes are provided at **Appendix 5** of this report.
- 5.3 The first meeting Mr Martin refers to is the Town Council meeting of 7th December 2005 at which, the Community Heritage Development Trust is discussed. Councillor Vickers declares a personal interest. The Complainant alleges that Councillor Vickers should have declared a personal and prejudicial interest, but says he will withdraw this allegation if it is evidenced that Councillor Vickers was not a trustee of CHAMP.
- 5.4 The second meeting referred to is the Meeting of Finance and General Purposes Committee of 16th January 2006. The Minutes state that Councillor Vickers declared an interest, but they do not state whether this was a personal interest, or a personal and prejudicial interest.
- 5.5 The third meeting referred to is the Town Council meeting of 3rd May 2006. At this Meeting, the CHAMP project is discussed and Councillor Neil Turner provides an account of a consultation meeting he attended regarding the Project. Councillor Vickers did not declare an interest at this meeting. The Complainant alleges he should have declared a personal and prejudicial interest.
- 5.6 The fourth meeting referred to is the Town Council Meeting of 6th September 2006. At that Meeting, Councillor Turner advises that the Feasibility Study for the CHAMP Project is due to be completed at the end of the current week. Councillor Vickers does not declare an interest at that Meeting.
- 5.7 The next meeting referred to in the complaint (in chronological order) is the Finance and General Purposes Committee Meeting of 16th October 2006 when Councillor Vickers declared a personal interest. At that Meeting, Councillor Turner and Mr Neil Jacques (Council Officer) give an appraisal of the current position of the CHAMP Project, and the Town is asked whether it wishes for the Assembly Rooms to be included in the Project. It is resolved

that the Assembly Rooms progress to the next stage of a business plan proposal for the Development Trust Project. Also, that the Town Council are to write to Yorkshire Culture, giving formal approval for the Assembly Rooms to be progressed to the business plan stage of the Project.

- 5.8 The Complainant refers to the meeting of the Finance and General Purposes Committee Meeting of 15th January 2007 at which Councillor Vickers declares a personal interest. CHAMP's "Art in the Park" request is discussed, it being resolved that if CHAMP's bid is successful, the Town Council will earmark £1,000 in reserves from the Community Heritage Budget. A request received from CHAMP regarding events for children at the museum is also discussed and it is resolved that a donation of £500 be made towards the children, family activities at the museum. In addition, CHAMP's request for financial support to the Baysgarth House Museum is also discussed, and it is resolved to note this for future review.
- 5.9 The seventh meeting referred to in the Complaint is the extraordinary Meeting of the Finance and General Purposes Committee held on 6th May 2008. At that Meeting, Councillor Vickers declares a personal interest. The CHAMP Project, in particular the Assembly Rooms, is discussed at that Meeting when it is proposed that CHAMP take over the day to day running of the Assembly Rooms. After a general discussion, it is agreed in principle that the Town Council negotiate a management lease of the Assembly Rooms with CHAMP.
- 5.10 The eighth meeting referred to is the Town Council Meeting of 7th May 2008. In his submission, Mr Martin refers to the Meeting of 7th May 2009. However, I assume this is a typographical error, as he has only produced Minutes from the Meeting of 7th May 2008 not 7th May 2009. At that 7th May 2008 Meeting, it is agreed in principle that the Town Council negotiate a management lease of the Assembly Rooms with CHAMP. 13 Members voted in favour of this proposal and 3 Members voted against. Cllr Vickers declared a personal interest at this meeting.
- 5.11 The ninth meeting referred to is the Town Council Meeting of 4th June 2008 meeting when a representative for the CHAMP project is nominated. Councillor Vickers does not declare an interest at that Meeting.
- 5.12 The tenth meeting referred to by the Complainant is the Town Council Meeting of 2nd July 2008. Councillor Vickers does not declare an interest at that Meeting. The CHAMP Project is discussed and explanations provided by Councillor Turner. It is resolved that, until further notice, an item relating to the Barton Community Development Trust Project is placed on the Agenda for all future Ordinary Meetings of the Council.
- 5.13 The eleventh meeting referred to is the Town Council Meeting of 3rd December 2008 when Councillor Vickers declared a personal interest. At that Meeting, the lease of the Assembly Rooms to the CHAMP project is discussed and a proposal is made on the transfer of the Assembly Rooms to CHAMP. It is resolved "that Barton-Upon Humber Town Council agree in principle to the transfer of management of the Assembly Rooms to the

CHAMP charitable trust. Subject to the current lottery bid being successful, then to proceed to take solicitors advice as to the way forward with regard to the lease, legal terms of transfer and protection to staff". The Complainant alleges that the failure to withdraw from this discussion and the voting on this proposal was particularly serious as this resolution was pivotal for the benefit of CHAMP and his (Councillor Vickers') vote was active and merely a passive assent. The Minutes provide that 16 Members voted for this proposal, 2 Members did not agree with the proposal, 1 abstained and 1 Member did not vote as she declared a prejudicial interest.

- 5.14 The twelfth meeting the Complainant refers to is the Town Council Meeting of 6th May 2009 when Councillor Vickers declared a personal interest. The progress of the CHAMP Project was discussed and it was explained that a draft lease and under-lease had been prepared. At that Meeting, the Complainant was asked to peruse the draft lease documents and comment upon them. It was resolved that this be noted and be discussed further at the Meeting of 3rd June 2009.
- 5.15 The final meeting the Complainant refers to is the Extraordinary Meeting of the Town Council's Personnel Sub-Committee of 27th July 2009. Councillor Vickers did not declare any interest at that Meeting. The CHAMP Project was discussed, in particular the employment issues surrounding the Town Council Caretaker, and in particular, employment issues arising therefrom. Due to the confidential nature of matters discussed at that Meeting, it is not appropriate for me to refer to this Minute in detail, nor is it appropriate for me to append it to this Report. A proposal was made at the Personnel Sub-Committee Meeting, but it was resolved that the proposal be noted for recommendation at the next Ordinary Meeting of the Town Council.

Bringing your Authority into disrepute

- 5.16 Mr Martin alleges that Councillor Vickers has brought his Authority, the Barton Town Council, into disrepute. Mr Martin states that Councillor Vickers was aware of CHAMP's fragile financial position. Mr Martin states that CHAMP and the Town Council had separate and divergent interests, and in the circumstances, Councillor Vickers' failure to address his conflicting interests would potentially lead electors to reasonably conclude that there was collusion between CHAMP and Barton Town Council, and that the best interests of the electors were not being considered as being paramount.

6. Councillor J.P Vickers: interviewed 20th June 2011

- 6.1 I first considered the failure to disclose personal and prejudicial interests with Councillor Vickers. By way of background, Cllr Vickers explained that his involvement with CHAMP Ltd had originated from the Barton Town Council having appointed him as its representative on that outside body. Cllr Vickers said, as the CHAMP project in Barton had developed, he had become a Trustee of CHAMP Ltd and was also a Director.

- 6.2 Cllr Vickers said that he had not had a personal interest in the CHAMP Project, as he had been acting purely for the benefit of Barton itself and not for his own personal gain. Moreover, his involvement in CHAMP Ltd was on an entirely voluntary, non-salaried basis and as such, he had not benefited financially from the lease of the Assembly Rooms to CHAMP Ltd. For this reason, Cllr Vickers maintained he had not had a prejudicial interest in the CHAMP Project as he had not gained personally or financially from it. Further, Cllr Vickers pointed out that it had been North Lincolnshire Council, not CHAMP Ltd, who had tendered for the refurbishment of the Assembly Rooms, and that he had not known personally anyone involved in those renovation works.
- 6.3 I asked Cllr Vickers why he had only declared personal interests at some meetings and not others, and why he had not declared prejudicial interests at the Meetings Mr Martin refers to in his Complaint. Cllr Vickers explained that the only reason he had begun to declare a personal interest in CHAMP was because Mr Martin had threatened to otherwise make a complaint about him (Cllr Vickers), although Mr Martin had done so in any event. Cllr Vickers said he had been anxious that his failure to declare an interest should not jeopardise the CHAMP Project.
- 6.4 I then specifically asked Cllr Vickers about the Town Council Meeting of 3rd December 2008. Cllr Vickers said that although he had not withdrawn from the discussion at that Meeting, he had done so at the Town Council Meeting of 5th August 2009 when the Town Council had agreed to sign the Agreements for the Lease. Cllr Vickers insisted he had withdrawn from the August Meeting as he was anxious that the Project should not be jeopardised at this final stage. I have seen the minute from 5th August 2009, and note that Cllr Vickers did declare a personal and prejudicial interest at this Meeting.
- 6.5 I considered the Model Code of Conduct with Cllr Vickers and asked him whether, given his involvement as a Trustee and/or Director, any reasonable member of the public would have perceived him to have a personal and/or prejudicial interest in CHAMP Ltd so significant it was likely to have prejudiced his judgement on any issues relating to CHAMP Ltd. Cllr Vickers replied that no reasonable member of the Barton public had ever queried his interests or roles in the CHAMP Project.
- 6.6 Cllr Vickers disagreed with Mr Martin's contention that he had a close association with CHAMP Ltd. Cllr Vickers again made the point that his involvement with CHAMP Ltd had only come about because the Town Council had appointed him as their representative on it. Also, he explained how the two roles were closely inter-twined. Moreover, Cllr Vickers said he would have supported the CHAMP Project whether he had been the Town Council's representative on CHAMP or not, given the obvious benefits to the Town, not least because it secured funding for the refurbishment of the Assembly Rooms – something the Town Council would not have been able to afford itself.

- 6.7 Cllr Vickers also refuted Mr Martin's allegation that CHAMP Ltd had been in financial difficulty at the time the Town Council had agreed to transfer the management of the Assembly Rooms to them. Cllr Vickers said that CHAMP Ltd would have been viable whether the Assembly Rooms had been leased to them or not.
- 6.8 Cllr Vickers was adamant that he had only ever acted in the best interests of the Town Council and Barton as a whole in respect of the CHAMP Project.
- 6.9 I then discussed with Cllr Vickers the allegation of bringing his authority, Barton Town Council, into disrepute. Cllr Vickers vehemently denied that he had ever acted in a way that would bring his authority into disrepute. He said he not acted dishonestly in any way, had never threatened anyone and not shown any violent behaviour. Again, he said he had only ever acted in the best interests of Barton as a whole on the lease of the Assembly Rooms to CHAMP Ltd, not least because CHAMP Ltd would then facilitate the refurbishment of the Assembly Rooms and safeguard its future. Indeed, the Assembly Rooms had since been refurbished to a standard commensurate to a community building and, as a result, had now become a viable building. Moreover, he said that the whole purpose of the CHAMP Project was to protect the heritage of Barton – indeed, the buildings the subject of the CHAMP Project were all Listed Buildings.
- 6.10 Cllr Vickers stated that the Complaint made against him was upsetting and unfounded, and that he could only contend that Mr Martin's Complaint against him was a retaliatory one.

7. Conclusions in relation to the complaint made by Mr Martin against Councillor Vickers

- 7.1 I will first consider the allegation in relation to the declaration of personal and prejudicial interests and whether in my opinion, Councillor John Paul Vickers should have declared a personal and/or prejudicial interest at any of the Meetings Mr Martin refers to in his Complaint.
- 7.2 When considering personal and prejudicial interests, I will first consider whether Councillor Vickers should have declared personal interests at the Meetings referred to by the Complainant. It is minuted that Cllr Vickers declared personal interests at 7 of the 13 meetings referred to by the Complainant. It is further minuted that an interest was declared at the Meeting of 16th January 2006 but is not clear whether this was a personal and prejudicial interest or a personal interest only. As the Minute does not state that this is a prejudicial interest, I can only conclude that it was a personal one. Therefore, Cllr Vickers has in fact declared personal interests at 8 of the 13 Meetings referred to by the Complainant.
- 7.3 I note Cllr Vickers declared interests as a CHAMP Trustee in the Register of Interests on 22nd May 2007 and 1st January 2008.

7.4 I have referred to the Guide for Members 2007, and the guidance in relation to dual-hatted members. The Guide for Members 2007 states a Councillor has a personal interest in any business of the authority where it relates to or is likely to affect:

“a) An interest you must register.

b) An interest that is not on your register, but where the well-being of financial position of you, members of your family, or people with whom you have a close association, is likely to be affected by the business of your authority more than it would affect the majority of:

- inhabitants of the ward or electoral division affected by the decision (in the case of authorities with electoral divisions or wards)*
- inhabitants of the Assembly constituency affected by the decision (in the case of the Greater London Authority)*
- inhabitants of the authority’s area (in all other cases)”*

The Guidance further states:

“You must also look at how any matter would affect your interests or those of members of your family or close associates. This includes:

- your and their jobs and businesses*
- your and their employers, firms you or they are a partner of, and companies you or they are a director of*
- any person or body who has appointed you, members of your family or close associates, to any position*
- corporate bodies in which you or they had a shareholding of more than £25,000 (nominal value)”*

7.5 Councillor Vickers has confirmed he was a Trustee and Director of CHAMP Limited at the material time of the Complaint. He also registered an interest as a CHAMP Trustee in the Register of Interests on 22nd May 2007 and 1st January 2008. Following 22nd May 2007, 3 Meetings took place at which Cllr Vickers did not declare a personal interest. As an interest was registered in the Register of Interests, I am of the opinion that personal interests should have been declared at these 3 Meetings. Prior to 22nd May 2007, 2 Meetings took place at which Cllr Vickers did not declare a personal interest (3rd May 2006 and 6th September 2006). In light of the guidance referred to, I am of the opinion Cllr Vickers should have declared a personal interest at these 2 Meetings.

7.6 Councillor Vickers did not declare personal and prejudicial interests at the 13 meetings the Complainant has referred to. I will consider whether, in addition to declaring personal interests at those Meetings, he should have declared prejudicial interests as well.

7.7 The Guide for Members 2007 states that a personal interest will also be a prejudicial interest if all of the following three conditions are met:

a) the matter does not fall into an exempt category

- b) the matter affects your financial interests or relates to a licensing or regulatory matter
- c) a member of the public who knows all the relevant facts, would reasonably think your personal interest is so significant that it is likely to prejudice your judgment of the public interest.

7.8 I have concluded that the matter discussed at the 13 meetings referred to does not fall into any of the exempt categories detailed at paragraph 10(2)(c) of the Code of Conduct.

7.9 The matter does affect the financial interests of CHAMP and the regulatory elements of the running of CHAMP, such as the lease documentation being discussed, and also issues relating to staff.

7.10 When considering whether the personal interest is so significant it would be likely to prejudice Councillor Vickers' judgement of the public interest, I again refer to the guidance that has been provided which states:

"If a reasonable member of the public with knowledge of all the relevant facts would think that your judgement of the public interest might be prejudiced, then you have a prejudicial interest.

You must ask yourself whether a member of the public- if he or she knew all the relevant facts- would think that your personal interest was so significant that it would be likely to prejudice your judgement. In other words, the interest must be perceived as likely to harm or impair your ability to judge the public interest"

Therefore, the test I need to consider is an objective test.

7.11 Councillor Vickers attended Town Council Meetings during which the business and detail of a body (CHAMP), of which he was a Trustee and Director, was discussed. I have no doubt that Councillor Vickers has always acted in the best interests of Barton-upon-Humber. However, I must, as the Code of Conduct states, apply an objective test and consider whether a member of the public would reasonably regard the personal interest as so significant that it would be likely to prejudice judgement of the public interest.

7.12 I have concluded that a reasonable member of the public would consider the personal interests so significant. Therefore, I find Councillor Vickers should have declared personal and prejudicial interests when the matter of CHAMP and the Assembly Rooms was discussed. I would add that at the Meeting of 2nd July 2008 it was agreed that an agenda item regarding CHAMP be placed for all future Ordinary Meetings of the Town Council, the purpose being to provide progress reports on CHAMP. Therefore, in light of this, I note that Cllr Vickers believed that this would generally be an item for information purposes only. Clearly, this is a reasonable opinion to form, as this was in fact what the minutes stated.

- 7.13 It is important to note that although I find there to be a breach of the Code of Conduct, in my opinion this is a technical breach. I have seen and appended to this Report, all of the relevant Minutes referred to by the Complainant. Therefore, I am aware of what was discussed at the 13 meetings referred to, and the resolutions made at those Meetings. At the meetings of 7th December 2005, 3rd May 2006, 6th September 2006 and 6th May 2009, informative discussions were held and resolutions were made simply to “note” what had been discussed. Whilst decisions were made at the meetings of 16th October 2006, 15th January 2007, 4th June 2008, 2nd July 2008 and 27th July 2009, all Members of the Town Council agreed to those decisions. Therefore, even if Councillor Vickers had not voted at those Meetings, the outcome would still have been the same. At the 16th January 2006 Meeting, a decision was made, which 6 Members were in favour of and 2 were against. Therefore, even if Cllr Vickers had not voted at that Meeting, the outcome would have still been the same. At the Meeting of 6th May 2008, 6 Members agreed to the decision and 3 abstained. Therefore, that decision would have remained the same regardless of whether Cllr Vickers had voted or not. At the Meeting of 7th May 2008, 13 Members agreed and 3 voted against. Therefore, even if Cllr Vickers had not voted, the outcome would still have been the same. Finally, at the Meeting of 3rd December 2008, the decision was 16 in favour, 2 against, 1 abstention and 1 did not vote as that person had a prejudicial interest. Therefore, that decision would have remained the same regardless of whether Cllr Vickers had voted or not.
- 7.14 Regarding the element of the Complaint which relates to bringing his authority into disrepute, I have referred to the Guidance on the Code of Conduct dated 2007, and in particular, the paragraph relating to Disrepute, which provides:
- “You must not bring your office or authority into disrepute while acting in your official capacity, or at any time through criminal activity that leads to a criminal conviction. As a member, your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions in both your public and private life might have an adverse impact on your office or authority. Dishonest and deceitful behaviour in your role as a member may bring your authority into disrepute, as may conduct in your private life which results in a criminal conviction, such as dishonest, threatening or violent behaviour.”*
- 7.15 When considering whether there has been a breach of Paragraph 5 of the Model Code of Conduct, in accordance with the Guidance produced by the Standards Board for England referred to above, I have considered whether there has been any criminal activity, any threatening behaviour, any violent behaviour, or whether there has been any dishonest or deceitful behaviour on the part of Councillor Vickers.
- 7.16 I am satisfied that there is no evidence of any criminal activity, threatening behaviour, or violent behaviour on the part of Councillor Vickers. I am also of the view that there has been no dishonest or deceitful behaviour on the part of Councillor Vickers.

8. Summary

- 8.1 Regarding the allegation of failing to declare interests, Cllr Vickers has omitted to declare interests at some of the meetings referred to in the Complaint. Technically, this constitutes a breach of the Code however, as discussed in this Report, this appeared to be an act of omission rather than commission and had no material impact on the decisions that were made at the meetings referred to.
- 8.2 In respect of the allegation of bringing your authority into disrepute, there is no evidence of criminal activity, threatening behaviour, violent behaviour, or dishonest or deceitful behaviour on the part of Cllr Vickers.

9. Recommendation

- 9.1 I find that Cllr Vickers has technically breached paragraphs 8, 9, 10 and 12 of the Code of Conduct.
- 9.2 I do not find that Cllr Vickers breached paragraph 5 of the Code of Conduct.

Lisa Kershaw
19th March 2012

APPENDIX 1

Table of Minutes referred to by Mr Martin

Date of Meeting	Meeting	Interest declared (if any) in respect of CHAMP
7 th December 2005	Town Council Meeting	Personal Interest declared
16 th January 2006	Finance and General Purposes Committee Meeting	Interest declared – not minuted whether personal, prejudicial or both.
3 rd May 2006	Town Council Meeting	No interest declared
6 th September 2006	Town Council Meeting	No interest declared
16 th October 2006	Town Council Meeting	Personal Interest declared
15 th January 2007	Finance and General Purposes Committee Meeting	Personal Interest declared
6 th May 2008	Finance and General Purposes Committee Extra Ordinary Meeting	Personal Interest declared
7 th May 2008 (<i>Mr Martin refers to 7th May 2009, but I have assumed he must mean 2008 as there is no minute for 7th May 2009</i>)	Town Council Meeting	Personal Interest declared
4 th June 2008	Town Council Meeting	No interest declared
2 nd July 2008	Town Council Meeting	No interest declared
3 rd December 2008	Town Council Meeting	Personal interest declared
6 th May 2009	Town Council Meeting	Personal interest declared
27 th July 2009	Extra Ordinary Meeting of the Personnel Sub-Committee	No interest declared

SCHEDULE
THE MODEL CODE OF CONDUCT

Part 1

General provisions

Introduction and interpretation

1. —(1) This Code applies to **you** as a member of an authority.
- (2) You should read this Code together with the general principles prescribed by the Secretary of State^[13].
- (3) It is your responsibility to comply with the provisions of this Code.

(4) In this Code—

"meeting" means any meeting of—

- (a) the authority;
- (b) the executive of the authority;
- (c) any of the authority's or its executive's committees, sub-committees, joint committees, joint sub-committees, or area committees;

"member" includes a co-opted member and an appointed member.

- (5) In relation to a parish council, references to an authority's monitoring officer and an authority's standards committee shall be read, respectively, as references to the monitoring officer and the standards committee of the district council or unitary county council which has functions in relation to the parish council for which it is responsible under section 55(12) of the Local Government Act 2000.

Scope

2. —(1) Subject to sub-paragraphs (2) to (5), you must comply with this Code whenever you—

(a) conduct the business of your authority (which, in this Code, includes the business of the office to which you are elected or appointed); or

(b) act, claim to act or give the impression you are acting as a representative of your authority,

and references to your official capacity are construed accordingly.

- (2) Subject to sub-paragraphs (3) and (4), this Code does not have

effect in relation to your conduct other than where it is in your official capacity.

(3) In addition to having effect in relation to conduct in your official capacity, paragraphs 3(2)(c), 5 and 6(a) also have effect, at any other time, where that conduct constitutes a criminal offence for which you have been convicted.

(4) Conduct to which this Code applies (whether that is conduct in your official capacity or conduct mentioned in sub-paragraph (3)) includes a criminal offence for which you are convicted (including an offence you committed before the date you took office, but for which you are convicted after that date).

(5) Where you act as a representative of your authority—

(a) on another relevant authority, you must, when acting for that other authority, comply with that other authority's code of conduct; or

(b) on any other body, you must, when acting for that other body, comply with your authority's code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

General obligations

3. —(1) You must treat others with respect.

(2) You must not—

(a) do anything which may cause your authority to breach any of the equality enactments (as defined in section 33 of the Equality Act 2006^[14]);

(b) bully any person;

(c) intimidate or attempt to intimidate any person who is or is likely to be—

(i) a complainant,

(ii) a witness, or

(iii) involved in the administration of any investigation or proceedings,

in relation to an allegation that a member (including yourself) has failed to comply with his or her authority's code of conduct; or

(d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your authority.

(3) In relation to police authorities and the Metropolitan Police Authority, for the purposes of sub-paragraph (2)(d) those who work for, or on behalf of, an authority are deemed to include a police officer.

4. You must not—

(a) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where—

(i) you have the consent of a person authorised to give it;

(ii) you are required by law to do so;

(iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or

(iv) the disclosure is—

(aa) reasonable and in the public interest; and

(bb) made in good faith and in compliance with the reasonable requirements of the authority; or

(b) prevent another person from gaining access to information to which that person is entitled by law.

5. You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.

6. You—

(a) must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage; and

(b) must, when using or authorising the use by others of the resources of your authority—

(i) act in accordance with your authority's reasonable requirements;

(ii) ensure that such resources are not used improperly for political purposes (including party political purposes); and

(c) must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986^[15].

7. —(1) When reaching decisions on any matter you must have regard to any relevant advice provided to you by—

(a) your authority's chief finance officer; or

(b) your authority's monitoring officer,

where that officer is acting pursuant to his or her statutory duties.

(2) You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your authority.

Part 2

Interests

Personal interests

8. —(1) You have a personal interest in any business of your authority where either—

(a) it relates to or is likely to affect—

(i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;

(ii) any body—

(aa) exercising functions of a public nature;

(bb) directed to charitable purposes; or

(cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union),

of which you are a member or in a position of general control or management;

(iii) any employment or business carried on by you;

(iv) any person or body who employs or has appointed you;

(v) any person or body, other than a relevant authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties;

(vi) any person or body who has a place of business or land in your authority's area, and in whom you have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or

one hundredth of the total issued share capital
(whichever is the lower);

(vii) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi);

(viii) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25;

(ix) any land in your authority's area in which you have a beneficial interest;

(x) any land where the landlord is your authority and you are, or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi) is, the tenant;

(xi) any land in the authority's area for which you have a licence (alone or jointly with others) to occupy for 28 days or longer; or

(b) a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority of—

(i) (in the case of authorities with electoral divisions or wards) other council tax payers, ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision;

(ii) (in the case of the Greater London Authority) other council tax payers, ratepayers or inhabitants of the Assembly constituency affected by the decision; or

(iii) (in all other cases) other council tax payers, ratepayers or inhabitants of your authority's area.

(2) In sub-paragraph (1)(b), a relevant person is—

(a) a member of your family or any person with whom you have a close association; or

(b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;

(c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or

(d) any body of a type described in sub-paragraph (1)(a)(i) or (ii).

Disclosure of personal interests

9. —(1) Subject to sub-paragraphs (2) to (7), where you have a personal interest in any business of your authority and you attend a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

(2) Where you have a personal interest in any business of your authority which relates to or is likely to affect a person described in paragraph 8(1)(a)(i) or 8(1)(a)(ii)(aa), you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.

(3) Where you have a personal interest in any business of the authority of the type mentioned in paragraph 8(1)(a)(viii), you need not disclose the nature or existence of that interest to the meeting if the interest was registered more than three years before the date of the meeting.

(4) Sub-paragraph (1) only applies where you are aware or ought reasonably to be aware of the existence of the personal interest.

(5) Where you have a personal interest but, by virtue of paragraph 14, sensitive information relating to it is not registered in your authority's register of members' interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.

(6) Subject to paragraph 12(1)(b), where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.

(7) In this paragraph, "executive decision" is to be construed in accordance with any regulations made by the Secretary of State under section 22 of the Local Government Act 2000[[16](#)].

Prejudicial interest generally

10. —(1) Subject to sub-paragraph (2), where you have a personal interest in any business of your authority you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

(2) You do not have a prejudicial interest in any business of the authority where that business—

- (a) does not affect your financial position or the financial position of a person or body described in paragraph 8;
- (b) does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 8; or
- (c) relates to the functions of your authority in respect of—
 - (i) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;
 - (ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
 - (iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
 - (iv) an allowance, payment or indemnity given to members;
 - (v) any ceremonial honour given to members; and
 - (vi) setting council tax or a precept under the Local Government Finance Act 1992.

Prejudicial interests arising in relation to overview and scrutiny committees

11. You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where—

- (a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and
- (b) at the time the decision was made or action was taken, you were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken.

Effect of prejudicial interests on participation

12. —(1) Subject to sub-paragraph (2), where you have a prejudicial interest in any business of your authority—

- (a) you must withdraw from the room or chamber where a meeting considering the business is being held—

(i) in a case where sub-paragraph (2) applies, immediately after making representations, answering questions or giving evidence;

(ii) in any other case, whenever it becomes apparent that the business is being considered at that meeting;

unless you have obtained a dispensation from your authority's standards committee;

(b) you must not exercise executive functions in relation to that business; and

(c) you must not seek improperly to influence a decision about that business.

(2) Where you have a prejudicial interest in any business of your authority, you may attend a meeting (including a meeting of the overview and scrutiny committee of your authority or of a sub-committee of such a committee) but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

Part 3

Registration of Members' Interests

Registration of members' interests

13. —(1) Subject to paragraph 14, you must, within 28 days of—

(a) this Code being adopted by or applied to your authority; or

(b) your election or appointment to office (where that is later),

register in your authority's register of members' interests (maintained under section 81(1) of the Local Government Act 2000) details of your personal interests where they fall within a category mentioned in paragraph 8(1)(a), by providing written notification to your authority's monitoring officer.

(2) Subject to paragraph 14, you must, within 28 days of becoming aware of any new personal interest or change to any personal interest registered under paragraph (1), register details of that new personal interest or change by providing written notification to your authority's monitoring officer.

Sensitive information

14. —(1) Where you consider that the information relating to any of your personal interests is sensitive information, and your authority's monitoring officer agrees, you need not include that information when registering that interest, or, as the case may be, a change to that

interest under paragraph 13.

(2) You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under paragraph (1) is no longer sensitive information, notify your authority's monitoring officer asking that the information be included in your authority's register of members' interests.

(3) In this Code, "sensitive information" means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

THE CODE OF CONDUCT

Guide for members
May 2007

Preface

This guide from the Standards Board for England provides an overview of the revised Model Code of Conduct. The Code of Conduct applies to all members and co-opted members of local authorities, and all members are required to sign up to it as part of their declarations of acceptance of office. The Code of Conduct does not apply to the actions of authorities as a whole, or to the conduct of its officers and employees.

The following pages aim to provide you with a general understanding of the Code of Conduct and its requirements. Chapter 1 provides an introduction, whilst Chapter 2 outlines your obligations under the Code of Conduct, referencing specific paragraphs of the Code of Conduct for further information. Chapters 3 and 4 deal with general issues surrounding interests, and aim to clarify a number of provisions which you will find in Parts 2 and 3 of the Code of Conduct. You can obtain a copy of the Code of Conduct by downloading it from www.standardsboard.gov.uk or to purchase a printed copy, contact The Stationery Office by visiting www.tsoshop.co.uk or calling 0870 242 2345.

Ultimately, however, it is your responsibility to take specific advice from your monitoring officer where appropriate and to make a decision as to the most suitable course of action.

This guide is issued by the Standards Board for England under the *Local Government Act 2000* for elected, co-opted and appointed members of:

- district, unitary, metropolitan, county and London borough councils
- parish and town councils
- English and Welsh police authorities
- fire and rescue authorities (including fire and civil defence authorities)
- the London Fire and Emergency Planning Authority
- passenger transport authorities
- the Broads Authority
- national park authorities
- the Greater London Authority
- the Common Council of the City of London
- the Council of the Isles of Scilly

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1.

Introduction

Adopting the Model Code of Conduct

Your local authority will have until 1 October 2007 to adopt the Code of Conduct. After this time, members of authorities that have not adopted it will be automatically covered by it. To avoid confusion with the previous Code, the Standards Board for England ('the Standards Board') encourages your local authority to adopt the Code of Conduct at its first opportunity.

It is also important that the Code of Conduct is adopted in its model form, without amendment. This will give certainty to members and the public as to what standards are expected. It will ensure consistency throughout local authorities, avoiding confusion for members on more than one authority and for the public. It will also minimise the legal risk of your authority adopting additional provisions which are unenforceable.

However, there is one important exception. The right to make representations, answer questions and give evidence like a member of the public when a member has a prejudicial interest is not a mandatory provision for:

- parish and town councils
- English and Welsh police authorities
- fire and rescue authorities (including fire and civil defence authorities)

- the London Fire and Emergency Planning Authority
- passenger transport authorities
- the Broads Authority
- national park authorities
- the Greater London Authority

Therefore, this right will only apply to the above authorities if paragraph 12(2) of the Code of Conduct is adopted by them. Simply adopting the mandatory provisions will not incorporate this important change.

The Ten General Principles of Public Life

The Standards Board recommends that your local authority includes a preamble to the Code that it adopts, which outlines the ten general principles governing the conduct of members of local authorities. These ten general principles are set out in the *Relevant Authorities (General Principles) Order 2001*. They are based on the Seven Principles of Public Life set out by the Committee on Standards in Public Life, and appear in full in **Table 1**.

These principles define the standards that members should uphold, and serve as a reminder of the purpose of the Code of Conduct.

As these principles do not create a statutory obligation for members, the Standards Board cannot accept allegations that they have been breached.

However, you should be aware that a failure to act in accordance with these general principles may amount to a breach of the Code of Conduct. For example, by placing yourself in situations where your honesty and integrity may be questioned, your conduct may be “conduct which could reasonably be regarded as bringing a member’s office or authority into disrepute” as stated in paragraph 5 of the Code of Conduct.

Deciding when the Code of Conduct applies to you

The Code of Conduct applies to you:

1. Whenever you act in your official capacity, including whenever you conduct the business of your authority or act, claim to act, or give the impression you are acting, in your official capacity or as a representative of your authority.
2. At any time¹, where your behaviour has led to a criminal conviction. However, only paragraphs 3(2)(c), 5 and 6(a) have effect in these circumstances when you are acting in your private capacity. Otherwise, the Code of Conduct does not apply to your private life.

Where you act as a representative of your authority on another relevant authority, you must, when acting for that other authority, comply with their Code of Conduct.

You may also act as a representative of your authority on another body, for example as a school governor. When acting for that other body, you must comply with your authority's Code of Conduct, unless it conflicts with lawful obligations of the other body.

¹ Transitional Note: Until such time as there is Parliamentary approval for amendments to section 52 of the *Local Government Act 2000* which reinstates the situation prior to Collins J's decision in *Livingstone v Adjudication Panel for England 2006*, the Code of Conduct does not apply to conduct outside of the performance of your functions as a member. Only if you have engaged in an activity which has a link with the functions of your office will any conduct in your private capacity be covered by the Code of Conduct. If the legislative amendments are passed, the Code of Conduct will also apply to criminal activity which has led to a conviction.

Table 1 The Ten General Principles of Public Life

Selflessness – members should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.

Honesty and integrity – members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly, and should on all occasions avoid the appearance of such behaviour.

Objectivity – members should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.

Accountability – members should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should co-operate fully and honestly with any scrutiny appropriate to their particular office.

Openness – members should be as open as possible about their actions and those of their authority, and should be prepared to give reasons for those actions.

Personal judgement – members may take account of the views of others, including their political groups, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.

Respect for others – members should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the authority's statutory officers and its other employees.

Duty to uphold the law – members should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.

Stewardship – members should do whatever they are able to do to ensure that their authorities use their resources prudently, and in accordance with the law.

Leadership – members should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence.

2.

General obligations under the Code of Conduct

Treating others with respect

See Paragraph 3(1)

You must treat others with respect.

In politics, rival groupings are common, either in formal political parties or more informal alliances. It is expected that each will campaign for their ideas, and they may also seek to discredit the policies and actions of their opponents. Criticism of ideas and opinion is part of democratic debate, and does not in itself amount to bullying or failing to treat someone with respect.

Ideas and policies may be robustly criticised, but individuals should not be subject to unreasonable or excessive personal attack. This particularly applies to dealing with the public and officers. Chairs of meetings are expected to apply the rules of debate and procedure rules or standing orders to prevent abusive or disorderly conduct.

Whilst it is acknowledged that some members of the public can make unreasonable demands on members, members should, as far as possible, treat the public courteously and with consideration. Rude and offensive behaviour lowers the public's expectations and confidence in its elected representatives.

Complying with equality laws

See Paragraph 3(2)(a)

You must not do anything which may cause your authority to breach any equality laws.

Equality laws prohibit discrimination on the grounds of sex, race, disability, religion or belief, sexual orientation and age.

The provisions of these laws are complex. In summary, there are four main forms of discrimination:

- Direct discrimination: treating people differently because of their sex, race, disability, religion or belief, sexual orientation or age.
- Indirect discrimination: treatment which does not appear to differentiate between people because of their sex, race, disability, religion or belief, sexual orientation or age, but which disproportionately disadvantages them.
- Harassment: engaging in unwanted conduct on the grounds of sex, race, disability, religion or belief, sexual orientation or age, which violates another person's dignity or creates a hostile, degrading, humiliating or offensive environment.

- Victimisation: treating a person less favourably because they have complained of discrimination, brought proceedings for discrimination, or been involved in complaining about or bringing proceedings for discrimination.

Equality laws also impose positive duties to eliminate unlawful discrimination and harassment and to promote equality. They also impose specific positive duties on certain authorities.

Under equality laws, your authority may be liable for any discriminatory acts which you commit. This will apply when you do something in your official capacity in a discriminatory manner.

You must be careful not to act in a way which may amount to any of the prohibited forms of discrimination, or to do anything which hinders your authority's fulfilment of its positive duties under equality laws. Such conduct may cause your authority to break the law, and you may find yourself subject to a complaint that you have breached this paragraph of the Code of Conduct.

Bullying and intimidation

See Paragraphs 3(2)(b) and 3(2)(c)

You must not bully any person including other councillors, council officers or members of the public.

Bullying may be characterised as offensive, intimidating, malicious, insulting or humiliating behaviour. Such behaviour may happen once or be part of a pattern of behaviour directed at a weaker person or person over whom you have some actual or perceived influence. Bullying behaviour attempts to undermine an individual or a group of individuals, is detrimental to their confidence and capability, and may adversely affect their health.

This can be contrasted with the legitimate challenges which a member can make in challenging policy or scrutinising performance. An example of this would be debates in the chamber about policy, or asking officers to explain the rationale for the professional opinions they have put forward. You are entitled to challenge fellow councillors and officers as to why they hold their views.

It is important that you raise issues about poor performance in the correct way and proper forum. However, if your criticism is a personal attack or of an offensive nature, you are likely to cross the line of what is acceptable behaviour.

You must not intimidate or attempt to intimidate any person who is or is likely to be a complainant, a witness, or involved in the administration of any investigation or proceedings relating to a failure to comply with the Code of Conduct.

However much you may be concerned about allegations that you or a fellow councillor failed to comply with the Code of Conduct, it is always wrong to bully, intimidate or attempt to intimidate any person involved in the investigation or hearing. Even though you may not have breached the Code of Conduct, you will have your say during any independent investigation or hearing, and you should let these processes follow their natural course.

If you intimidate a witness in an investigation about your conduct, for example, you may find yourself subject to another complaint that you breached this paragraph of the Code of Conduct.

Compromising the impartiality of officers of the authority

See Paragraph 3(2)(d)

You must not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the authority.

You should not approach or pressure anyone who works for, or on behalf of, the

authority to carry out their duties in a biased or partisan way. They must be neutral and should not be coerced or persuaded to act in a way that would undermine their neutrality. For example, you should not get officers to help you prepare party political material, or to help you with matters relating to your private business. You should not provide or offer any incentive or reward in return for acting in a particular way or reaching a particular decision.

Although you can robustly question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

Disclosing confidential information

See Paragraph 4(a)

You must not disclose confidential information, or information which you believe to be of a confidential nature, except in any of the following circumstances:

- You have the consent of the person authorised to give it.
- You are required by law to do so.

- The disclosure is made to a third party for the purposes of obtaining professional advice (for example, your lawyer or other professional adviser) provided that person agrees not to disclose the information to any other person.
 - The disclosure is in the public interest. This is only justified in limited circumstances, when all of the following four requirements are met:
 1. the disclosure must be reasonable
 2. the disclosure must be in the public interest
 3. the disclosure must be made in good faith
 4. the disclosure must be made in compliance with any reasonable requirements of your authority
- In relation to the disclosure of confidential information in the public interest, the four requirements to be met are outlined in more detail below.
1. The first requirement, that the disclosure must be reasonable, requires you to consider matters such as:
 - Whether you believe that the information disclosed, and any allegation contained in it, is substantially true. If you do not believe this, the disclosure is unlikely to be reasonable.
 - Whether you make the disclosure for personal gain. If you are paid to disclose the information, the disclosure is unlikely to be reasonable.
 - The identity of the person to whom the disclosure is made. It may be reasonable to disclose information to the police or to an appropriate regulator. It is less likely to be reasonable for you to disclose the information to the world at large through the media.
 - The extent of the information disclosed. The inclusion of unnecessary detail, and in particular, private matters such as addresses or telephone numbers, is likely to render the disclosure unreasonable.
 - The seriousness of the matter. The more serious the matter disclosed, the more likely it is that the disclosure will be reasonable.
 - The timing of the disclosure. If the matter to which the disclosure relates has already occurred, and is unlikely to occur again, the disclosure may be less likely to be reasonable than if the matter is continuing, or is likely to re-occur.
 - Whether the disclosure involves your authority failing in a duty of confidence owed to another person.

2. The second requirement, that the disclosure must be in the public interest, needs to involve one or more of the following matters or something of comparable seriousness, that has either happened in the past, is currently happening, or is likely to happen in the future:
 - (a) A criminal offence is committed.
 - (b) Your authority or some other person fails to comply with any legal obligation to which they are subject.
 - (c) A miscarriage of justice occurs.
 - (d) The health or safety of any individual is in danger.
 - (e) The environment is likely to be damaged.
 - (f) That information tending to show any matter falling within (a) to (e) is deliberately concealed.
3. The third requirement, that the disclosure is made in good faith, will not be met if you act with an ulterior motive, for example, to achieve a party political advantage or to settle a score with a political opponent.

4. The fourth requirement, that you comply with the reasonable requirements of your authority, means that before making the disclosure you must comply with your authority's policies or protocols on matters such as whistle-blowing and confidential information. You must first raise your concerns through the appropriate channels set out in such policies or protocols.

In summary, to decide whether the disclosure is reasonable and in the public interest, you may need to conduct a balancing exercise weighing up the public interest in maintaining confidentiality against any countervailing public interest favouring disclosure. This will require a careful focus on how confidential the information is, on any potentially harmful consequences of its disclosure, and on any factors which may justify its disclosure despite these potential consequences.

In some situations, it is extremely unlikely that a disclosure can be justified in the public interest. These will include where the disclosure amounts to a criminal offence, or where the information disclosed is protected by legal professional privilege.

Preventing access to information

See Paragraph 4(b)

You must not prevent anyone getting information that they are entitled to by law.

You must not prevent any person from accessing information which they are entitled to by law. This includes information under the *Freedom of Information Act 2000* or those copies of minutes, agendas, reports and other documents of your authority which they have a right to access. To find out more about what types of information the public can access, contact the Information Commissioner's Office by visiting www.ico.gov.uk or by calling 0845 630 6060.

Disrepute

See Paragraph 5

You must not bring your office or authority into disrepute while acting in your official capacity, or at any time through criminal activity that leads to a criminal conviction.²

² Transitional Note: Until such time as there is Parliamentary approval for amendments to section 52 of the *Local Government Act 2000* which reinstates the situation prior to Collins J's decision in *Livingstone v Adjudication Panel for England 2006*, the Code of Conduct does not apply to conduct outside of the performance of your functions as a member. Only if you have engaged in an activity which has a link with the functions of your office will any conduct in your private capacity be covered by the Code of Conduct. If the legislative amendments are passed, the Code of Conduct will also apply to criminal activity which has led to a conviction.

As a member, your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions in both your public and private life might have an adverse impact on your office or your authority. Dishonest and deceitful behaviour in your role as a member may bring your authority into disrepute, as may conduct in your private life which results in a criminal conviction, such as dishonest, threatening or violent behaviour.

Using your position improperly

See Paragraph 6(a)

You must not use, or attempt to use, your position improperly to the advantage or disadvantage of yourself or anyone else.

You should not use, or attempt to use, your public office either for your or anybody else's personal gain or loss. For example, your behaviour would be improper if you sought to further your own private interests through your position as a member.

In addition to paragraph 6(a), paragraph 12 is also relevant to the proper use of your position. Paragraph 12 supports your role as a community advocate, representing and speaking for the concerns of your community, even where you have a prejudicial interest. This right applies to you at meetings where you have a statutory right

to speak or you are provided with the same opportunity to speak as ordinary members of the public would be allowed. If your authority does not allow members of the public to attend the relevant meeting for the purpose of speaking to it, paragraph 12 will not apply to you unless you have a statutory right to speak on the matter.

You must leave the room or chamber immediately after you have made the representations, given your evidence, or answered questions, and make no further attempt to influence the decision. If the meeting decides that you must stop speaking to the meeting, even if you have more to say, you must stop and leave the room. If you fail to comply with the meeting's direction or paragraph 12 of the Code of Conduct, you may be found to have improperly influenced the decision.

The authority's resources

See Paragraph 6(b)(i)

You must only use or authorise the use of the resources of the authority in accordance with its requirements.

Where your authority provides you with resources (for example telephone, computer and other IT facilities, transport or support from council employees), you must only use

these resources or employees for carrying out your local authority business and any other activity which your authority has authorised you to use them for.

You must be familiar with the rules applying to the use of these resources made by your authority. Failure to comply with your authority's rules is likely to amount to a breach of the Code of Conduct.

If you authorise someone (for example a member of your family) to use your authority's resources, you must take care to ensure that this is allowed by your authority's rules.

Using resources for proper purposes only

See Paragraphs 6(b)(ii) and 6(c)

You must make sure you use the authority's resources for proper purposes only. It is not appropriate to use, or authorise others to use, the resources for political purposes, including party political purposes. When using the authority's resources, you must have regard, if applicable, to any Local Authority Code of Publicity made under the *Local Government Act 1986*.

You should never use council resources for

purely political purposes, including designing and distributing party political material produced for publicity purposes.

However, your authority may authorise you to use its resources and facilities for political purposes in connection with your authority's business. For example, holding surgeries in your ward and dealing with correspondence from your constituents. In this case, you must be aware of the limitations placed upon such use for these purposes. Using your authority's resources outside of these limitations is likely to amount to a breach of the Code of Conduct.

Considering advice provided to you and giving reasons

See Paragraph 7

Please note: paragraph 7 is not mandatory for parish councils. However, your parish may choose to include an obligation to take account of your clerk's advice in the Code your authority adopts.

You must have regard to advice from your monitoring officer or chief finance officer where they give it under their statutory duties.

If you seek advice, or advice is offered to

you, for example, on whether or not you should register a personal interest, you should have regard to this advice before you make your mind up. Failure to do so may be a breach of the Code of Conduct.

You must give reasons for all decisions in accordance with statutory requirements and any reasonable requirements imposed by your authority. Giving reasons for decisions is particularly important in relation to regulatory decisions and decisions where people's rights are affected.

Where members disagree with officer recommendations in making a decision, members will need to take particular care in giving clear reasons for the decision.

3.

Personal and prejudicial interests

Personal interests

Key points:

Two types of personal interest

You have a **personal interest** in any business of your authority where it relates to or is likely to affect:

- a) An interest that you must **register**.
- b) An interest that is not on your register, but where the well-being or financial position of you, members of your family, or people with whom you have a close association, is likely to be affected by the business of your authority more than it would affect the majority of:
 - inhabitants of the ward or electoral division affected by the decision (in the case of authorities with electoral divisions or wards)
 - inhabitants of the Assembly constituency affected by the decision (in the case of the Greater London Authority)
 - inhabitants of the authority's area (in all other cases)

These two categories of personal interests are explained in this section. If you declare a personal interest you can remain in the meeting, speak and vote on the matter, unless your personal interest is also a **prejudicial interest**.

What constitutes a prejudicial interest is outlined in the next section on page 22.

Effect of having a personal interest in a matter

You must declare that you have a personal interest, and the nature of that interest, before the matter is discussed or as soon as it becomes apparent to you except in limited circumstances. Even if your interest is on the register of interests, you must declare it in the meetings where matters relating to that interest are discussed, unless an exemption applies. When an exemption may be applied is explained opposite.

Exemption to the rule on declaring a personal interest to the meeting

An exemption applies where your interest arises solely from your membership of, or position of control or management on:

1. any other body to which you were appointed or nominated by the authority
2. any other body exercising functions of a public nature (for example another local authority)

In these exceptional cases, provided that you do not have a prejudicial interest, you only need to declare your interest if and when you speak on the matter.

Example: if you are attending a council debate on education policy and are also a local education authority appointed governor, you would only need to declare an interest if and when you decided to speak during the debate. If you do not want to speak to the meeting on the decision, you may vote on the matter without making a declaration.

If you have sensitive employment, which you would like to withhold from the register of interests, please see page 31 for more information.

a) Interests you must register

Key points:

All members have to provide a record of their interests in a public register of interests.

You must tell your monitoring officer in writing (in the case of a parish councillor, perhaps through your clerk) within 28 days of taking office, or within 28 days of any change to your register of interests, of any interests which fall within the categories set out in the Code of Conduct, outlined below.

You need to register your interests so that the public, authority staff and fellow members know which of your interests might give rise to a conflict of interest. The register is a document that can be consulted when (or before) an issue arises, and so allows others to know what interests you have, and whether they might give rise to a possible conflict of interest.

The register also protects you. You are responsible for deciding whether or not you should declare an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public

know about any interest that might have to be declared by you or other members, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

As previously mentioned, you must tell your monitoring officer in writing within 28 days of taking office, or within 28 days of any change to your register of interests, of any interests which fall within the categories set out in the Code of Conduct. These categories include:

- Your membership or position of control or management in:
 - any other bodies to which you were appointed or nominated by the authority
 - any bodies **exercising functions of a public nature** (described below), or directed to charitable purposes, or whose principal purposes include the influence of public opinion or policy, including any political party or trade union
- Your job(s) or business(es).
- The name of your employer or people who have appointed you to work for them.
- The name of any person who has made a payment to you in respect of your election, or expenses you have incurred in carrying out your duties.
- The name of any person, company or other body which has a place of business or land in the authority's area, and in which you have a shareholding of more than £25,000 (nominal value) or have a stake of more than 1/100th of the share capital of the company.
- Any contracts between the authority and yourself, your firm (if you are a partner) or a company (if you are a paid director or if you have a shareholding as described above) including any lease, licence from the authority and any contracts for goods, services or works. Where the contract relates to use of land or a property, the land must be identified on the register.
- Any gift or hospitality over the value of £25 that you receive as a member and the person you believe to be the source of the gift or hospitality.
- Any land and property in the authority's area in which you have a beneficial interest (or a licence to occupy for more than 28 days) including, but not limited to, the land and house you live in and any allotments you own or use.

If you have sensitive employment, which you would like to withhold from the register of interests, please see page 31 for more information.

What is “a body exercising functions of a public nature”?

The phrase “a body exercising functions of a public nature” has been subject to broad interpretation by the courts for a variety of different purposes. Although it is not possible to produce a definitive list of such bodies, here are some of the criteria to consider when deciding whether or not a body meets that definition:

- Does that body carry out a public service?
- Is the body taking the place of local or central government in carrying out the function?
- Is the body (including one outsourced in the private sector) exercising a function delegated to it by a public authority?
- Is the function exercised under legislation or according to some statutory power?
- Can the body be judicially reviewed?

Unless you answer ‘yes’ to one of the above questions, it is unlikely that the body in your case is exercising functions of a public nature.

Examples of bodies included in this definition: regional and local development agencies, other government agencies, other councils, public health bodies, council-owned companies exercising public functions, arms length management organisations carrying out housing functions on behalf of your authority, school governing bodies.

If you need further information or specific advice on this matter, please contact your monitoring officer.

b) Interests that are not on your register

Key points:

You have a personal interest in a matter if that matter affects the **well-being or financial position** of you, members of your **family**, or people with whom you have a **close association**, more than it would affect the majority of people in the **ward or electoral division** affected by the decision, or in the authority’s area or constituency.

You must also look at how any matter would affect your interests or those of members of your family or close associates. This includes:

- your and their jobs and businesses
- your and their employers, firms you or they are a partner of, and companies you or they are a director of
- any person or body who has appointed you, members of your family or close associates, to any position
- corporate bodies in which you or they have a shareholding of more than £25,000 (nominal value)

What does “affecting well-being or financial position” mean?

The term ‘well-being’ can be described as a condition of contentedness and happiness. Anything that could affect your quality of life, either positively or negatively, is likely to affect your well-being.

A personal interest can affect you, your family or close personal associates positively and negatively. So if you or they have the potential to gain or lose from a matter under consideration, a personal interest would need to be declared in both situations.

Who is a member of your family or close associate?

A member of your family should be given a very wide meaning. It includes a partner (someone you are married to, your civil partner, or someone you live with in a similar capacity), a parent, a parent-in-law, a son or daughter, a stepson or stepdaughter, the child of a partner, a brother or sister, a brother or sister of your partner, a grandparent, a grandchild, an uncle or aunt, a nephew or niece, and the partners of any of these people.

A person with whom you have a close association is someone that you are in either regular or irregular contact with over a period of time who is more than an acquaintance. It is someone a reasonable member of the public might think you would be prepared to favour or disadvantage when discussing a matter that affects them. It may be a friend, a colleague, a business associate or someone whom you know through general social contacts.

What if I belong to an authority without wards?

If you are a member of an authority that does not have wards, you will need to declare a personal interest whenever you consider a matter in a meeting of your authority if it affects the well-being or financial position of you, your family, or

people with whom you have a close association, more than it would affect other people in your authority's area.

What if I am not aware of my personal interest?

Your obligation to disclose a personal interest to a meeting only applies when you are aware of or ought to be aware of the existence of the personal interest.

Clearly you cannot be expected to declare something of which you are unaware. It would be impractical to expect you to research into the employment, business interests and other activities of all your close associates and relatives. However, you should not ignore the existence of interests which, from the point of view of a reasonable and objective observer, you should have been aware.

Prejudicial interests

1. What is a prejudicial interest?

Key points:

Your personal interest will also be a **prejudicial interest** in a matter if all of the following conditions are met:

- a) The matter does not fall within one of the **exempt categories** of decisions.
- b) The matter affects **your financial interests** or relates to a **licensing or regulatory matter**.
- c) A member of the public, who knows the relevant facts, would **reasonably think your personal interest is so significant** that it is likely to prejudice your judgement of the public interest.

An explanation of each of these points follows.

a) Exempt categories of decisions

Paragraph 10(2)(c) of the Code of Conduct states that a member will not have a prejudicial interest if the matter relates to any of the following functions of their authority:

- Housing: if you hold a tenancy or lease with the authority, as long as the matter does not relate to your particular tenancy or lease.
- School meals or school transport and travelling expenses: if you are a parent or guardian of a child in full-time education or you are a parent governor, unless it relates particularly to the school your child attends.
- Statutory sick pay: if you are receiving this, or are entitled to this.
- An allowance, payment or indemnity for members.
- Any ceremonial honour given to members.
- Setting council tax or a precept.

b) Financial interests and licensing or regulatory matters

You can only have a prejudicial interest in a matter if it falls into one of the following two categories:

- a) The matter affects your financial position or the financial position of any person or body through whom you have a personal interest.

Examples: an application for grant-funding to a body on your register of interests; a contract for services between the authority and that body; or leasing a property to or from a close associate or member of your family. Your financial position can be affected directly or indirectly, favourably or unfavourably, substantially or marginally.

- b) The matter relates to an approval, consent, licence, permission or registration that affects you or any person or body with which you have a personal interest.

Examples: considering a planning or licensing application made by you or a body on your register of interests; Licensing Act licences; pet shop and dog breeding licensing; petroleum licences; street trading licences; taxi

licensing; consent, approval or permission pursuant to a contractual document such as a lease or commercial contract; street collection permit; or lottery registration.

c) What is so significant that it is likely to prejudice your judgement?

If a reasonable member of the public with knowledge of all the relevant facts would think that your judgement of the public interest might be prejudiced, then you have a prejudicial interest.

You must ask yourself whether a member of the public – if he or she knew all the relevant facts – would think that your personal interest was so significant that it would be likely to prejudice your judgement. In other words, the interest must be perceived as likely to harm or impair your ability to judge the public interest.

The mere existence of local knowledge, or connections within the local community, will not normally be sufficient to meet the test. There must be some factor that might positively harm your ability to judge the public interest objectively. The nature of the matter is also important, including whether a large number of people are equally affected by it or whether you or a smaller group are particularly affected.

Some general principles must be remembered when applying this test. You should clearly act in the public interest and not in the interests of family or close associates. You are a custodian of the public purse and the public interest and your behaviour and decisions should reflect this responsibility.

Example: you would have a prejudicial interest in a planning application proposal if a member of your family lives next to the proposed site. This is because your family member would be likely to be affected by the application to a greater extent than the majority of the inhabitants of the ward affected by the decision (or authority, if your authority does not have wards) and this gives you a personal interest in the issue. The existence of the close family tie means a reasonable member of the public might think that it would prejudice your view of the public interest when considering the planning application. It does not matter whether it actually would or not.

2. What to do when you have a prejudicial interest

Even where you have a prejudicial interest, the Code of Conduct supports your role as a community advocate and enables you in certain circumstances to represent your community and to speak on issues important to them and to you.

However, this right is not mandatory for certain types of authorities (including parish councils and police authorities). For such authorities it will only apply if paragraph 12(2) of the code is expressly adopted by your authority and the public are allowed to speak to meetings of your authority. Simply adopting the mandatory provisions will not incorporate this important change. See page 4 for a full list of authorities in this category.

Key points:

If you have a **prejudicial interest** in a matter being discussed at a meeting, you must declare that you have a prejudicial interest and the nature of that interest as soon as that interest becomes apparent to you.

You should then leave the room, **unless members of the public are allowed to make representations, give evidence or answer questions about the matter**, by statutory right or otherwise. If that is the case, you can also attend the meeting for that purpose.

However, you must immediately leave the room once you have finished or when the meeting decides that you have finished (if that is earlier). You cannot remain in the public gallery to observe the vote on the matter.

In addition, you must not seek to **improperly influence** a decision in which you have a prejudicial interest. This rule is similar to your general obligation not to use your position as a member improperly to your or someone else's advantage or disadvantage.

Do I have a statutory right to speak to the meeting?

The Code of Conduct does not provide you with a general right to speak to a meeting where you have a prejudicial interest. However, in limited circumstances, legislation may provide you with a right to speak (for example, licensing hearings and standards hearings) which the Code of Conduct recognises. If so, you will be allowed to exercise that right to speak. Your monitoring officer should be able to confirm whether this is relevant to your case.

If I don't have a statutory right, will I be allowed to speak to the meeting?

The Code of Conduct aims to provide members with the same rights as ordinary members of the public to speak on certain matters in meetings, despite having a prejudicial interest. These rights are usually governed by your authority's constitution, procedure rules or standing orders, and may be subject to conditions including time limits or the fact that representations can only be made in writing.

If an ordinary member of the public would be allowed to speak to a meeting about an item, you should be provided with the same opportunity. You will be able to make representations, answer questions or give evidence, even if you have a prejudicial

interest in the item. You may not take part in the discussion or observe the vote.

When must I leave the room where the meeting is held?

You must leave immediately after you have made your representations, given evidence or answered questions, and before any debate starts.

If the meeting decides that you should finish speaking, despite your intention to say more, you must comply with the meeting's decision. Although members of the public may be allowed to observe the discussion and vote on the matter, you are not allowed to do so and must leave the room immediately. Failure to do so may be viewed as an attempt to **improperly influence** the meeting.

What does improperly influencing a decision mean?

You must not use your position or attempt to use your position improperly to further your own interests in a way that is not open to ordinary members of the public. Clear examples of improper influence would be using coercion, harassment, inducement or pressure to influence a matter.

It may also be improper if you refuse to leave the meeting, or continue to speak to a

meeting, on a matter in which you have a prejudicial interest, after the meeting has decided that you must stop speaking and leave.

What if the public are not allowed to speak to the meeting on the matter?

If an ordinary member of the public is not allowed to speak on the matter, you cannot do so if you have a prejudicial interest. You must leave the room where the debate is being held and not seek to influence the debate in any way.

This may be the case, for example, where your authority is discussing a confidential matter in closed session or does not have procedure rules or standing orders in place that allow members of the public to speak at a meeting of your authority. Like the public, you are not allowed to participate if you have a prejudicial interest. However, where the public may be allowed to sit in the public gallery to observe the meeting, you will be required to leave the room during the debate and vote.

If I have a prejudicial interest, how else can I influence the decision?

You can still present your views to the meeting through other means and influence the decision in a way that is not improper. For example, you can:

- Make written representations in your private capacity. The Standards Board recommends that the existence and nature of the interest should be disclosed in such representations. You should not seek preferential consideration for your representations. Such written representations should be addressed to officers rather than other members of the authority.
- Use a professional representative to make, for example, a planning application on your behalf.
- Arrange for another member of your authority to represent the views of your constituents on matters in which you have a prejudicial interest.

3. Dispensations

If I have a prejudicial interest, can I obtain a dispensation to allow me to take part in the meeting?

Key points:

You can apply in writing to your local standards committee for a dispensation on one of the following grounds:

- over 50 per cent of the authority or committee members would be prevented from taking a full part in a meeting because of prejudicial interests
- the political balance at the meeting would be upset¹

You must apply for a dispensation individually and not as a group or authority. If the standards committee approves your application, it must grant the dispensation in writing and before the meeting is held. If you need a dispensation, you should apply for one as soon as is reasonably possible.

Only the standards committee can grant the dispensation and will do so at its discretion. The standards committee will need to balance the public interest in preventing members with prejudicial interests from taking part in decisions, against the public interest in decisions being taken by a reasonably representative group of members of the authority. If failure to grant a dispensation will result in an authority or committee not achieving a quorum, this may well constitute grounds for granting a dispensation.

The Standards Board cannot grant dispensations or advise on whether or not they should be granted. For further advice on dispensations, you should contact your monitoring officer.

¹ Please note there is currently a problem with the drafting of the Dispensation Regulations. The political balance criterion is linked to an authority being unable to comply with its duty under section 15(4) of the *Local Government and Housing Act 1989*. This duty requires the appointment of committees that reflect the overall political balance of an authority. However, the duty does not arise in relation to individual meetings either of the authority or its committees. For this reason it is difficult to envisage circumstances in which the criterion would be met. Until such time as the appropriate amendments are made to the Regulations it is not likely that dispensations would be granted on the basis of the political balance criterion.

4.

Special categories of interests

1. Gifts and hospitality

Key points:

You must register any gifts or hospitality **worth £25 or over** that you receive **in connection with your official duties as a member**, and the source of the gift or hospitality.

You must register the gift or hospitality and its source within 28 days of receiving it.

Like other interests in your register of interests, you automatically have a **personal interest** in a matter under consideration if it is likely to affect a person who gave you a gift or hospitality that is registered. If that is the case, you must declare the existence and nature of the gift or hospitality, the person who gave it to you, how the business under consideration relates to that person and then decide whether that interest is also a **prejudicial interest**.

Once three years have passed since you registered the gift or hospitality in your register of interests, your obligation to disclose that interest to any relevant meeting ceases.

Is the gift or hospitality connected to my official duties as a member?

You should ask yourself, would I have been given this if I was not on the council? If you are in doubt as to the motive behind a gift or hospitality, we recommend that you register it or speak to your monitoring officer or your parish clerk where appropriate.

You do not need to register gifts and hospitality which are not related to your role as a member, such as Christmas gifts from your friends and family, or gifts which you do not accept. However, you should always register a gift or hospitality if it could be perceived as something given to you because of your position or if your authority requires you to.

What if I do not know the value of a gift or hospitality?

The general rule is, if in doubt as to the value of a gift or hospitality, you should register it, as a matter of good practice and in accordance with the principles of openness and accountability in public life.

You may have to estimate how much a gift or hospitality is worth. Also, an accumulation of small gifts you receive from the same source over a short period that add up to £25 or over should be registered.

2. Overview and scrutiny committee meetings

Please note: this section will not apply to parish and town councils, English and Welsh police authorities, fire and rescue authorities (including fire and civil defence authorities), the London Fire and Emergency Planning Authority, passenger transport authorities, the Broads Authority, national park authorities and the Greater London Authority.

You have a prejudicial interest in any business before an overview and scrutiny committee or sub-committee meeting where both of the following requirements are met:

- That business relates to a decision made (whether implemented or not) or action taken by your authority's executive or another of your authority's committees, sub-committees, joint committees or joint sub-committees.
- You were a member of that decision-making body at that time and you were present at the time the decision was made or action taken.

If the overview and scrutiny committee is checking a decision which you were involved in making you may be called to attend the meeting to give evidence or answer questions on the matter. However, you will not be able to attend the meeting in this manner unless your authority's

constitution or standing orders allow members of the public to attend the overview and scrutiny committee for the same purpose.

You will, however, be able to attend the meeting to give evidence or answer questions if you are a leader or cabinet member of an authority operating executive arrangements, provided you follow the normal rules for executive members who have personal and prejudicial interests.

3. Executive or cabinet roles

Please note: this section will not apply to parish and town councils, English and Welsh police authorities, fire and rescue authorities (including fire and civil defence authorities), the London Fire and Emergency Planning Authority, passenger transport authorities, the Broads Authority, national park authorities, the Greater London Authority or any other authorities that do not have executive arrangements.

If you are a leader or cabinet member of an authority operating executive arrangements, you must follow the normal rules for executive members who have personal and prejudicial interests.

If your interest is personal but not prejudicial, you can advise the executive on the issue and take part in executive discussions and decisions as long as you declare your interest. You can also exercise

delegated powers in the matter as long as you record the existence and nature of your personal interest.

If you are an executive member who can take individual decisions, and you have a prejudicial interest in a decision, your authority may make other arrangements as set out in sections 14-16 of the *Local Government Act 2000*. This means that the decision can be taken by an officer, another cabinet member, the full executive, or a committee of the executive.

Although you have a prejudicial interest in a matter, you may be able to make representations, answer questions and give evidence as long as a member of the public would have the same rights, but you are barred from decision-making about that matter individually or in cabinet. You also should not participate in any early consideration of it, or exercise any delegated powers in relation to it. If you have delegated powers in that area, you should refer the consideration and any decisions on the matter to the cabinet to avoid the perception of improper influence.

4. Sensitive information

Key points:

You may be exempt from having to include sensitive information on your register of interests. If your personal interest in a matter under discussion at a meeting is sensitive information, you will need to declare that you have a personal interest but you will not have to give any details about the nature of that interest.

Sensitive information may include your sensitive employment (such as certain scientific research or the Special Forces) or other interests that are likely to create a serious risk of violence or intimidation against you or someone who lives with you.

You should provide this information to your monitoring officer and explain your concerns regarding the disclosure of the sensitive information; including why it is likely to create a serious risk that you or a person who lives with you will be subjected to violence or intimidation. You do not need to include this information in your register of interests, if your monitoring officer agrees. Ultimately, you must decide what information to include on your publicly available register of interests.

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Complaint of Mr M J Martin that Barton Town Councillor John Paul Vickers has broken the Model Code of Conduct for Councillors which was adopted by that Council.

PREAMBLE.

The complaints arise in connection a proposal by CHAMP (a charity) to take over, for 25 years, the administration of the Assembly Rooms (owned by Barton Town Council and used as administrative offices and a Community Hub providing letting and sessional letting rooms, hall, kitchens and licensed bar). This proposal is conveniently referred to in the Particulars as the "Community Heritage Trust" and included CHAMP's wish to take over two other properties in Barton in addition to its existing lease of Baysgarth House and the Assembly Rooms.

During the proposal for a Community Heritage Trust from 2005, a Community Assets Grant has been made to enable the refurbishment of North Lincolnshire Council's Maltby Lane Youth Club in Barton and its conversion to a Community Hub.¹ It is conceded that this objective was approved of by Barton Town Council but opposed by the complainant but this does not form any part of the present complaints. The complainant has sought to present the complaints of Conduct without bias as to his disagreement with the issues of principle, recognising that there will properly be disagreements of principle in the ways to perform community service.

At all times, the complainant opposed the proposal (in a minority) on two bases, firstly its viability and principle and secondly that the proposal was presented and voted upon by Councillors improperly acting for both the Council and CHAMP at the same time and unduly influencing other Councillors.

1. FAILURE TO DISCLOSE PERSONAL AND PREJUDICIAL INTEREST

Councillor John Paul Vickers was in breach of Paragraphs 9 and 10 of the Model Code of Conduct for Councillors in that at meetings of Barton Town Council, he variously failed to disclose either his personal and prejudicial interest as a Trustee in the Community Heritage Arts and Media Project (CHAMP) and/or Director and Vice Chairman of CHAMP Limited. At the following Meetings or Committee Meetings of Barton Town Council he also failed to comply with the obligation to withdraw from the meeting at the appropriate time and took part in a vote in respect of an issue which affected CHAMP or CHAMP Limited or their interests.

¹ Superficially, a significant grant might be thought to be desirable or persuasive in the taking of robust steps to secure it. However, as a matter of principle, the conversion of the Youth Club to a Community Hub was a process which was properly challengeable because it would have destroyed the discrete nature of the Youth Club, it was not supported by that Club and duplicate facilities were already in existence. However, the rights and wrongs of this argument form no part of this complaint.

- 7th December 2005²
- 16th January 2006
- 3rd May 2006
- 6th September 2006
- 6th May 2008
- 4th June 2008
- 2nd July 2008
- 27th July 2009 – Personnel Sub Committee

2. FAILURE TO DISCLOSE A PREJUDICIAL INTEREST WHILST DISCLOSING A PERSONAL INTEREST. Councillor Turner ^{John Paul Vickers} was in breach of Paragraph 10 of the Model Code of Conduct for Councillors in that at certain meetings of Barton Town Council he sometimes disclosed his personal interest in "CHAMP" but failed to disclose his prejudicial interest as a Trustee in CHAMP or CHAMP Limited at the following Meetings:

- 16th October 2006 – Finance and General Purposes Committee
- 15th January 2007 – Finance and General Purposes Committee
- 6th May 2008 – Extra Ordinary Meeting
- 3rd December 2008
- 7th May 2009.

He also failed to comply with the obligation to withdraw at the appropriate time and improperly took part in a vote in relation to a matter which affected CHAMP or CHAMP Limited or its interests:

The failure to withdraw from the discussion on 3rd December 2008 and being recorded as voting for a resolution that Barton Town Council should support CHAMP's proposal for a Barton Community Heritage Trust, was particularly serious as this resolution was pivotal for the benefit of CHAMP and his the vote was active and merely a passive assent.

The conduct of Councillor John Paul Vickers was aggravated because CHAMP and CHAMP Limited was pressing its case because it was in financial difficulty and had given notice to quit its premises by March 2008.

3. PREVENTING OTHERS FROM GAINING ACCESS TO INFORMATION TO WHICH THEY WERE ENTITLED

Councillor John Paul Vickers, contrary to Paragraph 4 of the Code of Conduct for Councillors, had full knowledge of the perilous financial position of CHAMP and CHAMP Limited, its notice to quit Baysgarth

² The date that Councillor J P Vickers was a Trustee of CHAMP is not apparent as the detailed records of the charity are not available. The implication is that he was a Trustee but the allegation will be withdrawn if documentary evidence appears that Councillor Vickers not appointed a trustee by this date

House by March 2008 and the uncertain financial sustainability for its proposals for management of the Assembly Rooms. He was party to information which other Barton Town Councillors would have found crucial but did not disclose these. In consequence, those Councillors would have had less likelihood of discovering those facts (given the manner of proposals, discussions and votes at Barton Town Council Meetings). Accordingly, that neglect amounted to preventing Barton Town Councillors having access to information to which they were entitled..

4. CONDUCTING HIMSELF IN A MANNER WHICH COULD BRING HIS AUTHORITY, BARTON TOWN COUNCIL, INTO DISREPUTE.

Councillor John Paul Vickers, contrary to Paragraph 5 of the Code of Conduct for Councillors, well knowing CHAMP's fragile financial position (with or without managing the Assembly Rooms and other properties) assented in the promotion of those proposals. Those proposals were vigorously led by his father, Councillor Keith Vickers and Councillor Neil Turner. CHAMP and Barton Town Council had separate and divergent interests and in the circumstances Councillor John Paul Vickers' failure to address or properly address his conflicting interests would potentially lead electors reasonably to conclude that there was collusion between CHAMP and Barton Town Council and that the best interests of the electors were not being considered as being paramount.

PARTICULARS

- | | Page No |
|---|----------------------------|
| 1. John Paul Vickers was, at all material times, a Barton Town Councillor and also a trustee of CHAMP, which is a charity 1092849. He was also a Director and Vice Chairman of CHAMP Limited which was incorporated on 16 th May 2006 and carried on charitable objectives as charity no 1114978 alongside CHAMP. CHAMP leases Baysgarth House from North Lincolnshire Council, and uses it as a museum. Prior to 30 th June 2007 CHAMP transferred its residual income to CHAMP Limited. In consequence, there are occasions when CHAMP and CHAMP Limited are properly and conveniently referred to in these particulars as "CHAMP". | 159 – 181

231 – 233 |
| 2. The complainant was alerted to issues concerning a proposal to enable CHAMP to take over the administration of the Assembly Rooms by reason of a newspaper article in which Councillor Neil Turner announced the award of funding to convert the Maltby Lane Youth Club and the takeover of other properties in Barton. Thereafter the complainant, being opposed to transfer of the management of a civic asset, made enquiries under the Freedom of Information Act and examined documents to discover the facts. In the course of these investigations and subsequent involvement in debate as a Barton Town Councillor, the matters complained of came to light. | |
| 3. ERNLLCA is an independent body to which Barton Town Council subscribes for proper information and advice. It advised Barton Town Councillors in writing, dated May 2006, that where a councillor is nominated to a charity, he or she should declare a prejudicial interest at all times if the charity is to be discussed. Councillor John Paul Vickers was nominated by Barton Town Council to the charity | 12

132 |
| 4. Councillor John Paul Vickers' has a personal interest in CHAMP pursuant to paragraph 8(1)(i)(bb) of the Model Code. He sometimes accepted that he had such an interest by declarations of a personal interest as set out in paragraph 2 of the Complaint but he was inconsistent in his declarations. | |

³ It was in the interests of North Lincolnshire Council to divest itself of responsibility for some public buildings and there is an issue as to the correct judgment of some officers, an issue that is in the process of being addressed

⁴ North Lincolnshire Council must have a copy of this report and the Request is being pursued

- 5. The minutes of the Barton Town Council meetings show that Councillor John Paul Vickers did not disclose either personal or prejudicial interests in CHAMP on:
 - 7th December 2005 (see previous footnote) 1 – 7
 - 3rd May 2006 13 – 20
 - 6th September 2006 21 – 29
 - 7th March 2007 48 – 56
 - 17th March 2008 – Extraordinary Meeting 98
 - 6th May 2009 119
 - a. 27th July 2009 – Personnel Sub Committee. 234 – 241
281 – 285

- 6. Councillor John Paul Vickers had a prejudicial interest in the Community Heritage Trust pursuant to paragraph 10(1) of the Model Code. Firstly, he was a trustee of CHAMP and/or Director/Vice Chairman of CHAMP Limited which wished to achieve control over 4 properties in Barton upon Humber and also required a financial rescue in this way. Secondly, a member of the public with this public knowledge would reasonably suppose that this interest would have influenced his promotion of the proposal within Barton Town Council.

- 7. Councillor John Paul Vickers disclosed that he had a personal interest in CHAMP on the occasions set out below but he failed to disclose or acknowledge that such personal interest was a prejudicial one:
 - a. 16th October 2006 – Finance and General Purposes Committee 30 – 35
 - b. 16th January 2006 8 – 11
 - c. 15th January 2007 – Finance and General Purposes Committee 32 – 37
 - d. 6th May 2008 – Extra Ordinary Meeting 119
 - e. 7th May 2008 120 – 127
 - f. 2nd July 2008 142 – 148
 - g. 3rd December 2008. 206 – 213

- 8. Whilst the financial position of CHAMP Limited appears healthy in the accounts up to 30th June 2007, its funding was due to run out in March 2008 and by 27th September 2007, Neil Turner, Managing Director of CHAM Limited (and co director with John Paul Vickers) gave notice to North Lincolnshire Council that CHAMP would quit Baysgarth House/Museum in view of its financial position. Officers of North Lincolnshire Council conceded on 17th October 2007 that CHAMP'S reserves would run out in that that financial year and thus supported the plan for a Community Heritage Trust. The fragility of CHAMP's finances continued to be 58/59

accepted as a driver for allowing it to proceed to allow transfer of two additional properties to CHAMP and endorsed by the Service Director Asset Management and Culture on 4th July 2008³.

9. Councillor John Paul Vickers was or, as a Director of CHAMP Limited should have been well aware from two sustainability reports commissioned by CHAMP, that the proposal of CHAMP to manage 4 properties in Barton was financially uncertain and challenging. A report from Yorkshire Culture, endorsed by officers of North Lincolnshire Council found that "There would not appear to be sufficient income generating potential from the Assembly Rooms to cross subsidise the museum". A full copy of this report has been requested by the complainant but refused because disclosure cannot be required under the Freedom of Information Act. No public body was said to be involved in its production⁴. It may well be that the document referred to as a report on the Outline Development Proposal from Eventus, only two pages of which only have emerged. Councillor John Paul Vickers will have access to the original report, which he failed to disclose to Barton Town Council and hence he concealed it from fellow Barton Town Councillors. 60 - 97

10. Knowing that a Grant was to be sought from Community Assets, CHAMP (for whose decisions Councillor John Paul Vickers was responsible as a Director) commissioned a second report on sustainability of the scheme, a document which was prepared by SCEDU Asset Base Development Support in January 2008. That report identified that CHAMP would sustain a loss of £11K even if every square metre of lettable and sessional lettable space was achieved, a likelihood that was plainly unrealistic. (The issue that no proper analysis of these figures had been carried out was raised by the complainant with the Big Lottery Fund but the representation was specifically disregarded. The issue is presently to be considered as to compliance with Community Assets criteria by written submission presented by a Member of Parliament to the Cabinet Office). 68- 97

11. Given the unique and discrete information in the possession of Councillor John Paul Vickers concerning the sustainability of the Community Heritage Trust and the existence of crucial documentation, he was under a duty to draw attention of his fellow Councillors to the fragility of the scheme. From this

time on, the Council proceeded with a project, the financial viability of which remains uncertain for a potential time of 25 years and in consequence, this brings the Council into disrepute with the public.

12. As a matter of detail, save as to the meeting of 16th October 2006, the minutes show that at meetings, Councillor John Paul Vickers sat silently by during discussions. When Councillor Turner gave a synopsis of the scheme to Councillors on 2nd July 2008 omitting financial details, Councillor John Paul Vickers had a particular duty as to disclosure of financial facts and the opposing interests of Barton Town Council to CHAMP. 142 – 148

13. The omission of Councillor John Paul Vickers to disclose a prejudicial interest was particularly serious when he confused his responsibilities completely when he used his conflicting responsibilities to urge progression of the project on behalf of both "sides", and compounded this when he assented to the resolution at which he should not have voted or given his assent in what was an otherwise uncontested resolution.

14. That Councillor John Paul Vickers well knew that he should have made disclosure of his prejudicial interests is shown because at a meeting of the Finance and General Purposes Committee of 20th July 2009 he first made such a disclosure. By that time, the issues of principle had been decided and only issues of detail in the leases or underlease were to be discussed. From December 2008, the complainant had several times, in Council, in writing and privately, drawn to the attention of Councillor Turner and the Council the breaches of the Code of Conduct for Councillors by John Paul Vickers. 277 – 280

15. Councillor John Paul Vickers failed in his special responsibility to Barton Town Council as a representative of that Council on CHAMP. Improperly, he stood by whilst Councillor Turner and Councillor Keith Vickers, his father, vigorously promoted the Community Heritage Project throughout the period complained of. He voted in favour of it and approved from time to time the appointment of Town Councillors to the steering committee with which CHAMP was to negotiate.

30th January 2010

BARTON - UPON - HUMBER TOWN COUNCIL
MINUTES of an ORDINARY MEETING HELD on
WEDNESDAY 7 DECEMBER 2005 COMMENCING at 7.30 p.m.

Competition Presentation

Prior to the Town Council meeting, the Town Mayor, Councillor Mr J Oxley, made a presentation to a representative of a prize-winning organisation who took part in the Christmas Festival Community Parade. The Mayor, and Members of the Town Council thanked the organisations for their efforts in the parade and the representative for attending the meeting.

Present Councillor Mr J Oxley (Chairman)

Councillors Mrs A Clark, F Coulsey, D M Cressey, E. Longbottom, M Osgerby, Mrs J Oxley, Mrs D Pearson, Mrs M Sidell, A. Todd, N Turner, J P Vickers.

Also Present PC J Sewell (Police) and Ms Shirley Richards, Town Clerk

250. **Prayer**

Councillor Mrs J Oxley read the Town Prayer.

251. **Notice of Meeting**

It was noted that Notice of this Meeting had been given in accordance with Schedule 12 Paragraph 10(2) of the Local Government Act 1972.

252. **Apologies for Absence**

Councillors Mrs C Gibson, C Hind, M Kirkby, R Patterson, K Vickers and Mrs W Witter.

253. **Declarations of Interest**

Item 12. Correspondence – Art at St Peters and CHAMP (4 & 5) – Mr N Turner (Personal Interest).
Item 13. Planning Application 2005/1674 – Mr J P Vickers (Personal Interest).
Item 14. Accounts – Ropewalk Contemporary Arts & Crafts – Mr J P Vickers (Personal Interest)
Item 16. Community Heritage Development Trust - N Turner & J P Vickers (Personal Interest).

254. **Police**

PC Mr J Sewell attended the meeting on behalf of the Police, and the following matter of report discussed:

Problems regarding vehicular parking on Green Lane footpaths – PC Sewell to address.

Resolved that this be noted.

255. **Minutes**

Resolved that the previously circulated Minutes of the Ordinary Meeting of the Council held on 2 November 2005, be received, approved and confirmed as a correct record, and signed by the Chairman.

256. **Matters of Report Arising**

There were no matters arising from this meeting.

Minutes of Ordinary Meeting of the Council held on 7 December 2005, cont'd

257. Committee Meeting Minutes

(a) Minutes of a Special Meeting

1) Correct Record

Resolved that the previously circulated Minutes of a Special Meeting, held on Wednesday 16 November 2005, be approved as a correct record.

(b) Minutes of a Meeting of the Planning Sub-Committee

2) Correct Record

Resolved that the previously circulated Minutes of the Planning Sub-Committee held on Monday 21 November 2005, be approved as a correct record.

(c) Minutes of a Meeting of the Environmental Regeneration Committee

3) Correct Record

Resolved that the previously circulated Minutes of the Environmental Regeneration Committee held on Monday 21 November 2005, be approved as a correct record.

258. Matters of Report Arising

Westfield Road Underpass (Min Ref: 247/110 – 21/11/05-ERC)

Councillor Mrs J Oxley informed Members that she, together with the Clerk, would be attending a meeting at North Lincolnshire Council to address this matter. Meeting arranged for 20 December 2005 at 9.00am.

Resolved that this be noted.

259. Correspondence

1. Receipt of register of electors 2006 from North Lincolnshire Council.
2. Two letters of complaint from parents regarding the children's Christmas party on Sunday 26 November 2005 in the Assembly Rooms.
3. Report from Councillor Todd regarding the inaugural meeting of the Community Rail Partnership.
4. Receipt of Humberside Fire Authority Integrated Risk Management Plan year 3 draft Action Plan 2006/07 – consultation process, comments are requested by 20th January 2006.
5. Booking form for Society of Council Clerks Forum at Elloughton on 18 January 2006.
6. Minutes of AGM and committee meeting for Barton Tourism Partnership meeting, plus agenda of next meeting on 17 January 2006 at 7.00pm in the Assembly Rooms.
7. Letter from North Lincolnshire Council regarding possible changes to The Villager bus service from April 2006.
8. Letter from Barton Civic Society regarding no response from North Lincolnshire Council to enquiry over the Barton Haven.
9. Letter from Barton St Peter's school, including letters and posters from pupils, regarding a survey undertaken in Baysgarth Park play area.
10. Information received on East Riding of Yorkshire Council Local Development framework, pre-submission draft Statement of Community Involvement - consultation process, comments are

Minutes of Ordinary Meeting of the Council held on 7 December 2005, cont'd

requested by 16th January 2006.

11. Notification of North Lincolnshire Council Local Development Framework, Draft Annual Monitoring Report 2005 - consultation process, copy available
www.northlines.gov.uk/NorthLines/Environment/localdevelopmentplans/framework/LocalDevelopmentFramework/AnnualMonitoringReport.htm comments are requested.
12. Annual report from Edmund Czajkowski on the Town Clock, advising all found in good order. Fee for next year's service would be £159.80.
13. Letter from North Lincolnshire Council regarding landmark empty properties, asking for assistance to identify such properties in Barton, and also to find the owners.
14. Reply from North Lincolnshire Council regarding Barton Cemetery. (Min Ref:176(ii)/78 – 05/10/05 BTC).
15. North Lincolnshire Council Forward Plan December 2005 – March 2006.
16. Two emails of complaint from resident of Cottage Lane regarding the fair on Cottage Lane car park.
17. Minutes of Barton Schools Forum on 8 November 2005.
18. Letter from Chief Superintendent Di Duca regarding the structure of the Police Division covering North Lincolnshire.
19. Information from Humberside Police Authority regarding Police Force Structures
20. Details of New Local Government Network conference to promote active citizenship.
21. Request for financial support from Bowmandale School for Residential Visit 2006.
22. Letter from North Lincolnshire Council regarding proposed traffic order at Holydyke/Brigg Road/Castledyke South, Barton.
23. Copy of letter of concern from Trinity Methodist Church regarding proposed traffic order (item 22 above).
24. Complimentary copy of Rodney Clapson's *Barton and the River Humber: 1086 – 1900* from WEA, and request to financially support their next book, The Later History of Barton Series – *The Church in Victorian Barton*.
25. Information from Living Streets regarding Community Street Audit Workshops in 2006 in Birmingham and London.

Resolved that:

- (i) Councillors D M Cressey and E Longbottom have today visited the parents concerned and the matter is still under investigation by the Town Council (item 2);
- (ii) For referral to the F & GP Committee to be held 16 January 2006 (item 3);
- (iii) The Clerk to send letter of support by the Town Council to North Lincolnshire Council (item 7);
- (iv) A letter to be sent to the Civic Society explaining any letter they send out, must have a follow up letter sent from themselves and not the Town Council. However, the Town Council will enquire about this matter with North Lincolnshire Council (item 8);
- (v) The letter and contents to be forwarded to North Lincolnshire Council (item 9);
- (vi) The 2006/2007 revised Town Council budget to include £159.80 for the annual maintenance of the Town Clock (item 12);
- (vii) For referral to the F & G P Committee to be held 16 January 2006 (item 21);
- (viii) Letter to be sent to North Lincolnshire Council expressing the Town Council's agreement with the proposed traffic regulation orders regarding Holydyke/Brigg Road/Castledyke South, as per Consultation Letter dated 4 November 2005 (item 22);
- (ix) the remaining correspondence be received and the contents noted.

260. **Correspondence Received Since the Issue of the Agenda**

1. Minutes of Barton & District Crime Reduction Partnership Meeting held on 8 November 2005.
2. Receipt of CPRE Fieldwork magazine for December 2005.

Minutes of Ordinary Meeting of the Council held on 7 December 2005, cont'd

3. Further letter from Humberside Police Authority regarding the proposed restructuring of police forces. Advising the developing situation, and to provide further opportunity for Members to express their views, encouraging Members to consider any effect that the proposed merger of Forces may have on the Town Council.
4. Request for financial support to Art at St Peter's for 2006, enclosing a copy of accounts for 2005.
5. Separate requests for financial support from CHAMP towards three different tasks in 2006, advising funding from Resurgo will end in March 2006.

Resolved that:

- (i) To be referred to the next Finance and General Purposes Committee meeting to be held on 16 January 2006 (items 4 and 5);
- (ii) the remaining correspondence be received and the contents noted.

261. **Planning Matters**

(a) **Planning Applications**

Resolved that the comments as stated be made to North Lincolnshire Council on the following Planning Applications:

- 1). **2005/1674 G Oliver** -- Planning permission to erect a new dwelling with integral garage (resubmission of 2005/0417) at Plot 1 Harvest Avenue, Barton (Comment only: the Town Council recommend the proposed dwelling be in keeping with surrounding properties in the area);
- 2). **2005/1904 Mr & Mrs M Nettleton** -- Planning permission to erect two storey extension and associated alterations at Barton Hill Farm Cottage access to Barton Hill Farm off B1218 Brigg Road, Barton (No comment or objection);
- 3). **2005/1903 J W Shephardson** -- Outline planning application to erect 10/12 dwellings (re-submission 2005/1392) at Maltkiln Road, Barton (No comment or objection);
- 4). **2005/1448 Mrs J Mills** -- Listed building consent to retain windows to front and rear elevations, PVC front door and re-roofing of dwelling at 1 Soutergate, Barton (No comment or objection);
- 5). **2005/1759 Mr R Freer Barton upon Humber Jehovah's Witnesses** -- Planning permission to demolish existing building and erect a replacement christian meeting hall at Kingdom Hall of Jehovahs Witnesses East Acridge Barton (Objection: Unsuitable location for building of this size. There are access and parking problems on East Acridge for local residents and emergency vehicles, due to the extreme number of people visiting this public building. Also, concrete roof tiles are not in keeping with other properties in the area. The Town Council request this application be withdrawn);
- 6). **2005/1912 Mrs W Hughes** -- Advertisement consent to display 3 no external non-illuminated signs at 10 Market Place, Barton (No comment or objection);
- 7). **2005/1789 Mrs Wendy Hughes** -- Listed building consent to display three external non-illuminated signs at 10 Market Place, Barton (No comment or objection);
- 8). **2005/1916 Mr & Mrs D Parker** -- Planning permission to erect a single storey rear extension at 31 Lower Meadows, Barton (No comment or objection);
- 9). **2005/1922 Castle Building (Lincoln) Ltd** -- Planning permission to erect 3 terrace 3 storey dwellings at disused garage 12 Soutergate, Barton (No comment or objection).

(b) **Notice of Planning Decisions**

Resolved that the following Notice of Planning Decisions received from North Lincolnshire Council be noted:

Minutes of Ordinary Meeting of the Council held on 7 December 2005, cont'd

2005/1277 Mr & Mrs Armitage – Full planning permission to erect two storey side and rear extensions at Cotswold Cottage, 68 Brigg Road, Barton; **2005/1683 Rev'd David Rowett** – Consent to carry out works to trees in a conservation area at The new Vicarage, Beck Hill, Barton; **2005/1603 Mr & Mrs R Hutchinson** – Full planning permission to erect a first floor extension and conservatory at 2 Sharpe Close, Barton; **2005/1235 Mr Michael Hall** – Refusal of planning permission to erect a new dwelling at land rear 25 Waterside Road, Barton.

262. Accounts for Payment

Consideration was given by the Council to a previously circulated Schedule of Accounts for payment.

Resolved that the Clerk be authorised to pay the accounts as listed in the sum of £20,705.82 (A/cs 185 to 224) and those presented in the meeting in the sum of £6,559.49 (A/cs 225 to 235), a grand total of £27,265.31

263. Report from the Audit Committee meeting held 5 December 2005

Councillor Mr D M Cressey informed Members that the Audit Sub-Committee was held on Monday 5 December 2005. An Audit of the Town Council's financial procedures determined the Town Council office were undertaking satisfactory adherence to financial policy.

Resolved that the report from the Audit Sub-Committee be accepted.

264. Certificate of Merit – Mr Steve Horsfall

Councillor Mr J Oxley praised and acknowledged the community work undertaken over the years of Steve Horsfall, together with his life saving skills as a Paramedic. Many saved lives and fund-raising projects in the locality are attributed to Steve Horsfall, a much respected member of the community. Sadly, Steve has been diagnosed with a terminal illness. Although he has been nominated for the 2006 Town Award, the Town Council wish to recognise his service to the community and present him with a Certificate of Merit and an engraved plaque as appreciation by the Town Council as soon as possible. All Members agreed to honour the community services of Steve Horsfall.

Resolved that The Mayor, Councillor Mr J Oxley present Steve Horsfall with a Certificate of Merit and engraved plaque from the Town Council, to honour his services to the community. The Town Council office to prepare a certificate and the engraving of a plaque.

265. Bus-Stop - Ferriby Road

Members discussed the current siting of the bus stop adjacent to 91 Ferriby Road, Barton. This follows correspondence received from North Lincolnshire Council requesting the Town Council's consideration, concerning public objection. Members had investigated the siting, taken into account the safety issues and the problems re-siting it elsewhere and decided the bus stop should remain in the position it currently is sited. It was thought re-siting it to other locations would migrate the safety issues to another position.

Resolved that the Clerk writes to North Lincolnshire Council, expressing the Town Council's decision to recommend the bus stop remain in the position currently sited.

266. Christmas Closure of Barton Town Council Office

Members discussed closure of the office on 28,29 and 30 December 2005. Due to public holidays and

Minutes of Ordinary Meeting of the Council held on the 7 December 2005, cont'd

weekends, the office would be closed from 1pm Friday 23 December 2005 to 9am Tuesday 3 January 2006. The Clerk gave assurance that Notice's and Agenda's for the meeting in the New Year would be covered.

Resolved that Barton Town Council office be closed for Christmas/New Year from 1pm Friday 23 December 2005 to Tuesday 3 January 2006.

267. Reports from North Lincolnshire Council Representatives

(a) Fly-tipping – Gravel Pit Lane/Caistor Road

Members discussed fly-tipping/general tipping of rubbish on Gravel Pit Lane/Caistor Road by travellers. Problems were experienced by local residents from this, including the setting fire of the rubbish. Councillor Mrs Sidell had raised this issue with North Lincolnshire Council previously and was progressing the matter accordingly.

Resolved that this be noted.

268. Reports from Members on Outside Organisations

(a) Senior Alliance

Councillor Mrs D Pearson informed Members the next meeting to be held was 10.00am on Tuesday 13 December 2005 at the Salvation Army, Queen Street, Barton. The Annual Christmas Party is to be held on Thursday 8 December 2005.

Resolved that this be noted.

269. Exclusion of the Press and Public

Resolved that in accordance with the Public Bodies (Admission to Meetings) Act 1960, the public and press be excluded from this meeting because publicity would prejudice the public interest by reason of the confidential nature of the following business, concerning personnel and contractual matters, and arising out of the business to be transacted.

Minutes of Ordinary Meeting of the Council held on 7 December 2005, cont'd

270. Minutes of a Meeting of the Personnel Sub-Committee

1) Correct Record

Resolved that Minutes circulated of the Personnel Sub-Committee of the Council held on 5 December 2005, be received, approved as a correct record.

271. Barton-upon-Humber Community Heritage Development Trust

Councillor Mr N Turner gave Members a visual aid demonstration of the Town area, highlighting the conservation areas and listed buildings regarding Heritage Buildings and Objective 2 Transitional Status, and that this could be viewed as an asset or liability.

Due to future funding changes, it was pointed out that before the changes occur, the next two years were an opportune time to assess the needs of inclusion for funding bids. This was of prime importance to enhance and develop Heritage in the Town. He pointed out, for instance, that Baysgarth House was managed by CHAMP, who managed the building/artefacts on behalf of North Lincolnshire Council. A third of the floor area is office/lettable space, this left two thirds remaining and as such was in need of building development to maintain and expand upon to provide and deliver a sustainable operation. Other such buildings in the Town had similar problems.

An appraisal of the Community Heritage Development Trust was given, a landmark project for Barton, of which Barton Town Council had been identified as a key stakeholder. The aim is to establish a consortium for community heritage trust in Barton. Focus on the three building plan was discussed, and three buildings in the Town identified were 51 Fleetgate, the Youth Centre and Baysgarth House. However, it was pointed out that other listed buildings with historic interest could also be fit for inclusion in the plan. Advantages to this was support of community groups, buildings brought into use, otherwise unfit for purpose, tourism and economic advantages, economic regeneration and the attraction of external funding, to name but a few.

Councillor J P Vickers asked if other listed buildings, like the Assembly Rooms would be suitable for inclusion in the plan. Councillor Turner explained that it would be suitable, not only as a listed building, but a public building sited in a conservation area.

Members discussed this and agreed that in principle the Town Council were supportive of the Development Trust. This was proposed by Councillor J P Vickers and seconded by Councillor D M Cressey.

Members thanked Councillor Turner for his informative discussion.

Resolved that in principle, Barton Town Council support the Development Trust.

The Chairman, Councillor Mr J Oxley, closed the meeting at 8.55p.m.

FINANCE & GENERAL PURPOSES COMMITTEE MEETING
Held at the Assembly Rooms on
MONDAY 16 JANUARY 2006 COMMENCING at 7.30 p.m.

Present

Councillor Mrs W Witter (Chairman)
Councillors G E Appleyard, Mrs A Clark, F Coulsey, D M Cressey, Mrs C Gibson, E Longbottom,
Mrs J Oxley, J Oxley, A Todd, N Turner. J P Vickers and K Vickers.

Also Present Ms Shirley Richards (Town Clerk) and Mrs J Tuplin

306. **Apologies for Absence**

Councillor J Austin, C Hind, R Patterson and Mrs M Sidell.
Co-opted Mrs R Bryant.

307. **Declarations of Interest**

- Item 5/6. Barton-upon-Humber Lions Club and CHAMP – Mr J Oxley (Personal Interest).
- Item 5/6. Barton-upon-Humber Lions Club and CHAMP – Mrs J Oxley (Personal Interest).
- Item 5/6. Barton-upon-Humber Lions Club and Barton Tourism Group—A.Todd (Personal Interest).
- Item 5/6. Art at St Peter’s 2006, Barton Tourism Group and CHAMP – N Turner (Personal Interest).
- Item 5/6. Barton Tourism Group and CHAMP – J P Vickers.

308. **Minutes of Meeting held on the 17 October 2005**

It was noted that these minutes had been signed as a correct record, for action as necessary, at a Meeting of the Town Council held on 2 November 2005.

309. **Matters Arising**

(a) Structural/Condition Survey of the Assembly Rooms (Min Ref: 202(b)(i)/89-F&GP 17/10/05)

Councillor Mrs W Witter reminded Members to collect a copy of the structural/condition survey report of the Assembly Rooms from the Town Council Office for perusal. This would enable the matter to be progressed regarding capital works and maintenance of the Town Council building.

Resolved that Members collect and peruse a copy of the structural/condition survey of the Assembly Rooms from the Town Council office, for further report.

310. **Requests for Financial Assistance**

Members considered the following received requests for financial support:

a) **Carers’ Support Centre – (Min Ref: 215(4)(ii)/95-BTC 02/11/05)**

Members discussed the merits of this very worthy local service and decided that the Town Council pledge a donation of £100.00 from the current year’s budget provision.

Resolved that a donation of £100.00 be given to the Carers’ Support Centre from the 2005/2006 Community Regeneration budget ‘Donations/Grants’.

Minutes of the Finance & General Purposes Committee held on 16 January 2006, cont'd

b) Bowmandale Primary School-Residential Visit 2006 (Min Ref: 259(21)(vii)/115-BTC 07/12/05)

All Members agreed to support the residential trip, after discussing the merits of the educational value for the children attending. A donation of £60.00 was agreed to be pledged from the Town Council's current year budget provision.

Resolved that a donation of £60.00 be given to Bowmandale Primary School towards the residential visit 2006, from the 2005/2006 Community Regeneration budget 'Donations/Grants'

c) Art at St Peter's 2006 (Min Ref: 260(4)(i)/116-BTC 07/12/05)

Members discussed at length the merit of Art at St Peter's 2006, in respect of previous years events was decided by Members to pledge £600.00 from the Town Council's Community Regeneration budget 'Donations/Grants' 2005/2006 and £600.00 from the same budget for the year 2006/2007. A total donation of £1,200.00 was granted.

Resolved that a donation of £1,200.00 be given to Art at St Peter's 2006. £600.00 to be taken from the Town Council's Community Regeneration budget 'Donations/Grants' 2005/2006, and £600.00 from the same budget for the year 2006/2007.

d) CHAMP-Museum Development & Professional Fees (Min Ref: 260(5)(i)/116-BTC 07/12/05)

Extensive consideration was given to supporting the museum development, as the current Resurgo funding ends in March 2006. However, whilst Members were sympathetic to the idea, they decided not to provide financial support in this instance. Councillor Mr N Turner further explained that since submission of the request for financial assistance, things had moved on at CHAMP and that support principle from the Town Council was required at the present time.

Resolved that Members are sympathetic to the idea and situation, but decided not to provide financial assistance in this instance.

e) CHAMP-Staff Costs (Min Ref: 260(5)(i)/116-BTC 07/12/05)

Members debated whether or not the support of staff costs incurred at Baysgarth House was in fact in the remit of the Town Council or not. After much discussion, a vote took place between the Members. Six were in favour and two against. Members then agreed to pledge a donation of £2,000.00 from the 2006/2007 Town Council budget, only on the proviso that CHAMP seek financial/employment assistance from North Lincolnshire Council beforehand. CHAMP to inform the Town Council of the outcome of this situation in due course.

Resolved that CHAMP to explore the possibility of financial/employment assistance from North Lincolnshire Council. If this is not met, the Town Council to provide a donation of £2,000.00 from the Town Council 2006/2007 budget, Community Regeneration 'Donations/Grants', to provide cleaning services at Baysgarth House.

f) CHAMP-Educational Services (Min Ref: 260(5)(i)/116-BTC 07/12/05)

Members all agreed that the educational services provided for children during the school holidays were beneficial and should be supported. A donation of £600.00 was agreed to be pledged by the Members from the 2006/2007 Town Council budget, taken from Community Regeneration, 'Donations/Grants' budget.

Minutes of the Finance & General Purposes Committee held on 16 January 2006, cont'd

Resolved that a donation from the 2006/2007 Town Council budget be pledged in the sum of £600.00, to support the educational events for children during the school holidays at Baysgarth Museum. To be taken from the Community Regeneration budget 'Donations/Grants'.

g) Girlguiding UK – Barton Division

Since the issue of the meeting agenda, a further request for financial assistance had been received from Girlguiding UK – Barton Division. Members discussed this to be a worthy cause and should be supported. Members agreed to pledge a donation from the 2005/2006 budget, Community Regeneration 'Donations/Grants' in the sum of £100.00.

Resolved that a donation from the 2005/2006 Town Council budget, Community Regeneration 'Donations/Grants' be pledged in the sum of £100.00, in support of the Girlguiding UK-Barton Division summer 2006 trip.

h) Police Liaison Group - Barton

The Town Council office had received a booking form, for room hire at the Assembly Rooms for the Police Liaison Group to meet once a month during the next twelve months. Members discussed this and agreed to support it, particularly as this meeting raised the Town Council police issues, with Town Council Members in attendance. Members decided a donation be pledged from the 2006/2007 budget, to assist in the room hire costs of £100.00.

Resolved that a donation of £100.00 be granted to Humberside Police from the 2006/2007 Community Regeneration budget 'Donations/Grants'. To assist in hire of the Assembly Rooms to hold the monthly meetings.

311. Barton Town Council Proposed 2006/2007 Budget/Precept

Members were presented with copies of the Town Council draft 2006/2007 Budget/Precept and supporting documentation by the Clerk for perusal and comment. Councillor Mrs W Witter informed Members that she, along with the Clerk had looked at the Town Council budget proposals very carefully, to provide best value. Incorporated into the draft budget are the budget proposals from the Environmental Regeneration Committee meeting held on 21 November 2005 (Min ref: 249/111) and the Community Regeneration Committee meeting held on 19 December 2005 (Min ref: 283/122).

All Members discussed and debated the 2006/2007 budget, to determine the proposals to put forward to the next Ordinary Meeting of the Town Council to be held on Wednesday 1 February 2006.

Resolved that:

- (i) The Environmental Regeneration budget for "New Planters" to be re-named "Repairs and Renewals";
- (ii) The Community Regeneration budget for "Donations/Grants" to be reviewed and re-appraised carefully in the preparation of the 2007/2008 budget proposals;
- (iii) The April 2006 edition of the Bartonian to include a letter of thanks from the Mayor to everyone in Barton who contributed to the display of Christmas lights during the 2005 christmas period with their own displays;
- (iv) All reference to the Assembly Rooms lift scheme to be re-named "Capital Works" in the budget proposals and all other financial reference;

Minutes of the Finance & General Purposes Committee held on 16 January 2006, cont'd

- (iv) All reference to the Assembly Rooms lift scheme to be re-named "Capital Works" in the budget proposals and all other financial reference;
- (v) Members agreed that financial support of the Barton Tourism Group be made from the 2006/2007 Community Regeneration budget for "Tourism", in the sum of £2,000.00. To include financial support of tourism events in the town, admin/secretarial support and room hire at the Assembly Rooms to hold a monthly meeting of the group;
- (vi) the revised and amended 2006/2007 budget proposals to be approved at the next meeting of the Town Council to be held on Wednesday 1 February 2006, to allow the Clerk to levy the Precept with North Lincolnshire Council as required.

The Chairman Councillor Mrs W Witter closed the meeting at 9.25 p.m.

.....Chairman 1 February 2006

**BARTON - UPON - HUMBER TOWN COUNCIL
MINUTES of an ORDINARY MEETING HELD on
WEDNESDAY 3 MAY 2006 COMMENCING at 7.30 p.m.**

Present Councillor Mr J Oxley (Chairman)

Councillors G E Appleyard, J Austin, Mrs A Clark, Mrs C Gibson, C Hind, E Longbottom, Mrs J Oxley, R Patterson, Mrs D Pearson, P Shearer, Mrs M Sidell, N Turner, J P Vickers and K Vickers.

Also Present Ms Shirley Richards, Town Clerk.

412. **Prayer**

Councillor Mrs J Oxley read the Town Prayer.

413. **Notice of Meeting**

It was noted that Notice of this Meeting had been given in accordance with Schedule 12 Paragraph 10(2) of the Local Government Act 1972.

414. **Adjourned Meeting**

The Chairman, Councillor Mr J Oxley, with the permission of the Council, adjourned the meeting under Standing Order 23(q), to allow Mr Simon Seal (Sports Facilities Partnership Manager) of North Lincolnshire Council, to speak regarding the new Barton Leisure Centre Development.

Mr Seal explained the new £4m Leisure Centre Development would be the largest capital investment North Lincolnshire Council has made to date, to offer much needed replacement facilities. The original structure would be developed to provide a 20m, 4-lane swimming pool, a fitness studio facility and multi function suite. These would have linked access to the sports hall, to be refurbished and adapted. The design has been submitted for planning approval as a design and build project. The contract is programmed to commence January/February 2007, and last for approximately 14 months. During this period there will be some disruption of services, but North Lincolnshire Council are currently looking at alternative accommodation for facilities, in particular, school swimming lessons and facilities for the disabled. Consultation regarding utilising resources available is also being explored. It is proposed that the new development will be completed and open for use by April 2008.

Members of the Town Council wished to thank North Lincolnshire Council for the leisure centre development proposals, which would be an asset to the area and provide excellent health, sport and recreation facilities.

Councillor Mr J Oxley thanked Mr Seal for his attendance and informative discussion and re-opened the meeting.

415. **Casual Vacancies**

Members were informed that a report had been received from the Deputy Returning Officer at North Lincolnshire Council, following the by-election held on 27 April 2006, that Mr P Shearer had been elected Councillor for Barton Town Council Bridge Ward and that a Declaration of Acceptance of Office had been duly signed. Councillor Shearer was welcomed to the Town Council and wished every success. Members were also advised that two further casual vacancies had occurred, due to two Council Members failing to attend Town Council meetings for six months, whereby they had become automatically disqualified from the Town Council, namely Councillors Mr D. C Cressey and Mrs L M Cressey.

Minutes of Ordinary Meeting of the Council held on 3 May 2006, cont'd

Resolved that this be noted.

416. Apologies for Absence

Councillors F Coulsey, M Osgerby and Mrs W Witter.

417. Declarations of Interest

Item 8(b) – Senior Alliance Group - G E Appleyard (Personal Interest)

Item 8(c) – Pasture Road Public Seat – Mrs A Clark (Personal Interest)

Item 8(b) – Senior Alliance Group – Mrs D Pearson (Personal Interest)

Item 12(9) – Bowmandale Primary School/Barton Schools – Mrs M Sidell (Personal Interest)

Item 14 – Barton Tourism Group – J P Vickers (Personal Interest)

418. Police

The Chairman Councillor Mr J Oxley, reported apologies for the Police, and the following matters be referred to the Police Liaison Group for report:

Reports of motorcycles racing up and down the tenfoot between Warrendale and Sunnybank.
Report of motorbike (registration number T24 BSL), was reported speeding down King Street to the junction of the High Street. General motorcycle speeding around the Town was also noted.
Police monitoring of Castledyke Playing Field on Victoria Drive was requested, following disturbance and children's play equipment being utilised through people gaining access through a broken fence to the playing field.
Concern regarding anti-social behaviour getting worse in the Town was raised, following the damage caused to the Citadel and Queen Street School during a recent arson attack.
An alleged report of damage to a residents door on Beretun Green on 29 April 2006 was raised.

Resolved that these issues be raised at the next Police Liaison Meeting to be held on 9 May 2006.

419. Minutes

Resolved that the previously circulated Minutes of the Ordinary Meeting of the Council held on 5 April 2006, be received, approved and confirmed as a correct record, and signed by the Chairman.

420. Matters of Report Arising

There were no matters arising from this meeting.

421. Committee Meeting Minutes

(a) Minutes of a Meeting of the Planning Sub-Committee

1) Correct Record

Resolved that the previously circulated Minutes of a Personnel Sub-Committee meeting, held on Monday 19 April 2006, be approved as a correct record.

(b) Minutes of a Meeting of the Finance & General Purposes Committee

2) Correct Record

Minutes of Ordinary Meeting of the Council held on 3 May 2006, cont'd

Resolved that the previously circulated Minutes of the Finance & General Purposes Committee meeting, held on Monday 19 April 2006, be approved as a correct record.

(c) Minutes of the Annual Town Meeting

3) Correct Record

Resolved that the previously circulated Minutes of the Annual Town meeting, held on Thursday 20 April 2006, be approved as a correct record. Subject to amendment – 8(a) Pasture Road Seat paragraph 7 to exclude “the two local residents living adjacent to the seat, making a total of seventeen people”

422. Matters of Report Arising

(a) Senior Citizens Day – Transportation Costs (Min Ref: 409(e)(ii)/174 -F&GP 19/04/06)

Councillor Mrs A Clark informed Members that no mechanism was in place with a bank account for the ‘Senior Citizens Day’ group, in relation to the donation request to the Town Council. Members agreed that payment of the transportation costs would therefore be made direct to the transport company in due course, instead of the ‘Senior Citizens Day’ group, should transport be required.

Resolved that this be noted.

(b) Town Sign Re-painting (Min Ref: 410(b)(i)/175 – F&GP 19/04/06)

Councillor K Vickers had inspected the Town Signs and reported their condition was in extreme poor state. He had also investigated the contact at North Lincolnshire Council for ‘Aid to Parishes’ (Community Pot) budget, being Cabinet Member, Councillor Mr I Glover, in respect of this matter.

Resolved that this be noted.

(c) Pasture Road Public Seat (Min Ref: 8(a) - Annual Town Meeting 20/04/06)

Members engaged in further discussion regarding siting of the seat. Councillor G Appleyard commented that a large majority of people wished the seat to remain in its current position and he believed the public should have their say on siting of the seat. He also expressed his concern regarding comment made by the Town Clerk at the Annual Town meeting, claiming local residents shared his concerns.

Councillor J P Vickers supported adopting a policy for all public seats in Town Council ownership in the Town and for a working party to undertake this, which he was willing to co-ordinate. Councillor Patterson reminded Members there were cost implications if the seat was re-sited, and Councillor N Turner thought that poor decision making had taken place and thought it prudent for the Town Council to have a public seat policy to help prevent the current situation arising again.

The Mayor, Councillor Mr J Oxley, pointed out this was the eighth Town Council meeting the matter had been debated and raised concern over the longevity of the decision making process. He then read out a suggestion put forward from Councillor Mrs W Witter, in her absence to Members of the Council. For the seat to be moved to the grassed area on the north side of Butts Road, on land in public ownership, the costs to be taken from ‘General Reserves’ in the Town Council budget and in accordance with standing orders, no further discussion to take place for at least six months. Members

Minutes of Ordinary Meeting of the Council held on 3 May 2006, cont'd

debated this at length, and a further suggestion put forward was cutting the existing seat in half and placing one half either side of the road. Councillor Longbottom then proposed the suggestion put forward by Councillor Mrs W Witter, in conjunction with forming a public seat policy. However, after further discussion Councillor Appleyard requested a Recorded Vote by the Town Council, for those wishing the seat to remain where it is currently sited, and those who wish it to be re-sited elsewhere, which was seconded.

The Mayor, Councillor Mr J Oxley then asked all Members present to provide a Recorded Vote. Members wishing the seat to remain in its current position were Councillors G Appleyard, Mrs C Gibson, C Hind, R Patterson, Mrs D Pearson, P Shearer, J P Vickers and K Vickers. Members wishing the seat to be re-sited to another position were Councillors J Austin, E Longbottom, Mrs J Oxley and N Turner. Councillor Mrs A Clark was ineligible to vote following declaration of interest in the matter, and Councillor Mrs M Sidell abstained from voting. By a majority vote, Members agreed for the seat to remain where it is currently sited.

Resolved: by amendment to previous resolutions, following a Recorded vote of Town Council Members present at the meeting, it was decided the seat on Pasture Road remain in its current position.

423. Correspondence

1. Receipt of certified Premise Licence for The Assembly Rooms.
2. Receipt of March issue of ERNLLCA newsletter.
3. Invite from HWRCC to enter the Calor Village of the Year Competition 2006, which looks at the openness and inclusiveness of village activities. A lengthy questionnaire requires completing to enter before 6th June 2006.
4. Questionnaire for completion from HWRCC regarding the effectiveness of their Umbrella newsletter.
5. Letter from resident of Butts Road expressing concerns at the amount of litter and rubbish left in ditches and hedgerows around the town. She advises after contacting the Street Right team some rubbish was removed, but advised other rubbish was the responsibility of the Environment Agency, Anglian Water and the railway. The Town Council are requested to "exert what pressure it can on all the agencies involved on behalf of the people of Barton."
6. Notification from Humberside Fire Authority of their Integrated Risk Management Plan Year 3 Action Plan for 2006/07. The document sets out the Authority's plans for further improvements for Humberside Fire & Rescue Service over the coming 12 months. A copy of the document is available on www.humbersidefire.gov.uk on CD or hard copy.
7. Letter from resident of Chapel Lane regarding problems incurred due to the position of the Town Council planters on the Cottage Lane car park.
8. Copy of letter to Barton Civic Society from the Environment Agency regarding litter in Barton Haven. Advising they only have an obligation to remove waste from watercourses when it presents a flood risk or a risk to flood defence structures, and if it is causing pollution of the water.
9. Notification from North Lincolnshire Council of street numbering on West Acridge and Dam Road, in connection with the Keigar Homes Development.
10. Letter of thanks from Barton Division of Girlguiding for the recent donation. (Min Ref: 310(g)/136 – 16/01/05 F&GP)
11. Letter from Keigar Homes with proposed street names for two new developments in Barton. Development off Dam Road – Ramblers Lane; Viking Way; Bridle Way; Bittern Close; Warblers Close and Kingfisher Close. Development off Eastfield Road – Stowgarth "This proposal is in commemoration of the founding member of the Barton & District Agricultural Society, Mr William Arthur Stow, who presided over 27 shows from 1880. He is a forebear of the previous owners of the land and it would be nice to continue the connection. Garth is in keeping with the area, as in

Minutes of Ordinary Meeting of the Council held on 3 May 2006, cont'd

Baysgarth Park and School." Copies of newspaper clippings regarding Mr Stow also sent.

12. Update from Humberside Police Authority regarding Police Force Restructuring, advising that following their recent meeting they have unanimously rejected the Home Secretary's request to a voluntary merger. The Home Office have given notice of the Home Secretary's proposal to make an Order to amalgamate the 4 forces from 1 April 2008. A further period of consultation will now begin, with objections to the proposed merger being submitted to the Home Office by 11 August 2006. The Police Authorities 2 main reasons for rejecting a voluntary merger are explained fully in their letter.
13. Information from North Lincolnshire Council to raise awareness and support for Carers in the region.
14. Copy of letter to Malc Bennett from North Lincolnshire Council PEG advising following their recent Meeting it is their view that the Bike Night event 2006 poses a risk to public safety and it will not receive the support of the PEG in its present format. Mr Bennett is advised not to proceed with the event until the issues identified have been resolved and the PEG has reconsidered arrangements for the event.
15. Receipt of B & DCRP minutes following their meeting on 11 April 2006, it is stated in the minutes that "no representative from Town Council attended this meeting."
16. Letter of objection from resident of 76 Ferriby Road regarding the relocation of the bus stop on Ferriby Road.
17. Receipt from North Lincolnshire Council of an executive summary of the Local Transport Plan 2006-2011. The full document is available on CD, hard copy from the Transport Planning team or shortly on www.northlincs.gov.uk/transportandstreets/transportplanning

Resolved that:

- (i) Entry to the Calor Village of the Year Competition 2006 to be an agenda item for the next Environmental Regeneration Committee meeting to be held on 15 May 2006 (item 3);
- (ii) Letter from local resident expressing concern over the rubbish and litter in the Town to be passed to North Lincolnshire Council, expressing the Town Council's concern regarding this matter (item 5);
- (iii) Siting of the Town Council's planters on Cottage Lane to be an agenda item for the next Environmental Regeneration Committee meeting to be held on 15 May 2006. With regard to alleged vandalism to the property, this matter has been referred to the Police (item 7);
- (iv) a letter be sent to North Lincolnshire Council with concerns over litter and vermin problems in and around the Haven, supporting Barton Civic Society (item 8);
- (v) letter be sent to Keigar Homes and North Lincolnshire Council Planning Department, expressing the Town Council's wish to propose street names from the existing Town Council street naming list, as opposed to those suggested by Keigar Homes for the new Development off Dam Road. However, approval was given to the name of "Stowgarth" for the new Development off Eastfield Road, Barton (item 11);
- (vi) It was reported that the PEG for the Bike Night 2006 event has now been resolved (item 14);
- (vii) that the remaining correspondence be received and the contents noted.

424. **Correspondence Received Since the Issue of the Agenda**

1. Notification from North Lincolnshire Council that from Monday 8 May it will no longer be possible to park behind Queen Street School. This is due to problems with the roof tiles, which have been compounded by the recent fire.
2. Notification from North Lincolnshire Council that Paul Shearer has been elected on to Barton Town Council Bridge Ward following the election on Thursday 27 April 2006.
3. Letter of thanks from Barton Tourism Partnership for the Town Council's support, which has enabled them to access further external funding. They also request payment of the Council's donation.
4. Newsletter from Action for Market Towns - "Yorkshire & Humber Market Towns News" issue 1 spring 2006.

Minutes of Ordinary Meeting of the Council held on 3 May 2006, cont'd

5. Notification from North Lincolnshire Council of premise licence application for Knotted Note Café, Fleetgate, Barton.
6. Notification from ERNLLCA of training conference and advisory note regarding Freedom of Information Act 2000.
7. Notification of new editions and titles of Local Council regulations and legislation, including 7th edition of Arnold-Baker Local Council Administration at £60.00.
8. Request from Barton Flower Club for permission to put a laurel tribute on the War Memorial to commemorate the 90th anniversary of the Battle of the Somme, "Somme Day-1 July 2006". This is a national event by the National Association of Flower Arrangement Societies and War Memorials Trust to lay a tribute on as many war memorials as possible across the UK.
9. Request from Cabinet Member for Education and Children's Services at North Lincolnshire Council for financial support from the Town Council to a presentation to all Barton schools from Andrew Cooney. He is the youngest person to successfully walk to the South Pole, and gives an inspiring talk on his achievement in overcoming physical obstacles and learning difficulties to reach his goal.
10. Letter of thanks to the improvements at the Westfield Road Underpass, and also drawing attention to remaining problems. *(copy of letter passed to North Lincolnshire Council's Neighbourhood Services Team and Engineering Team)*
11. Notification from ERNLLCA of procedure regarding casual vacancy of Councillors following failure to attend meetings for six months.
12. Notification from North Lincolnshire Council of vacancy in office of Councillor on Bridge Ward due to the non-attendance of Councillor Dennis C Cressey. If by 23 May 2006 a request for an election to fill the said vacancy is made in writing to the Returning Officer by ten electors for the said Town Council Ward, an election will be held to fill the vacancy, otherwise it will be filled by co-option.
13. Notification from North Lincolnshire Council of vacancy in office of Councillor on Park Ward due to the non-attendance of Councillor Lisa M Cressey. If by 23 May 2006 a request for an election to fill the said vacancy is made in writing to the Returning Officer by ten electors for the said Town Council Ward, an election will be held to fill the vacancy, otherwise it will be filled by co-option.

Resolved that:

- (i) Members agreed for the Town Council to purchase the latest 7th edition of Arnold Baker Local Council Administration at a cost of £60.00 (item 7);
- (ii) Permission was granted by the Town Council for Barton Flower Club to put a laurel tribute on the War Memorial to commemorate the 90th anniversary of the Battle of the Somme. Councillor E Longbottom agreed to re-arrange the wreaths currently sited there if required (item 8);
- (iii) Request for financial support for a presentation to all Barton Schools to be referred to the next Finance and General Purposes Committee meeting, to be held on 17 July 2006 (item 9);
- (iv) that the remaining correspondence be received and the contents noted.

425. **Planning Matters**

(a) **Planning Applications**

Resolved that the comments as stated be made to North Lincolnshire Council on the following Planning Applications:

- 1). **2006/0613 H & BW Parker** – Application for determination concerning prior approval of siting and appearance of a timber framed agricultural building at Beacon Hill Farm, Brigg Road, Barton (No comment or objection);
- 2). **2006/0617 Mr & Mrs Dyas** – Planning permission to erect a conservatory at 5 Caistor Road, Barton (No comment or objection);

Minutes of Ordinary Meeting of the Council held on 3 May 2006, cont'd

3). 2006/0602 R H Stephenson & Sons – Planning permission to erect a two-storey hotel with associated facilities and car parking (re-submission 2005/1110) at Land opposite junction of Falkland Way and Barrow Road, Barton (Comment only: the Town Council would like to see provision for a relief road included in the development plan).

(b) Notice of Planning Decisions

Resolved that the following Notice of Planning Decisions received from North Lincolnshire Council be noted:

2006/0341 Enjay (UK) Ltd – Full planning permission to change the use of shop to office at 35 Fleetgate, Barton; 2006/0342 Enjay (UK) Ltd – Full planning permission to convert existing flat into two flats at 35 Fleetgate, Barton; 2006/0390 M Hepworth – Full planning permission to insert new windows and doors and make internal alterations at Fieldview Day Nursery, Falkland Way, Barton; 2006/0319 Mr M Taylor – Consent to cut down or carry out work on trees protected by a tree preservation order – to reduce crown of a beech tree protected by a tree preservation order (Barton upon Humber 1964) at Whitecross street, Barton; 2005/2018 Mr W Blyth – Refusal of Planning Permission to site a caravan at Far Ings Factory, access road to works off Far Ings Road, Barton; 2005/2019 Mr W Blyth - Refusal of Planning Permission to site a caravan at Hoe Hill, Blyth Tile Yard, access track to tilery north of Pasture Road North, Barton.

426. Accounts for Payment

Consideration was given by the Council to a previously circulated Schedule of Accounts for payment.

Resolved that the Clerk be authorised to pay the accounts as listed in the sum of £13,300.36 (A/cs 23 to 46) and those presented at the meeting in the sum of £2,016.89 (A/cs 47 to 48), a grand total of £15,317.25.

427. Reports from North Lincolnshire Council Representatives

(a) Humberside International Airport

Councillor G Appleyard informed Members of the good news that Ryan Air has commenced a flight service to and from the Airport. This development will hopefully improve flight choice and bring more trade to the Airport and surrounding areas.

Resolved that this be noted.

(b) Caistor Road Issues

Reports were made regarding footpath works being undertaken and the area not cleaned up sufficiently after reinstatement. Also, damage caused by travellers, including a burnt out caravan. It was understood these matters had been previously reported.

Resolved that this be noted.

428. Reports from Members on Outside Organisations

(a) Development Trust Project

Councillor N Turner informed Members he had attended a consultation meeting regarding the

Minutes of Ordinary Meeting of the Council held on 3 May 2006, cont'd

Development Trust Project. This included assessment of the asset portfolio and a presentation had been given. The project itself utilises European funding, which is then apportioned to the individual projects accordingly. The project in Barton is one of twelve in the Yorkshire regional area. Development of the project would be further discussed when progressed. Members of the Town Council confirmed as previously minuted (Min Ref: 271/119 – BTC 07/12/05) that in principle, the Town Council were supportive of the Development Trust Project.

Resolved that this be noted.

(b) Bowmandale School

Councillor Mr J Oxley commented an environmental project had been undertaken by the children attending Bowmandale School. This consisted of a 'Quiet Garden' and was a credit to those children who had initiated it. Members agreed that a certificate of merit should be sent from the Town Council, commending the achievements of the children. It was noted that should anyone wish to visit the garden, to seek prior approval from the School Head beforehand.

Resolved that a certificate of merit be sent to Bowmandale School, commending achievements of the children in creating the 'Quiet Garden'.

(c) Luncheon Club

Councillor Mrs D Pearson announced a trip to Lightwater Valley was due to take place on Tuesday 9 May 2006.

Resolved that this be noted.

The Mayor, Councillor Mr J Oxley informed Members that Councillor Mr F Coulsey had been released from hospital and was now recuperating at home. All Members sent their best wishes for a speedy recovery to Councillor Coulsey.

The Chairman, Councillor Mr J Oxley, closed the meeting at 8.45 p.m.

.....Chairman 7 June 2006

71

BARTON - UPON - HUMBER TOWN COUNCIL
MINUTES of an ORDINARY MEETING HELD on
WEDNESDAY 6 SEPTEMBER 2006 COMMENCING at 7.30 p.m.

Present Councillor Mrs W Witter (Chairman)

Councillors A Adams, G Appleyard, Mrs A Clark, F Coulsey, D M Cressey, Mrs J Mason, M Osgerby, R Patterson, Mrs D Pearson, P Shearer, Mrs M Sidell, N Turner, J P Vickers and K Vickers.

Also Present Ms Shirley Richards, Town Clerk. Part of meeting only - P C Sandra Brack (Barton Police) and Mr M May (North Lincolnshire Council).

135. **Prayer**

Councillor Mrs M Sidell read the Town Prayer.

136. **Notice of Meeting**

It was noted that Notice of this Meeting had been given in accordance with Schedule 12 Paragraph 10(2) of the Local Government Act 1972.

137. **Apologies for Absence**

Councillors Mrs C Gibson, C Hind, E Longbottom, Mr J Oxley and Mrs J Oxley.

138. **Declarations of Interest**

Item 12 (1) & Item 14 (132) – St John Ambulance – Cllr G Appleyard (Prejudicial Interest)
Item 13 (4) Planning Application 2006/1246 – O2 UK Ltd – Cllr Mrs W Witter (Personal Interest)
Item 14 (130) – Lindsey Relay Co Ltd – Cllr J P Vickers (Prejudicial Interest)

139. **Adjourned Meeting**

The Chairman, Councillor Mrs W Witter, with the permission of the Council, adjourned the meeting under Standing Order 23(q), to allow Mr Mike May, the Transportation Manager (Highways & Transport), at North Lincolnshire Council, to speak regarding car parking provision in the Town.

Further to Mr May's attendance at a meeting of the Town Council's Environmental Regeneration Committee, held on 15 August 2005. Mr May informed Members that a parking study had been undertaken in the Town, following a petition submitted to North Lincolnshire Council from a local trader. The study consisted of two surveys carried out on Friday's 5 and 12 May 2006. Car parks and on street parking were both included. Parking was only considered where legal and any unlawful parking was not considered for the purpose of the survey.

The streets and car parks were pre-visited and assessed. The total available parking spaces available is 1126, and monitoring was undertaken at hourly intervals and parking volumes recorded. For street parking there are 1033 spaces available and the average number of vehicles monitored was 416 per hour. The busiest hour was between 15.00 and 16.00. There are 93 spaces available in the four car parks (Castledyke West, Cottage Lane, Market Lane and Market Place) and the average number of vehicles monitored was 79 per hour. The busiest hour was between 11.00am and noon with 97% of spaces in use.

Overall the survey determined limited parking capacity for most of the day, with a clear indication that most people want to park closely to the shops, health centre or place of work. The outcome revealed three possible options. Firstly, the introduction of car park charges. However, Mr May explained this would not generate sufficient revenue to employ a warden to monitor the four car parks

Minutes of Ordinary Meeting of the Council held on 6 September 2006, cont'd

and he did not think it would improve parking by implementing charges. Secondly, to build a new car park. However, this raised two issues – where would this be sited and how would it be financed. North Lincolnshire Council was currently facing funding problems, therefore, would not have available budget. Thirdly, the option of mounting a publicity campaign to promote more considerate parking in the Town. North Lincolnshire Council would welcome a joint venture with the Town Council to undertake this. It could possibly involve posters in local shops, an article in the Bartonian, local press etc, to make people aware of the parking areas available and to encourage people to park slightly further out and walk into the Town. Also, North Lincolnshire Council are currently promoting a free website www.travelLincs.com. This service encourages car sharing and puts drivers in touch with potential passengers and vice versa. So far, this has proved successful with several people registered onto the site. It aims to alleviate traffic congestion, reduce the need for parking spaces, save money on fuel costs and create a sense of community. Workplace car sharing is another consideration and major employers in the area have been notified of the scheme. The Barton Town Bus and Villager bus services are also being promoted for travel in and around the Town.

In the longer term, Mr May explained that North Lincolnshire Council in due course introduce Decriminalisation of Parking Enforcement. This will enable the authority to undertake traffic warden duties currently operated by the Police and will monitor both street parking and car parks jointly.

Mr May also pointed out North Lincolnshire Council have submitted a bid to Sustrans, the cycle route promoters, evaluating a project in the Town. The project acknowledges problems regarding student travel and is looking at travel schemes, in particular routes leading to and around Baysgarth School. Any further progress in this matter will be reported back to the Town Council in due course.

Members then discussed various car parking and traffic issues in the Town with Mr May. Councillor Mrs J Mason pointed out there was no disabled parking provision in the Market Place car park and could this be reviewed. Councillor G Appleyard requested a review of parking restrictions on King Street outside the Health Centre. He felt it was very difficult for the elderly and those with mobility problems to park near to the surgery. Councillor Mrs A Clark thought parking facilities at tourist attractions in the Town was a must to encourage visitors and Councillor K Vickers felt more enforcement of parking conditions in the Town needs to be improved. PC Sandra Brack confirmed that since the new Traffic Warden had been appointed recently, those illegally parking in the Town had been issued with parking fines and was a considerable number. Councillor J P Vickers thought a letter of thanks should be made to the Traffic Warden from the Town Council, regarding recent success on fining illegally parked vehicles and improving parking facilities in the Town for everyone.

Councillor Mrs W Witter thanked Mr May for his attendance and informative discussion and re opened the meeting. Mr May then left the meeting.

Resolved that Members of the Town Council will review the information Mr May had conveyed regarding results of the parking study undertaken in the Town to progress the matter. For further discussion and consultation with North Lincolnshire Council.

140. **Police**

The Chairman, Councillor Mrs W Witter, welcomed PC S Brack of the Police, and the following matters of report discussed, for referral to the Police Liaison Group.

PC Brack gave report for the recent success of the Yokohama summer crackdown. This involved seizure of a number of illegal motorbikes in the Town. However, she urged residents to log calls for disturbance of nuisance bikes to the Police. She further stated Police resources could only be provided if calls were made to highlight the problem to the Police, with as much detail as possible.

Minutes of Ordinary Meeting of the Council held on 6 September 2006, cont'd

Following the recent success of the Platinum Pride campaign to clean up areas, PC Brack informed Members the Caistor Road area was due to undertake a clean up day. This would involve various agencies, including the Police. Funding was initially being provided by Sanctuary Housing, although further help and funding was required from other sources and PC Brack enquired if the Town Council could provide any funding. Members of the Town Council agreed to place this matter on the next agenda of the Finance and General Purposes Committee. Further improvements to the area involved a newly formed Neighbourhood Watch group and provision of alarm/alert boxes in several homes to assist in prevention of anti-social behaviour problems. Councillor A Adams reported a 4x4 Nissan vehicle frequently parking on the common grass area of Caistor Road/Farifield Drive being a problem. PC Brack acknowledged that it appeared to be parked on land owned by North Lincolnshire Council, therefore the Police were unable to take action. The matter needed to be further reported to North Lincolnshire Council and she would investigate this matter further with them.

Problems with travellers sited on Dam Road was discussed and PC Brack asked for assistance to progress eviction with North Lincolnshire Council. Councillor Mrs M Sidell replied she would further report and discuss with North Lincolnshire Council accordingly.

PC Brack gave thanks to the West Acridge Neighbourhood Watch group for their help and assistance to the Crime Prevention Unit at the 'Picnic in the Park' event recently held in Baysgarth Park.

Following the recent success of helping disperse troublemakers. PC Brack asked the Town Council if they had considered the possibility of purchasing mobile CCTV cameras to use in the Town, as Winterton Town Council had. Members replied they were looking into this and Councillor A Todd was investigating costs/demonstrations.

Members of the Town Council thanked PC Brack for her attendance at the meeting and up-dating reports for Police matters. PC Brack then left the meeting.

Resolved that

- (i) these issues be raised at the next Police Liaison Meeting to be held on 12 September 2006.
- (ii) the request for the Town Council to provide funding for the clean up campaign in the Town, be an agenda item at the Finance and General Purposes meeting to be held on 16 October 2006

141. **Minutes**

(a) **Ordinary Meeting of the Council - 2 August 2006**

Resolved that the previously circulated Minutes of the Ordinary Meeting of the Council held on 2 August 2006, be received, approved and confirmed as a correct record, and signed by the Chairman.

142. **Matters of Report Arising**

(a) **Bus Service - 350 Hull to Barton-upon-Humber (Min Ref: 105/39 - BTC 02/08/06)**

Councillor G Appleyard wished to thank Councillor Mrs M Sidell for her help and assistance given to a local resident regarding a petition submitted to North Lincolnshire Council.

Resolved that this be noted.

143. **Committee Meeting Minutes**

Minutes of Ordinary Meeting of the Council held on 6 September 2006, cont'd

(a) Minutes of a Meeting of the Tenders Committee

1) Correct Record

Resolved that the previously circulated Minutes of a Tenders Committee meeting, held on Monday 14 August 2006, be approved as a correct record.

(b) Minutes of a Meeting of the Personnel Sub-Committee

2) Correct Record

Resolved that the previously circulated Minutes of a Personnel Sub-Committee meeting, held on Monday 14 August 2006, be approved as a correct record.

(c) Minutes of a Meeting of the Planning Sub-Committee

3) Correct Record

Resolved that the previously circulated Minutes of a Planning Sub-Committee meeting, held on Monday 21 August 2006, be approved as a correct record.

(d) Minutes of a Meeting of the Environmental Regeneration Committee

4) Correct Record

Resolved that the previously circulated Minutes of the Environmental Regeneration Committee meeting, held on Monday 21 August 2006, be approved as a correct record.

144. Matters of Report Arising

(a) New Planters in the Town (Min Ref: 130/52 – ERC 21/08/06)

Councillor G Appleyard expressed his concern to Members regarding the possibility of re-allocating the bulb planting budget to purchase new planters. He wished to reiterate he was against the idea, but, acknowledged the matter would be further discussed at a meeting of the Finance and General Purposes Committee to be held on 16 October 2006.

Resolved that this be noted.

145. Correspondence

1. Notification from North Lincolnshire Council Elections Officer that in respect of the casual vacancy for Barton Town Council, Bridge Ward, that as he has not received requests from ten electors for an election to take place, it is for the Town Council to co-opt a replacement Member.
2. Receipt of Action for Market Towns – Yorkshire & Humber Summer Newsletter. Also programme for Action for Market Towns Annual Convention 2006.
3. Notification from North Lincolnshire Council of Street numbering for Vagarth Close and Nursery Close, Barton.
4. Update from Humberside Police Authority of Police Force Merger, confirming that the Home Secretary has withdrawn the proposals for the forced amalgamation of Police Forces in England and Wales.
5. Letter of thanks from Voluntary Car Service for the recent donation. (Min Ref: 311(vi)/137 –

Minutes of Ordinary Meeting of the Council held on 6 September 2006, cont'd

16/01/06 F&GP).

6. Notification from North Lincolnshire Council Public Transport of Bus Service Changes from 4 September 2006. Timetable leaflets will be available towards the end of August.
7. Request from Lincolnshire County Council to complete questionnaire for update information regarding the Viking Way Factsheet.
8. Notification from Hugh Bourn Homes of suggested name for their development off Waterside Road of "St Chads Way", as the development stands on the site of the former St Chads Church.
9. Notification from Mash Enterprises Ltd of suggested name for their development off Humber Road of "Pine Park".
10. Receipt of minutes from the Community Interest Group meeting held on 14 August 2006, the next meeting is to be held on Monday 18 September 2006 at 12pm in the Viking Resource Centre. They also advise that VANL office will be leaving the Healthy Living Project Office (as it is closing down at the end of the month) and VANL will move to Baysgarth Museum. Letter also received from B&DHLP advising of their closure.
11. Receipt of brochure from North Lincolnshire Council – "An update on the Local Transport Plan 2001/02 to 2005/06 – Five Year Delivery Report."
12. Copy, for information, of North Lincolnshire Council Tree Preservation Order 2006 for Land East of Bardney Hall, Whitecross Street, Barton.
13. Notification from British Gas of price changes from 4 September 2006.
14. Notification of ERNLLCA – North Lincolnshire District Committee AGM to be held on Thursday 7 September 2006 at 7.30pm in the Assembly Rooms.
15. Copy of letter sent to North Lincolnshire Council Planning Department from resident with concerns at the proposed development on Land west of Tofts Road, planning application 2006/1235. Also enclosed are photographs showing the impact surface water has had on part of the proposed development site.
16. Notification from Keigar Homes of two alternative street names for their development off Dam Road of "Sandpiper Way" and "Lapwing Way". (Min Ref:- 116/45 – 02/08/06 BTC)
17. Notification from North Lincolnshire Council Planning Department that the erection of a mural in the Market Place would require planning permission. (Min Ref:- 235(d)/53 – 21/08/06 ERC)
18. Notification of H&WRCC AGM on Wednesday 6 September 2006 at 7.00pm in Rudston Village Hall

Resolved that:

- (i) Members agreed the casual vacancy on Barton Town Council Bridge Ward to be filled by co-option. This was proposed by Councillor P Shearer and seconded by Councillor F Coulosey. The Town Council Office to publicly advertise this and an agenda item be placed for the next Ordinary Meeting of the Town Council to be held on 4 October 2006 (item 1);
- (ii) Questionnaire for the Viking Way Factsheet to be forwarded to the Tourism Group for completion (item 7);
- (iii) Members agreed to the name suggestion, but wished to point out there was also a St Chads at Barrow-upon-Humber which may cause confusion. The developer to be notified (item 8);
- (iv) Members agreed to the name suggestion of Pine Park. The Town Council office to notify the developer accordingly (item 9);
- (v) Members agreed to the name suggestions of Sandpiper Way and Lapwing Way. The developer to be notified (item 16);
- (iii) that the remaining correspondence be received and the contents noted.

146. **Correspondence Received Since Issue of the Agenda**

1. Request from St John Ambulance Humberside for donation of a raffle prize for their forthcoming fundraising event in October to raise funds to purchase a defibrillator.

Minutes of Ordinary Meeting of the Council held on 6 September 2006, cont'd

2. Invite from Voluntary Car Service to attend their AGM on Wednesday 18 October 2006 at 7pm at Elsham Golf Club. A presentation is also to be held by the project manager for Community Transport in Beverley.
3. Invitation from Deputy Head of Safer Neighbourhoods (Crime Reduction) for representatives to attend a workshop day to help further the arrangements for the implementation of Neighbourhood Policing. The event is to be held on Friday 22 September 2006 9.30am – 3.30pm at Education Development Centre, Enderby Road, Scunthorpe.
4. Notification of North Lincolnshire Food Festival, which aims to promote and encourage the production and purchase of local food by connecting local good producers with consumers, processors and other producers. The event is to be held on Friday 29 & Saturday 30 September at The Pink Pig, Holme.
5. Letter from resident including copy of Land Registry for Barton Town Football Field, requesting a copy of the original document. *(A reply has been sent by the office advising the local archivist in Grimsby will hold such documents).*

Resolved that:

- (i) that the correspondence be received and the contents noted.

147. **Planning Matters**

(a) **Planning Applications**

Resolved that the comments as stated be made to North Lincolnshire Council on the following Planning Applications:

- 1). **2006/1244 J Van Den Bos** – Listed building consent to install a wrought iron non-illuminated projecting sign and a non-illuminated wooden information board sign at 25 King Street, Barton (Comment only: the position of the projecting sign is in direct line with the town's Christmas lighting string. Therefore, can it be erected at a lower position ?);
- 2). **2006/1243 J Van Den Bos** – Advertisement consent to display a non-illuminated wrought iron projecting sign and a non-illuminated information sign at 25 King Street, Barton (Comment only: the position of the projecting sign is in direct line with the town's Christmas lighting string. Therefore, can it be erected at a lower position ?);
- 3). **2006/1314 Nish Thakerar** – Notice of intention to pollard 5 Lime trees and 2 Sycamore trees within Barton upon Humber conservation area at Eagle House, 46 Fleetgate, Barton (No comment or objection);
- 4). **2006/1246 O2 UK Ltd** – Application for determination concerning the prior approval of the siting and appearance of a 15 metre high monopole with 3 antennae and associated ground based equipment at Anglian Water Depot, Waterside Road, Barton (No comment or objection);
- 5). **2006/1328 Mr & Mrs R M Briggs** – Planning permission to erect a UPVC conservatory at 1 Hesse View, Barton (No comment or objection);
- 6). **2006/1100 Wider Options** – Planning permission to replace existing fence to front boundary at Glebe Farm House, Barrow Road, Barton (No comment or objection).

(b) **Notice of Planning Decisions**

Resolved that the following Notice of Planning Decisions received from North Lincolnshire Council be noted:

2006/1118 Mr A Thompson – Full planning permission to erect a single storey porch to front of house at 24 Providence Crescent, Barton; **2006/1043 Monique Veen** – Grant of consent for the

Minutes of Ordinary Meeting of the Council held on 6 September 2006, cont'd

display of advertisements to display one freestanding non illuminated sign at 4 High Street, Barton; **2006/1139 Mr & Mrs G Betts** – Full planning permission to erect a single storey extension at 2 Warwick Drive, Barton; **2006/0825 Mr L Pearson** – Listed building consent to make internal and external alterations including new windows and velux roof lights at Chapel Manse, 32 Chapel Lane, Barton; **2006/0824 Mr L Pearson** – Full planning permission to erect a detached domestic garage, create a driveway, erect 1 metre high garden walls and 1.5 metre high gates, convert outbuildings to garden room and rear meeting room to kitchen and other associated alterations at Chapel Manse, 32 Chapel Lane, Barton; **2006/1109 Barton Child Centre Out of School Club** – renew application 2005/0537 for the retention of 2 metal containers for use as pram bay shelter and play equipment storage at 50 Holydyke, Barton; **2006/1071 Mrs L Johnson** – Refusal of consent to cut down or carry out work on trees protected by a TPO to fell an Ash (T.2) covered by TPO (Barton upon Humber) Order 1989 at 22 Pasture Road South, Barton; **2006/1054 Phillip Grimes** – Refusal of planning permission to change of use of single storey side extension to separate dwelling with associated garden and off street parking (amended description) at 2 Heron Way, Barton; **2006/1001 Clark Construction Ltd** – Approval of reserved matters pursuant to outline planning permission 2005/1903 dated 19/01/2006 for the erection of 12 linked properties to include alterations to existing access, parking and landscaping at rear of the bungalow, Maltkilm Road, Barton.

148. **Accounts for Payment**

Consideration was given by the Council to a previously circulated Schedule of Accounts for payment.

Resolved that the Clerk be authorised to pay the accounts as listed in the sum of £10,337.05 (A/cs 122 to 146) and those presented at the meeting in the sum of £566.61 (A/cs 147 to 150), a grand total of £10,903.66.

149. **Date of next Environmental Regeneration Committee Meeting (Min Ref: 135(c)/53-21/08/06 ERC)**

Councillor Mrs A Clark advised Members she would be on annual leave when the Environmental Regeneration Committee meet to discuss the budget on 20 November 2006. In light of this, and as Chairman of the Committee, she asked Members if they wished to change the meeting date. Members decided not to change the date, and that the Vice Chairman of the Committee, Councillor Mr G Appleyard would chair the meeting instead.

Resolved that this be noted.

150. **Humberside Airport's Draft Master Plan 'The Future of Air Transport' (Min Ref: 112(1)(i)/44-02/08/06 BTC)**

Members nominated Councillor R Patterson to review the document and report his findings for discussion at the next meeting of the Town Council to be held on 4 October 2006.

Resolved that this be noted for further report.

151. **Reports from North Lincolnshire Council Representatives**

(a) **Flooding – High Tides**

Members were informed of a meeting held at North Lincolnshire Council to discuss the possibility of coastal flooding in the area due to the predicted forthcoming weekend high tides.

Minutes of Ordinary Meeting of the Council held on 6 September 2006, cont'd

Resolved that this be noted.

(b) War Memorial

Councillor G Appleyard wished to convey thanks to the Neighbourhood Services Team for the prompt and efficient clean up of the war memorial and suggested a letter from the Town Council be sent to them. Members agreed to the suggestion.

Resolved that a letter of thanks be sent to North Lincolnshire Council's Neighbourhood Services Team for the recent clean and tidy up of the war memorial.

(c) Cottage Lane Car Park-Recycling Receptacles

Councillor Mrs M Sidell informed Members that solid metal waste receptacles would replace the existing recycling bins, following the recent spate of vandalism. It was hoped the new receptacles would be more suitable and robust.

Resolved that this be noted.

(d) Conservation Area Plan

Councillor Mrs A Clark enquired if North Lincolnshire Council had a more up-to-date plan than the one currently held in the Town Council Office. Councillor Mrs M Sidell informed Members that proposals for a revised one was currently being investigated.

Resolved that this be noted.

152. **Reports from Members on Outside Organisations**

(a) Barton-Cleethorpes Community Rail Partnership

Councillor R Patterson informed Members he had attended a meeting held on 5 September 2006. Consideration for designation of the Partnership was discussed, involving submission to Dft Rail a "Proposed Route Prospectus". If successful, it will enable more flexibility with fares and timetables of local rail travel. This would also allow better linkage with the connection for local bus routes. Also discussed was the winter Sunday service that has operated in lieu of the train service (September-May) in previous years, will cease to operate this year due to the dramatic rise in costs.

On Saturday 7 October 2006, the Partnership will be promoting the rail line at Meadowhall Shopping Mall, Sheffield.

Resolved that this be noted.

(b) Development Trust Project

Councillor N Turner advised Members that the feasibility study undertaken for this was due to be completed at the end of the current week. In light of this, he wished to place an agenda item at the next meeting of the Finance and General Purposes Committee to be held on 16 October 2006 to further discuss.

Resolved that this be noted.

Minutes of Ordinary Meeting of the Council held on 6 September 2006, cont'd

(c) Viking Resource Centre

Members agreed that a letter of thanks to be sent from the Town Council to Mrs M Hardman for the hard work and dedication she gives to the centre. Also, the excellent service provision for local residents in the area. It was acknowledged Mrs Hardman was an extremely dedicated member of the community to undertake the role she fulfilled.

Resolved that this be noted.

(d) Barton Civic Society

Councillor Mrs W Witter informed Members the Town Council had been approached regarding the possibility of selling their eco friendly, jute, biodegradable bags in the Town Council Office. The bags promote the Town of Barton and the Barton Civic Society. All proceeds would assist the Society's funds. This would be on a sale or return basis, with no cost to the Town Council. Members agreed to the suggestion.

Resolved that this be noted.

The Chairman, Councillor Mrs W Witter, closed the meeting at 9.10 p.m.

.....Chairman 4 October 2006

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FINANCE & GENERAL PURPOSES COMMITTEE MEETING
Held at the Assembly Rooms on
MONDAY 16 OCTOBER 2006 COMMENCING at 7.30 p.m.

Present Councillor Mr K Vickers (Chairman)

Councillors G E Appleyard, Mrs A Clark, F Coulsey, E Longbottom, M Osgerby, Mr J Oxley, Mrs J Oxley, R Patterson, P Shearer, N Turner, J P Vickers and Mrs W Witter.

Also Present Councillor Mrs J Mason, Ms Shirley Richards (Town Clerk) and Mrs J Tuplin. Part of meeting only Mr N Jacques (North Lincolnshire Council).

192. **Apologies for Absence**

Councillors D M Cressey, Mrs C Gibson and A Todd.

193. **Declarations of Interest**

6(d) – Community Heritage Development Trust Project– Councillor N Turner (Personal interest).

6(d) – Community Heritage Development Trust Project – Councillor J P Vickers (Personal interest).

194. **Minutes of Meeting held on the 17 July 2006**

It was noted that these minutes had been signed as a correct record, for action as necessary, at a Meeting of the Town Council held on 2 August 2006.

195. **Matters Arising**

There were no matters arising from the meeting held on 17 July 2006.

196. **Community Heritage Development Trust Project (Min Ref: 152(b)/61-BTC 06/09/06)**

Councillor N Turner and Mr N Jacques gave appraisal of the current position of the Development Trust Project. A feasibility study was apparently now nearing completion by Yorkshire Culture and the Barton proposal would be the first in North Lincolnshire. This includes four buildings in the Town, identified as Baysgarth House, 51 Fleetgate, the Youth Centre and the Assembly Rooms for inclusion. Results of the feasibility study, make recommendations for each project partner to consider. All parties involved would have to agree to the development of the four buildings to reach the next stage of the project. This would be the formulation of a business plan for further perusal by all parties involved. Councillor Turner explained the business plan is centred around the portfolio of assets of the four buildings and he could foresee savings to be made if the Assembly Rooms were run as a charity, and that funding may be available to develop the building to comply with current legislation. He further stated that commitment from the Town Council would now be required and a working party would need to be set up before April 2007, to consult with partnership representatives.

Councillor G Appleyard commented he was in favour of the project to hopefully stop escalating costs and would welcome the idea. Councillor J Oxley enquired if the Assembly Rooms would remain in the ownership of the Town Council as a partner of the project. Mr N Jacques explained it would and that a similar management/leasing arrangement to Baysgarth House, with North Lincolnshire Council still owning the building would apply. In the case of the Assembly Rooms, the Town Council would still be the owner of the building. Councillor J P Vickers, as representative of the Town Council for the Community Heritage, Arts and Media Project, thought the scheme should be progressed by the Town Council positively. Councillor E Longbottom raised concern over the existing improvements scheme for the Assembly Rooms, stating the Town Council had already set aside budget provision towards this. Councillor Turner gave assurance that current improvement proposals to the Assembly

Minutes of the Finance and General Purposes Committee held on 16 October 2006, cont'd

Rooms would be addressed/discussed through the Heritage Development Trust Project plan.

A proposal was made to Members whether they wished the Assembly Rooms to be included into the project, in order to progress to the next stage, the formulation of a business plan by Yorkshire Culture Partnership representatives for the development of the four buildings identified for inclusion would then further consider the proposals. Members agreed for the Assembly Rooms to progress to the next stage, for consideration by the Town Council.

Councillor N Turner stated that Yorkshire Culture would require a letter from the Town Council, giving formal approval for the Assembly Rooms to be progressed to the business plan stage of the project accordingly.

Resolved that Members agreed for the Assembly Rooms to progress to the next stage of a business plan proposal for the Development Trust Project. Also, that a letter be sent from the Town Council to Yorkshire Culture, giving formal approval for the Assembly Rooms to be progressed to the business plan stage of the project for further Town Council consideration.

Mr N Jacques then left the meeting.

197. **Requests for Financial Assistance**

Members considered the following received requests for financial support:

a) **'Platinum Pride' Clean up Campaign of Caistor Road (Min Ref: 140(ii)/56-BTC 06/09/06)**

Members considered the merits of a request made from Humberside Police (Barton), for financial assistance towards this local project. The Clerk gave background information of the request, as previously minuted. However, Members wished the Clerk to seek further information from PC S Brack (Barton Police), who made the initial request. Also, the amount of the donation sought would also need to be stated. Once the information has been received, Members agreed to review the request for financial assistance again.

Resolved the Clerk seek further information from P C Brack (Barton Police), for further consideration by Members.

b) **'Good Citizenship Award' (Min Ref: 173(ii)/71-BTC 04/10/06)**

Members were handed details of the Barton Neighbourhood Policing initiative, for an award to be presented monthly to a primary school pupil who has helped or assisted others in the community. It is based upon good behaviour. Other external sponsorship has been sought elsewhere for Castledyke Primary School and Bowmandale School. Sponsorship for St Peter's Primary School was now asked to be considered. Members thought the initiative a good one to encourage good behaviour in young children and to respect others in the community. All Members agreed to sponsor the school for a one-year period in the sum of £78.48. Members requested that the certificates issued to the children, incorporated that the school had been sponsored for the scheme by Barton Town Council.

Resolved that all Members agreed to sponsor St Peter's Primary School for a one-year period in the sum of £78.48, for the 'Good Citizenship Award' scheme. Members requested that the certificates issued to the children, incorporated the school had been sponsored for the scheme by Barton Town Council.

198. (a) **Bulb Planting Budget Allocation (Min Ref: 130/52-ERC 21/08/06)**

Minutes of the Finance and General Purposes Committee held on 16 October 2006, cont'd

Councillor Mrs Clark, Chairman of the Environmental Regeneration Committee, and Councillor Mrs J Oxley, the previous Chairman, explained why a request had been made for the 'Bulb Planting' budget to be considered for the purchase of two planters instead of bulbs. A partnership scheme had previously been entered into between North Lincolnshire Council Neighbourhood Services and Barton Town Council Environment Regeneration Committee, to improve the frontage of the Somerfield Supermarket area in the Market Place. The improvement works had originally been investigated not only to enhance the area, but, to make it safer for pedestrians to walk upon, following public complaint and concern. Both Councillors explained that whilst improvement works had been carried out by North Lincolnshire Council, to date, Barton Town Council had not contributed to the improvements as previously discussed. (Min references 481/182-ERC 9/03/05, 125(c)/52-ERC 15/08/05, 245(a)/109-ERC 21/11/05 and 130/52-ERC 21/08/06 refers).

Members debated the merits of siting the planters in this particular location and the majority felt budget allocation would be unjustified in this instance. Councillor Appleyard wished the bulb planting budget to remain where it was, along with Councillor's Mrs J Mason and P Shearer. Councillor E Longbottom raised concern for the type and height of the planters proposed and Councillor P Vickers felt budget allocation could be better spent to fund graffiti and anti social behaviour problems with more police patrols in the Market Place area. Councillor Mrs W Witter commented that Environmental Regeneration schemes were to enhance the Town generally.

Following further discussion in this matter, a vote was taken on a proposal for those wishing to purchase two planters using the bulb planting budget, being 4 and a proposal for those wishing the bulb planting budget to remain and not purchase the two planters being 7.

Resolved that by majority of votes, the Town Council 'Bulb Planting' budget remain and for the two planters proposed to be purchased for the area fronting the Somerfield Supermarket not to be purchased.

(b) Bike Night Litter Collection (Min Ref: 111(8)(ii)/43-BTC 02/08/06)

Councillor K Vickers informed Members he had been approached by North Lincolnshire Council Neighbourhood Services, regarding litter collection in the Town, following the annual 'Bike Night' event. As the level of litter exceeded the normal level and had to be cleared up the morning after, it was incurring extra cost for the clear up of around £1,000.00. The Clerk gave details of the current level of donation and administration assistance the Town Council was annually supporting the event. Members all agreed that whilst the event was a tourist attraction and good for the Town, further details and supporting paperwork needed to be investigated.

Resolved that pending further information, Members agreed to review the Town Council's level of support for the annual Bike Night event until the next Finance and General Purposes Committee meeting to be held on Monday 15 January 2007.

(c) Maintenance of Town Sign Posts, Public Seats and Notice Board Repairs (Min Ref: 112(8)(iii)/44-BTC 02/08/06)

Councillor Mrs W Witter reminded Members the Town Council had agreed to provide remedial work to preserve the wood, to some public seats and the Town sign-posts. However, voluntary assistance by the Youth Offending/Community Service to undertake the work had not been forthcoming. She raised concern regarding the maintenance programme of such assets of the Town Council. It was further stated the Town Council notice board at Baysgarth House was in urgent need of repair as a hinge had worn and rusted, making it unsafe. It was

(32)

Minutes of the Finance and General Purposes Committee held on 16 October 2006, cont'd

Resolved that Members decided to review the maintenance of the Town Council wooden posts and seats in due course. In the meantime, the Town Council Office was authorised to obtain a quotation for the repair of the notice board, in order to make it safe.

(d) Christmas Festival Lighting Strings (Min Ref: 177(b)/73-BTC 04/10/06)

Correspondence had been received from Mr R. Beales at North Lincolnshire Council, regarding dispensation of the numbering required by the Code of Practice for the installation, operation and removal of seasonal decorations. The Clerk had already passed a copy of this letter to the Town Council's electrical contractor, and was informed he would liaise with Mr R. Beales at North Lincolnshire Council accordingly to discuss further. It was

Resolved that Members agreed the Town Council Office be authorised to send a letter to the electrical contractor, confirming that he undertake the erection and dismantling of the christmas lights in the Town, to comply with Health and Safety regulations as in previous years compliance.

(e) Town Shields

The Clerk informed Members the supply of blank Town Shields had been depleted, and did they wish to obtain a new supply. They were last purchased in February 2004. Members authorised the Clerk to obtain a new supply, within budget allocation.

Resolved the Town Council Office purchase a supply of Town Shields within budget allocation.

199. **Any Other Business**

a) Payment of Town Council Utility Bills

The Clerk informed Members that British Gas, BT Plc and npower were all levying 'late payment charges' for invoices remaining unpaid after ten days from the billing date. These charges ranged between £10.00-£50.00 each invoice. The Clerk thought it prudent for Members to allow the Town Council Office to pay these invoices between Council meetings, to avoid the excess charges. Members agreed to this, particularly as over a twelve-month period, the 'late payment charges' could amount to several hundred pounds of the Town Council budget.

Resolved that the Town Council Office be authorised to make payment of British Gas, BT Plc and npower invoices between council meetings to avoid the 'late payment charges' levied by suppliers.

b) November 2006 edition of the 'Bartonian'

The Clerk distributed draft copies of the 'Bartonian' to the Town Council Members for comment. She asked for volunteers to proof read the draft ready for submission to the printers.

Resolved that Councillors Mrs J Mason and Mr J Oxley, together with Mrs J Tuplin proof read the draft copy, and inform the Town Council Office of any discrepancies/spelling errors etc.

The Chairman, Councillor K Vickers closed the meeting at 8.50 p.m.

FINANCE & GENERAL PURPOSES COMMITTEE MEETING

Held at the Assembly Rooms on

MONDAY 15 JANUARY 2007 COMMENCING at 7.30 p.m.

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Present Councillor K Vickers (Chairman)

Councillors G E Appleyard, Mrs A Clark, F Coulseay, D Cressey, M Osgerby, Mr J Oxley, R Patterson, Mrs D Pearson, P Shearer, A Todd, N Turner, J P Vickers, and Mrs W Witter.

Also Present Councillors A Adams, Mrs J Mason and Mrs C Patterson. Ms Shirley Richards (Town Clerk), Mrs C Clark (Deputy Clerk) and Mrs J Tuplin.

285. **Apologies for Absence**

Councillors Mrs C Gibson, E Longbottom and Mrs J Oxley

286. **Declarations of Interest**

- 6(c) – Senior Alliance and St John Ambulance – Councillor G Appleyard (Personal interest).
- 6(c) – Senior Alliance – Councillor Mrs A Clark (Personal interest).
- 6(c) – Senior Alliance – Councillor Mrs J Mason (Personal interest).
- 6(c) – Barton Lions Club – Councillor Mr J Oxley (Personal interest).
- 6(c) – Senior Alliance – Councillor Mrs D Pearson (Personal interest).
- 6(c) – Baysgarth House Museum and CHAMP - Councillor N Turner (Personal interest).
- 6(c) – Barton Lions Club – Councillor A Todd (Personal interest).
- 6(c) – CHAMP - Councillor J P Vickers (Personal interest).
- 6(c) – Baysgarth School and Mayoral Budget – Councillor Mrs W Witter (Personal interest)

287. **Minutes of Meeting held on the 16 October 2006**

It was noted that these minutes had been signed as a correct record, for action as necessary, at a Meeting of the Town Council held on 1 November 2006.

288. **Matters Arising**

There were no matters arising from the meeting held on 16 October 2006.

289. **Requests for Financial Assistance**

Members considered the following received requests for financial support:

a) **Barton Arts Week 2007 (Min Ref: 241(10(vii)/99-BTC 6/12/06)**

Members agreed to support Barton Arts Week with a £1,000.00 donation. Budget allocation for this has been built into the Town Council's 2007/2008 Budget.

Resolved that a donation of £1,000.00 be made to Barton Arts Week 2007. To be taken from the Town Council's 2007/2008 Community Regeneration Budget 'Donation-Barton Arts'.

b) **Lindsey Blind Society (Min Ref: 273(4)/113-BTC 3/01/07)**

Members considered the merits of this local service, and agreed to pledge a donation of £200.00 from the current year's budget in the sum of £200.00 towards improvements to the service and equipment.

Resolved that a donation of £200.00 be made to the Lindsey Blind Society from the 2006/2007 Community Regeneration budget 'Donations/Grants'.

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Minutes of the Finance and General Purposes Committee held on 15 January 2007, cont'd

(c) Barton Civic Society

Since the issue of the meeting agenda, a request had been received from Barton Civic Society regarding financial assistance towards re-publication of local Public Rights of Way guides. Council Members discussed this and agreed to pledge a donation of £50.00 from the current year's budget.

Resolved that a donation of £50.00 be made to Barton Civic Society, towards re-publication of the Public Rights of Way guides, to be taken from the 2006/2007 Community Regeneration budget 'Donations/Grants'.

(d) Baysgarth School – 'Rock Challenge 2007'

Since the issue of the meeting agenda, a request had been received from Baysgarth School for financial assistance towards 'Rock Challenge 2007'. Members discussed the benefit and educational merits of this, and agreed to pledge a donation of £250.00 from the current year's budget.

Resolved that a donation of £250.00 be made to Baysgarth School, towards 'Rock Challenge 2007'. To be taken from the 2006/2007 Community Regeneration budget 'Donations/Grants'.

(e) CHAMP Art at St Peter's – 'Art in the Park'

Since the issue of the meeting agenda, a request had been received from CHAMP, regarding financial assistance towards the proposed 'Art in the Park' exhibition and the 'arts procession'. A proposal to submit a bid for financial assistance to the Arts Council for the proposed event was to be made. However, a request for the Town Council to underwrite the loss for the publicity was made, should the bid submission not be met. Town Council Members discussed this and agreed to the request of supporting publicity of the event only, up to a maximum of £1,000.00.

Resolved that if CHAMP's bid submission to the Arts Council was not met, the Town Council would make provision in the 2007/2008 Town Council budget to earmark £1,000.00 in reserves from Community Regeneration budget 'Donations/Grants'. To support the publicity element only.

(f) CHAMP – Family Activities

Since the issue of the meeting agenda, a request had been received from CHAMP, regarding financial assistance towards events for local children at the Museum. Members discussed this, acknowledged the Town Council had supported it during 2006 and decided to support the funding request for 2007.

Resolved that a donation of £500.00 be made towards the children/family activities at the Museum. Budget provision to be taken from the 2007/2008 Community Regeneration budget 'Donations/Grants'.

(g) CHAMP – Baysgarth House Museum

Since the issue of the meeting agenda, a request had been received from CHAMP, regarding financial assistance to support Baysgarth House Museum. Councillor N Turner explained the Museum was reliant on the outcome of the 'Development Trust Project', to support the future success of the Museum. However, in the event of delays or obstacles in the Museum obtaining a successful outcome to this, he requested if the Town Council would consider supporting the Museum for an amount not exceeding £10,000.00, being the anticipated maximum shortfall to enable the Museum to continue. Members discussed this matter and

Minutes of the Finance and General Purposes Committee held on 15 January 2007, cont'd

Resolved that this be noted for future review. If delays or obstacles in the 'Development Trust Project' impacted upon the future success of Baysgarth House Museum, that the Town Council would review the situation again regarding financial assistance.

290. **Bike Night Litter Collection (Min Ref: 198(b)/82-F&GP 16/10/07)**

Members further discussed the Bike Night event annually held in the Town, following receipt of a hand drafted 'balance sheet' from the organiser Mr M Bennett, as requested by the Town Council to support the 2006 donation funding made. The Clerk handed Members a copy of this and the income/expenditure shown was debated. Members agreed the 'balance sheet' was not wholly reflective of the true financial position of the event. Various levels of Town Council financial support were suggested by Members, and litter collection following the event discussed further. Currently, North Lincolnshire Council Neighbourhood Services had supported the additional litter collection.

The Town Council annually make provision of supporting the event with a budget of £1,000.00. However, this was not a direct donation to the organiser. It involved the Town Council office providing administration support and payment of accounts. This included completion and submission of the insurance application documents, road closure applications, advertising the event, hiring of equipment etc. As such, this involved a 'hidden' cost to the Town Council of the administrative support given, over and above the budget allocation of £1,000.00.

The Clerk informed Members she had consulted ERNLLCA for advice regarding the Town Council's current position in this matter. If the Town Council gave a direct donation to the organiser, as it did for other events supported in the Town, there would not be a problem. However, as the Town Council completed documents on behalf of the organiser and gave administrative support to the event, it was pointed out the Town Council were extremely liable should a problem occur. It was also noted that charges were made by the organiser to various retail outlets, public houses etc. for the event. The event could then be viewed as a business arrangement, and the Town Council were made aware of using public finance to support a business venture was not best practice. In light of the incomplete 'balance sheet' information provided to the Town Council from the organiser, this was viewed as not good practice and was also not in compliance with financial regulations. Also, as the Town Council supported the event by administering payment of accounts, the budget allocation was liable to be breached, as it had been in the current financial year. Parameters of budget allocation/support to the event by the Town Council needed to be established to be definitive.

The Clerk explained to Members in light of advice given by ERNLLCA to the Town Council, it was also noted the event would require a 'Premises Licence' application with supporting plans and documentation to be submitted this year to the local authority. If the Town Council decided to make event application on the organisers behalf, the Clerk informed Members considerable costs were involved in submission of this, and also the person completing the documents was then responsible for any problem for the event. Members were informed the Clerk did not wish to submit such an application, resulting in herself and the Town Council being liable in any way for the event.

Members discussed the bike night event, acknowledging it was a very successful annual tourist event in the town. It was decided discussion with the organiser Mr M Bennett was required to progress the matter. Members

Resolved that the Clerk contact the organiser, Mr M Bennett, to arrange a suitable convenient date/time for Members of the Town Council, namely, Councillors D Cressey, Mr J Oxley, N Turner, J P Vickers, K Vickers and the Clerk to meet with Mr Bennett to discuss the bike night event.

Minutes of the Finance and General Purposes Committee held on 15 January 2007, cont'd

291. Humberfest 2007 (Min Ref: 210(6)(i)/88-BTC 1/11/06)

Members discussed the request made to the Town Council for a donation towards the proposed event. This would be in support of the community day activities only, providing workshops, childrens activities etc. In light of the educational and recreational merits this could provide locally, Members decided to pledge a donation of £1,000.00 towards this, on the provision the proposed event takes place.

Resolved that a donation be made to Humberfest 2007, towards the community day activities, providing the event takes place. Budget provision to be taken from the 2007/2008 budget Community Regeneration 'Donations/Grants'. Also, in accordance with financial regulations, the Town Council would require a balance sheet/set of accounts following the event, to be submitted by the organiser, in respect of the donation made.

292. Barton Town Council Proposed 2007/2008 Budget/Precept

Members were presented with copies of the Town Council draft 2007/2008 Budget/Precept and supporting documentation by the Clerk for perusal and comment. Incorporated into the draft budget are the budget proposals from the Environmental Regeneration Committee meeting held on 20 November 2006 (Min ref: 228/93) and the Community Regeneration Committee meeting held on 18 December 2006 (Min ref: 261/108).

All Members discussed and debated the 2007/2008 Budget, to determine the proposals to put forward to the next Ordinary Meeting of the Town Council to be held on Wednesday 7 February 2007. During this discussion, Councillor Mr J Oxley left the meeting. The Town Council office were then thanked for the preparation work undertaken for the Budget/Precept 2007/2008 by the Members.

Resolved that:

- (i) The Community Regeneration Christmas Festival budget for 'Mayoral Invites' be re-named 'Hospitality'.
- (ii) Councillor G Appleyard requested a breakdown of the Town Council budget allocation for the Community Regeneration Christmas Festival 'Entertainment' in the sum of £4,000.00.
- (iii) the revised and amended 2007/2008 proposals be checked by the Clerk, to be presented and approved at the next meeting of the Town Council to be held on Wednesday 7 February 2007, to allow the Clerk to levy the Precept with North Lincolnshire Council as required in the sum of £134,084.
- (iv) an agenda item be placed at the next meeting of the Town Council to be held on Wednesday 7 February 2007, to discuss the Development Heritage Project.

293. Any Other Business

None.

The Chairman, Councillor K Vickers closed the meeting at 9.26 p.m.

.....Chairman 7 February 2007

BARTON-UPON-HUMBER TOWN COUNCIL
MINUTES OF A FINANCE & GENERAL PURPOSES COMMITTEE
EXTRA ORDINARY MEETING held on TUESDAY 6 MAY 2008 at 7.00 p.m. in
THE ASSEMBLY ROOMS, QUEEN STREET, BARTON

Present Councillor K Vickers (Chairman)
Councillors G Appleyard, T Chant, F Coulsey, M Osgerby, Mrs J Oxley, Mr J Oxley, Mrs D Pearson, P Shearer, A Todd, N Turner, J P Vickers and Mrs W Witter.

Also Present Ms S Richards (Town Clerk).

436. Apologies for Absence

Councillors Mrs A Clark and K Letts.

437. Declarations of Interest

Community Heritage Arts & Media Project (CHAMP) – Councillor N Turner (Personal Interest)
Community Heritage Arts & Media Project (CHAMP) – Councillor J P Vickers (Personal Interest)

438. The Assembly Rooms

Councillor K Vickers, as representative of the Town Council for the CHAMP initiative - Barton-upon-Humber Community Heritage Development Trust Project, put forward a proposal for CHAMP to take over the day-to-day running of the Assembly Rooms by way of a management lease, with Barton Town Council retaining ownership of the building. He stated this would allow CHAMP, as a charitable organisation, to obtain external funding/grants the Town Council are unable to access. This would allow for modifications/improvements to the Assembly Rooms for building enhancement.

Discussion took place regarding this by all members present. It was stated that the lease arrangements would be similar to that of Baysgarth House Museum, for a period of say, 29 years to access funding stated in the business plan drawn up by CHAMP. The Town Council office would remain in-situ, paying a rent to CHAMP of £50.00-£60.00 per week with no additional costs. Administration of the building would be undertaken by staff at 51 Fleetgate, Barton, in lieu of the Town Council. This core administration team would be centralised there to undertake management of the consortium buildings named in the business plan – Baysgarth House Museum, 51 Fleetgate, the Youth Centre and the Assembly Rooms. It was further stated employment of the Town Clerk and Deputy Town Clerk would be retained by the Town Council and the Caretaker's position to be transferred by TUPE to CHAMP, acknowledging the employment rights of the individuals concerned.

Further discussion involved whether or not the Town Council could sell the Assembly Rooms instead of leasing it to CHAMP, could the Town Council sell the building even if it engaged in a lease arrangement with CHAMP and also if the lift scheme was still a viable option to have installed at the Assembly Rooms. It was stated that if CHAMP leased the building from the Town Council, it would under the terms of the business plan, require a donation from the Town Council towards the funding of it.

A proposal was made by Councillor Mr J Oxley, for agreement in principle, for the Town Council to negotiate a management lease of the Assembly Rooms with CHAMP. This was seconded by Councillor T Chant. A vote was taken with 6 Members agreeing to the proposal and 3 abstaining from voting.

Resolved that agreement in principle, for the Town Council to negotiate a management lease of the Assembly Rooms with CHAMP.

The Chairman, Councillor K Vickers closed the meeting at 7.34 p.m.

BARTON - UPON - HUMBER TOWN COUNCIL
MINUTES of an ORDINARY MEETING HELD in the COUNCIL CHAMBER, BAYSGARTH
HOUSE on WEDNESDAY 7 MAY 2008 COMMENCING at 7.30 p.m.

Prior to the meeting, the Town Mayor, Mrs M Sidell, presented cheques to the representatives of the Alzheimer's Society and Katie's Concerts being beneficiaries of her charitable funds for the year. Each received £900.00, with a further £250.00 to follow from the proceeds of a recent concert held by Barton Town Band. Councillor Mrs Sidell conveyed her sincere thanks to Barton Town Band, her fellow Council Members and all who had assisted her during her mayoral year, including fund raising. She also gave thanks to the Town Clerk and Deputy Town Clerk and presented them with gifts in appreciation of their assistance.

Present: Councillor Mrs M Sidell (Chairman)

Councillors A Adams, G Appleyard, T Chant, Mrs A Clark, J Evison, C Huggins, K Letts, Mrs J Mason, M Osgerby, Mrs J Oxley, Mr J Oxley, Mrs D Pearson, P Shearer, Mrs S Sidell, N Turner, J P Vickers, K Vickers and Mrs W Witter.

Also Present: Ms S Richards (Town Clerk), Mrs C Clark (Deputy Town Clerk), Mr I London and Mrs J Mumby.

439. **Prayer**

Councillor M Osgerby read the Town Prayer.

440. **Notice of Meeting**

It was noted that Notice of this Meeting had been given in accordance with Schedule 12 Paragraph 10(2) of the Local Government Act 1972.

441. **Apologies for Absence**

Councillors M Barden, F Coulsey and Mrs W Witter.

442. **Declarations of Interest**

- Barton Senior Alliance – Councillor G Appleyard (Personal interest)
- Barton Senior Alliance and The Victory Club – Councillor Mrs A Clark (Personal interest)
- Barton Senior Alliance – Councillor K Letts (Personal interest)
- Barton Senior Alliance – Councillor Mrs J Mason (Personal interest)
- Barton Senior Alliance and The Victory Club – Councillor Mrs J Oxley (Personal interest)
- Barton Senior Alliance and The Victory Club – Councillor Mr J Oxley (Personal interest)
- Barton Senior Alliance – Councillor Mrs D Pearson (Personal interest)
- Barton Tourism Partnership and CHAMP – Councillor N Turner (Personal Interest)
- Barton Tourism Partnership and CHAMP – Councillor J P Vickers (Personal Interest)

443. **Police**

The Mayor, Councillor Mrs M Sidell, requested any Police issues of concern to be raised with Members of the Town Council attending the monthly Neighbourhood Action Team meetings. A report of a bogus fish trader in the Beretun Green area had allegedly been reported to the Police.

Resolved that this be noted.

Minutes of an Ordinary Meeting of the Council held on 7 May 2008, cont'd

444. Minutes

(a) Ordinary Meeting of the Council – 2 April 2008

Resolved that the previously circulated Minutes of the Ordinary Meeting of the Council held on 2 April 2008, be received, approved and confirmed as a correct record, and signed by the Chairman. Proposed by Councillor K Vickers and seconded by Councillor Mr J Oxley.

445. Matters of Report Arising

(a) The Victory Club (Min Ref: 416(14)(i)/168- BTC 02/04/08)

The Clerk informed Members that advice has been received from ERNLLCA, stating the Town Council has no power to legitimately act in an arbitration role with the Victory Club. Members agreed the Victory Club be notified of this.

Resolved the Clerk write to the Victory Club informing them the Town Council have no power to legitimately act in arbitration matters they may have.

446. Other Meeting Minutes

(a) Annual Public Meeting

1) Correct Record

Resolved that the previously circulated Minutes of the Annual Public Meeting held on Thursday 17 April 2008, be approved as a correct record. Proposed by Councillor Mr J Oxley and seconded by Councillor Mrs A Clark.

(b) Minutes of an Extra-Ordinary Meeting

2) Correct Record

Resolved that the previously circulated Minutes of the Extra-Ordinary Meeting held on Monday 21 April 2008, be approved as a correct record. Proposed by Councillor M Osgerby and seconded by Councillor J Evison.

(c) Minutes of a Meeting of the Finance & General Purposes Committee

3) Correct Record

Resolved that the previously circulated Minutes of the Finance & General Purposes Committee Meeting held on Monday 21 April 2008, be approved as a correct record. Proposed by Councillor K Vickers and seconded by Councillor J Evison.

(d) Minutes of an Extra-Ordinary Meeting of the Finance & General Purposes Committee

Resolved that the previously circulated Minutes of the Extra-Ordinary Finance & General Purposes Committee Meeting held on Tuesday 6 May 2008, be approved as a correct record. Proposed by Councillor K Vickers and seconded by Councillor Mrs J Oxley.

447. Matters of Report Arising

Minutes of an Ordinary Meeting of the Council held on 7 May 2008, cont'd

(a) North Lincolnshire Council Highway Matters (Min Ref: 7/2 – ATM 17/04/08)

Members discussed highway concerns in the town, following issues raised at the Annual Town Public meeting and

Resolved that the Clerk write to the Service Director of Highways and Planning at North Lincolnshire Council requesting a site meeting to enable Members of the Town Council to discuss issues of concern regarding George Street, and Queen Street.

(b) The Assembly Rooms (Min Ref: 438/177 – F&GP 06/05/08)

Councillor P Shearer proposed an amendment of the resolution made, to sell the Assembly Rooms in lieu of pursuing negotiation of a management lease with CHAMP. This was seconded by Councillor A Adams. Discussion took place regarding this, resulting in a vote taken. 5 Members present agreed to the proposed amendment and 11 Members against. A second vote was taken proposing the original resolution made, that agreement in principle, for the Town Council to negotiate a management lease of the Assembly Rooms with CHAMP should stand. 13 Members present agreed to this and 3 Members voted against. Members agreed and

Resolved that agreement in principle, for the Town Council to negotiate a management lease of the Assembly Rooms with CHAMP. To be pursued by the Town Council representative's, namely Councillor J Evison and Councillor K Vickers. The third representative, Councillor N Turner, would now have to stand down due to his external position in this matter, requiring a replacement Member. To be placed as an agenda item at the Town Council meeting to be held on 4 June 2008. In the meantime, the Clerk to furnish all Members with background information from previous Town Council meetings, whereby the Barton Community Development Trust Project had been discussed, in readiness for an appraisal Councillor N Turner proposes to undertake at the Town Council meeting to be held on 2 July 2008.

448. Correspondence

1. Notification from North Lincolnshire Council of Highway Maintenance Scheme on A15 – Carriageway Surfacing commencing 2 June 2008 for a provisional duration of up to 30 days. North (Barnetby Top to Humber Bridge) to be carried out during continuous night period working between 7pm – 6am, a road closure of the northbound dual carriageway will be in operation during this time period. A single lane closure will be in operation during the daytime period 6am – 7pm. The southbound dual carriageway will remain operational during these works. The same procedure will occur for the southbound works after the northbound are completed.
2. Notification from North Lincolnshire Council Building Control of street numbering for Ramblers Lane and Priestgate, Barton.
3. 2 letters from resident regarding his complaints re Christmas Festival (*copies enclosed*).
4. Notification from Safer Neighbourhoods Officer of requirement to apply for planning permission for the CCTV cameras in Barton Town Centre (Min Ref: 421(i)/170 – 02/04/2008 BTC) (*copy enclosed*).
5. Receipt of £25 gift voucher for Oaklands Garden Centre & Nursery following winning the CPRE 2007 award for Best Community Planting Scheme (Min Ref: 199(5)/79 – 03/10/08 BTC).
6. Notification from North Lincolnshire Council Licensing Department of Premise Licence application for Fine Food Store, Unit 1E, Humber Bridge Industrial Estate, Barton, to allow a hamper company which takes orders by email and wants to include alcohol in some of the hampers.
7. Receipt of Barton Tourism Partnership minutes of last meeting and agenda for next meeting on 20 May 2008.
8. Receipt of letter from Mrs Jane Tuplin advising that after 36 years attending council meetings in Barton she will be leaving the Scunthorpe Telegraph. Jane would like to pass on her thanks for all the

Minutes of an Ordinary Meeting of the Council held on 7 May 2008, cont'd

- help (and stories) given over the years. She is also willing to continue serving as a co-opted member on the Community Regeneration Committee, if Councillors so wish.
9. Receipt of North Lincolnshire Council 'Active Choices Active Futures Neighbourhood Plan' for the Barton area. They are now looking for representatives to form the local implementation groups (neighbourhood plan steering groups).
 10. Receipt of the first Acorns Neighbourhood Management Strategy, which is an initiative of the North Lincolnshire Strategic Partnership.
 11. Letter from North Lincolnshire Council Licensing advising they have prepared a draft Cumulative Impact Policy which can be found on their website www.northlincs.gov.uk searching for 'licensing policies and guidance'. This policy has been produced following evidence presented by Humberside Police in support of adopting a policy for Scunthorpe Town Centre. Comments on the policy are requested by 20 June 2008.
 12. Notice from VANL of next Community Interest Group meeting on Tuesday 6 May 2008 2.00pm at All Saints Church, Winterton.
 13. Copy of letter sent to North Lincolnshire Council Neighbourhood Services from Barton Bowls Club regarding continual damage to the bowling green in Baysgarth Park. One particular incident was from youths playing football with studded boots on the bowling green (*Neighbourhood Services has also sent a copy to Barton Police Station*).

Resolved:

- (i) costs incurred in the submission of planning applications, building consent and associated costs for the installation of CCTV cameras in the town to be taken from reserves. Proposed by Councillor J Evison and seconded by Councillor Mrs J Mason. All Members present agreed. This expenditure was not planned for in the current financial year budget, as the CCTV cameras had not been adopted by the Town Council when the budget was set (item 4);
- (ii) Members agreed that Mrs Jane Tuplin to continue her co-opted role onto the Community Regeneration Committee for the forthcoming year. Proposed by Councillor Mr J Oxley and seconded by Councillor Mrs A Clark. (item 8);
- (iii) that the remaining correspondence be received and the contents noted.

449. **Correspondence Received Since Issue of the Agenda**

1. Receipt of Ebb & Flow newsletter from Humber Management Scheme for Spring 2008.
2. Letter of objection from resident of New Holland to the planning application for the rear of K Ready & Co. Market Place, Barton.
3. Letter of thanks from Baysgarth School for the recent donation. (Min ref: 434(a)/174 – 21/04/08 F&GP).
4. Letter of thanks from resident for discussing the traffic problems with the mini roundabout at bottom of Ferriby Road and Hungate. (Min Ref: 7/2 Annual Town Meeting 17/04/08)
5. Letter from Councillor Mrs Pearson asking if the Town Council will send a letter of thanks on her behalf to four boys who were a great help to her in her garden. Children often get a bad image, and should be acknowledged for the help they gave.
6. Update from the reindeer team, that if the date is changed for their appearance in Barton to nearer Christmas this year it would be more expensive and less animals will be available. (Min Ref: 403(ii)/163 – 17/03/08 CRC).
7. Update received from North Lincolnshire Council street lighting engineer that it is recommended that in the first year every anchorage is tested for Festive Lighting. (Min Ref: 403(i)/163 17/03/08).
8. Receipt from VANL of Community Interest Group minutes from meeting on 6 May 2008.

Resolved:

Minutes of an Ordinary Meeting of the Council held on 7 May 2008, cont'd

- (i) a letter of thanks to be sent to the youths who assisted Councillor Mrs D Pearson with her garden (item 5);
- (ii) to be discussed at the next meeting of the Community Regeneration Committee to be held on 16 June 2008 (item 6);
- (iii) that the remaining correspondence be received and the contents noted.

450. **Planning Matters**

(a) **Planning Applications**

Resolved that the comments as stated be made to North Lincolnshire Council on the following Planning Applications:

- 1) **2008/0530 Mr Keith Ready Keith Ready & Co.** – Planning permission to erect a bin store at 3-4 Market Place, Barton (Comment: the Town Council express concern regarding this application and wish to reiterate their previous comments regarding this development as a whole. A copy of the comments made to planning application 2008/0404 is attached);
- 2) **2008/0594 Mr M Beadle** – Planning permission to raise height of roof to provide extra living accommodation [re-submission PA/2007/1943] at 8 Tofts Road, Barton (No comment or objection);
- 3) **2008/0589 Mr J Velayudhannair** – Planning permission to erect a single storey rear extension at 8 Prince Charles Drive, Barton (No comment or objection);
- 4) **2007/1900 Mr Clive Mash Mash Enterprises** – Planning permission to amend house types on plots 1-4 and 15-18 previously approved application 2003/0063 at Land East of Humber Road, Barton (No comment or objection).

(b) **Notice of Planning Decisions**

Resolved that the following Notice of Planning Decisions received from North Lincolnshire Council be noted:

2008/0197 Mr B Richardson – Full planning permission to change the use of first floor into five flats and carry out associated external and internal alterations, including the creation of a second floor, which provides two bedrooms to each flat at Oddfellows Hall, High Street, Barton; **2008/0222 Mr B Richardson** – Listed Building Consent to create five flats and carry out associated external and internal alterations, including the creation of a second floor, which provides two bedrooms to each flat at Oddfellows Hall, High Street, Barton; **2008/0202 I E Akester** – Full planning permission for the erection of a garden room to the rear of property at 90 Pasture Road, Barton; **2008/0350 Marston's Pub Company** – Refusal of Planning Permission to erect an awning to provide a smoking shelter at Volunteer Arms, 25 Whitecross Street, Barton; **2008/0351 Marston's Pub Company** – Refusal of Listed Building Consent to erect an awning to provide a smoking shelter at Volunteer Arms, 25 Whitecross Street, Barton; **2008/0188 Miss B M Welch** – Full planning permission to erect a single storey rear extension to form garden room at 20 Castledyke South, Barton; **2008/0201 Lincolnshire Wildlife Trust** – Full planning permission to construct a disabled access ramp and access steps to nature reserve at Far Ings National Nature Reserve, Humber Bank Education Centre, Far Ings Road, Barton.

(c) **Notice of Planning Appeal**

Resolved that the following Notice of Planning Appeal received from North Lincolnshire Council be noted:

Minutes of an Ordinary Meeting of the Council held on 7 May 2008, cont'd

2006/1049 Mr Darren Brighton – Hoppers Club, 14a Whitecross Street, Barton. Planning Appeal Inspectorate's Reference APP/Y2003/C/07/2053299 - Public Inquiry on Tuesday 13 May 2008 at Pittwood House, Scunthorpe. For failure to comply with condition 2 of planning permission reference 7/351/94 granted on 7 July 1994. Condition 2 – The former Clubhouse the subject of this permission, shall not be occupied or otherwise sold separately from Laurel House, 14 Whitecross Street, without the benefit of planning permission in that behalf.

451. **Accounts for Payment**

Consideration was given by the Council to a previously circulated Schedule of Accounts for payment.

Resolved that the Clerk be authorised to pay the accounts as listed in the sum of £13,172.91 (A/cs 23 to 42), and those presented at the meeting in the sum of £8,303.81 (A/cs 43 to 52), a grand total of £21,476.72.

452. **Adoption of the 'Code of Practice on the Operation of CCTV'** (Min Ref: 421/170- BTC 02/04/08).

Members discussed and agreed adoption of the draft copy of the 'Code of Practice on the Operation of CCTV', for the CCTV cameras to be installed in and around the town centre. Further discussion ensued regarding who the CCTV Manager will be, responsible for the operation of the CCTV system. Also, who the nominated Data Protection Officer will be. Councillors Mrs J Oxley and Mrs M Sidell raised concern regarding the extra work this will incur. It was noted that these roles are frequently undertaken in other Town/Parish Councils by Councillors and not necessarily the Officers. Members agreed this matter be further discussed at the next meeting of the Personnel Sub-Committee to be held on 2 June 2008.

Resolved an agenda item be placed at the next meeting of the Personnel Sub-Committee to be held on 2 June 2008, to decide who will be the CCTV Manager for the Town Council and also the Data Protection Officer.

453. **Update of the Town Council Risk Assessment**

Members were informed that the Town Council risk assessment document had been updated. No incidents of risk had been reported, therefore, no additional risks identified.

Resolved that this be noted.

454. **Hungate Mini Roundabout**

Members debated various highway concerns regarding the mini roundabout and Hungate junction. It was agreed that a site meeting with officers from North Lincolnshire Highways Department be arranged to discuss these matters.

Resolved the Clerk write to the Service Director of Highways and Planning at North Lincolnshire Council requesting a site meeting to enable Members of the Town Council to discuss issues of concern regarding Hungate/mini roundabout.

455. **Barton Beck**

Adjourned Meeting

Minutes of an Ordinary Meeting of the Council held on 7 May 2008, cont'd

The Chairman, Councillor Mrs M Sidell, with the permission of the Council, adjourned the meeting under Standing Order 23(q), to allow Mrs J Mumby, local resident, to discuss Barton Beck issues.

Mrs Mumby explained she was a local resident living near to the Beck. She expressed concern regarding the current state the Beck was in. She acknowledged that North Lincolnshire Council did maintain the grass cutting, but, thought the general state of the area to be a disgrace being overgrown and debris thrown into the Beck. Mrs Mumby was prepared, along with some of her neighbours, to assist in enhancing the state of the Beck. She concluded that whilst this was an eye-sore for local residents, it was not good for tourists and visitors into the town to experience.

Councillor Mrs M Sidell thanked Mrs Mumby for her informative discussion and re-opened the meeting.

Members of the Council discussed the issues Mrs Mumby had raised and also historical matters regarding the Beck. Members agreed that the Clerk write to North Lincolnshire Council requesting a site visit to discuss the matter further and request update of previous correspondence sent.

Resolved that:

(i) the Clerk write to the Service Director of Highways and Planning at North Lincolnshire Council, requesting a site meeting to enable Members of the Town Council to discuss issues of concern regarding Barton Beck.

(ii) the Clerk write to Ms Angela Taylor, the legal contact in the Legal Department at North Lincolnshire Council, regarding any progress made into enquiries of the Beck ownership.

456. Market Place Car Parking

Councillor Mrs A Clark expressed concerns regarding ineffective and unclear signage in the Market Place car park, which she felt was confusing. Very narrow parking bays were also discussed. Members agreed and

Resolved the Clerk write to the Service Director of Highways and Planning at North Lincolnshire Council, requesting a site meeting to enable Members of the Town Council to discuss issues of concern regarding the Market Place car parking areas.

Councillor Mrs S Sidell left the meeting.

457. Reports from North Lincolnshire Council Representatives

No matters of report were discussed.

458. Reports from Members on Outside Organisations

(a) Proudfoot Supermarket

Councillor Mr J Oxley commented upon the recent closure of the Proudfoot Supermarket in the town. He felt whilst in the town, they had been very community spirited, assisting various community groups and events in Barton. Members echoed Councillor Oxley's comments and agreed and

Resolved that the Clerk send a letter of appreciation to Mr I Proudfoot at the Proudfoot Headquarters, thanking them for everything they had done for the town, from Members of the Town Council.

Minutes of an Ordinary Meeting of the Council held on 7 May 2008, cont'd

(b) The Clay Pits Association

Councillor G Appleyard informed Members that no further south bank repairs were planned to be undertaken. There had been opposition to this, therefore the matter would be further discussed at the next meeting of the group.

Resolved that this be noted.

(c) New Age Kurling Championship

Councillor K Vickers announced the championship shield had been won for a second year by the Town Council team who took part in the competition.

Resolved that this be noted.

The Chairman, Councillor Mrs M Sidell, closed the meeting at 8.55 p.m.

..... Chairman 4 June 2008

BARTON - UPON - HUMBER TOWN COUNCIL
MINUTES of an ORDINARY MEETING HELD in the COUNCIL CHAMBER, BAYSGARTH
HOUSE on WEDNESDAY 4 JUNE 2008 COMMENCING at 7.30 p.m.

Present: Councillor G Appleyard (Chairman)

Councillors T Chant, F Coulsey, J Evison, C Huggins, K Letts, Mrs J Mason, M Osgerby, Mrs D Pearson, P Shearer, Mrs M Sidell, A Todd, J P Vickers, K Vickers and Mrs W Witter.

Also Present: Ms S Richards (Town Clerk) and Ms A Pullan (Scunthorpe Telegraph).

Prior to the meeting, The Mayor, Councillor Appleyard, welcomed the new Scunthorpe Telegraph reporter, Amy Pullan to the meeting. Amy has been assigned to reporting issues in the Barton area. Members of the Council conveyed their best wishes to her.

31. **Prayer**

Councillor K Vickers read the Town Prayer.

32. **Notice of Meeting**

It was noted that Notice of this Meeting had been given in accordance with Schedule 12 Paragraph 10(2) of the Local Government Act 1972.

33. **Apologies for Absence**

Councillors A Adams, M Barden, Mrs A Clark, Mrs J Oxley, Mr J Oxley and N Turner.

34. **Declarations of Interest**

Barton Senior Alliance – Councillor G Appleyard (Personal interest)
Barton Senior Alliance – Councillor C Huggins (Personal interest)
Barton Senior Alliance – Councillor K Letts (Personal interest)
Barton Senior Alliance – Councillor Mrs J Mason (Personal interest)
Neighbourhood Action Team, Tesco Stores Limited, The Grange and Work Based Learning –
Councillor P Shearer (Personal interest)
Barton Senior Alliance – Councillor Mrs D Pearson (Personal interest)
Barton Senior Alliance – Councillor Mrs W Witter (Personal interest)

35. **Police**

Councillor Shearer reported the bogus fish trader previously sighted in the Beretun Green area had been apprehended by the Police and the matter had now been concluded.

Resolved that this be noted.

36. **Minutes**

(a) **Ordinary Meeting of the Council – 7 May 2008**

Resolved that the previously circulated Minutes of the Ordinary Meeting of the Council held on 7 May 2008, be received, approved and confirmed as a correct record, and signed by the Chairman. Subject to one amendment. Councillor Mrs Witter did not attend the meeting but had tendered her apologies for absence prior to the meeting.

(b) **Annual Meeting of the Council – 14 May 2008**

Minutes of an Ordinary Meeting of the Council held on 4 June 2008, cont'd

Resolved that the previously circulated Minutes of the Annual Meeting of the Council held on 14 May 2008, be received, approved and confirmed as a correct record, and signed by the Chairman.

37. Matters of Report Arising

There were no matters of report discussed.

38. Other Meeting Minutes

(a) Minutes of a Christmas Festival Advisory Committee Meeting

1) Correct Record

Resolved that the previously circulated Minutes of the Christmas Festival Advisory Committee Meeting held on Monday 12 May 2008, be approved as a correct record. Proposed by Councillor K Vickers and seconded by Councillor J P Vickers.

(b) Minutes of an Extra-Ordinary Meeting

2) Correct Record

Resolved that the previously circulated Minutes of an Extra-Ordinary Meeting held on Monday 19 May 2008, be approved as a correct record. Proposed by Councillor K Letts and seconded by Councillor Mrs W Witter.

(c) Minutes of an Environmental Regeneration Committee Meeting

3) Correct Record

Resolved that the previously circulated Minutes of an Environmental Regeneration Committee Meeting held on Monday 19 May 2008, be approved as a correct record. Proposed by Councillor F Coulsey and seconded by Councillor Mrs M Sidell.

(d) Minutes of a Christmas Festival Advisory Committee Meeting

4) Correct Record

Resolved that the previously circulated Minutes of a Christmas Festival Advisory Committee Meeting held on Monday 2 June 2008, be approved as a correct record. Proposed by Councillor J Evison and seconded by Councillor A Todd.

(e) Minutes of a Personnel Sub-Committee Meeting

5) Correct Record

Resolved that the previously circulated Minutes of a Personnel Sub-Committee Meeting held on Monday 2 June 2008, be approved as a correct record. Proposed by Councillor K Vickers and seconded by Councillor Mrs W Witter.

39. Matters of Report Arising

Minutes of an Ordinary Meeting of the Council held on 4 June 2008, cont'd

(a) Flooding Issues (Min Ref: 25(i)/10 – ERC 19/05/08)

Councillor Mrs M Sidell gave a progress report on proposals for flood contingency and a flood emergency plan required by North Lincolnshire Council. Notes of a Working Party meeting held on 27 May 2008 to discuss this were handed to all members present. This centred upon a map to be displayed in the Town Council office in conjunction with North Lincolnshire Council, a list of gullies in the town, a list of those named in assisting flood issues, consultation with volunteers, establishment of a local control centre, liaising with local emergency services etc, a possible warning device located in the town and periodic review of the flood contingency plan. Councillor Mrs Sidell concluded ideally the flood emergency plan would involve all Councillors to form an action matrix in the event of such an emergency.

Resolved this matter be noted for further progress and report.

40. Correspondence

1. Notification from North Lincolnshire Council Building Control of Street numbering for Oak Drive and St Chads Way, Barton.
2. Notice of Barton Police Authority Neighbourhood Panel Meeting on Monday 9 June 2008 at Baysgarth House Museum.
3. Letter from North Lincolnshire Council Highways Team confirming that only the footpath on Green Lane has been adopted (Min Ref: 422/170 – 02/04/08 BTC).
4. Letter of thanks from Bowmandale School for their recent donation (Min Ref: 434(b)/175 – 21/04/08 F & GP).
5. Letter from Mrs Sophia Sidell tendering her resignation from Barton Town Council.
6. Notice from North Lincolnshire Council Elections Officer of vacancy on Barton Town Council Park Ward. If by 5 June 2008 a request for an election to fill the vacancy is made in writing to the Returning Officer by 10 electors, an election will be held, otherwise the vacancy will be filled by co-option.
7. Letter from Castledyke Primary School requesting a donation towards their development on the school field.
8. Notification from North Lincolnshire Council Licensing Manager of application for a premise licence at Tesco Stores, Maltkiln Road, Barton.
9. Update from North Lincolnshire Council Highways on the carriageway surfacing for A15 Barnetby Top to Humber Bridge commencing on Monday 2 June 2008. The northbound carriageway will be sorted first, with a road closure between 7.00pm to 6.00am and single lane closure during the daytime, 6.00am to 7.00pm. This will be followed by the southbound provisionally starting on 16 June 2008.
10. Letter of thanks from Barton Arts Week for the recent donation. As a Gold sponsor of the event, they also enclose 2 free tickets for each of the 6 directly run events.
11. Notice of next Meeting of Barton Schools Council Forum to be held on Wednesday 11 June 2008 at 1.45 pm in the Children's Centre on Council Terrace.
12. Notification from the Environment Agency of a Flood Warden Seminar/Training event on 8 July 2008 at 5.30pm in the Bishop Grosseteste University College, Newport, Lincoln. Also enclosed is relevant paperwork relating to Parish Councils who do not have Flood Warden Schemes in operation at present.
13. Receipt of Public Bus Service route no. 254 Barton Town Service (*copy enclosed*).
14. Receipt of ERNLLCA newsletter for May.
15. Receipt of information for Phase II Barton Links to School (*copy enclosed*).

Resolved:

Minutes of an Ordinary Meeting of the Council held on 4 June 2008, cont'd

- (i) the Town Council office to forward copies of documents held by Councillor Mrs D Pearson in relation to Green Lane, to the Service Director of Highways and Planning at North Lincolnshire council (item3);
- (ii) the Clerk to write to Mrs Sophia Sidell, thanking her for the service she had given to the Town Council and the town during her period of office as Town Councillor (item 5);
- (iii) to be placed as an agenda item for the next meeting of the Finance & General Purposes Committee to be held on 21 July 2008. Proposed by Councillor A Todd and seconded by Councillor Mrs W Witter (item 7);
- (iv) Members agreed that two tickets should be given to the Town Mayor, Councillor Appleyard, two tickets given to the Deputy Mayor, Councillor K Vickers, and two tickets given to the Town Award winner for 2008, Mr M Bennett. The remaining tickets to be donated for distribution to the Barton Salvation Army (item10);
- (v) the Town Council office to query with North Lincolnshire Council if the town bus is still routed along Forkdale in the new timetable commencing 7 July 2008 (item 13);
- (vi) that the remaining correspondence be received and the contents noted.

41. Correspondence Received Since Issue of the Agenda

1. Notice from North Lincolnshire Council Building Control of street numbering for Goosander Close, Clipson Crest and Tofts Road, Barton.
2. Request for funding from North Lincolnshire Council Sport, Play and Community Development Officer towards the Barton Street Sport Skate/BMX/In-Line session on a Thursday evening in Barton.
3. Letter of thanks from the Proudfoot Group following the Town Council's comments regarding their time in Barton (Min Ref: 458(a)/185 – 07/05/08 BTC).
4. Receipt of minutes from last meeting and agenda for next meeting on 17 June 2008 from Barton Tourism Group.
5. Invite for Members of the Town Council to attend The Viking Resource Centre Community Day to celebrate their 10th Birthday on Saturday 7 June 2008 12 noon – 4.00pm at The Viking Resource Centre, 6-8 Fairfield Drive, Barton.
6. Request for funding from Barton Partners in Play towards their Play scheme during the school summer holidays.
7. Request from North Lincolnshire Council Flooding Team for a mobile contact phone number from the Town Council to be used for contact during an emergency or potential emergency situation.

Resolved:

- (i) to be placed as an agenda item for the next meeting of the Finance & General Purposes Committee to be held on 21 July 2008. Proposed by Councillor Mrs W Witter and seconded by Councillor P Shearer (item 2);
- (ii) Members agreed that a donation of £100.00 be made to the Barton Partners in Play, for their play scheme during the school summer holidays. Proposed by Councillor Mrs W Witter and seconded by Councillor P Shearer. Donation to be taken from the 2008/2009 Community Regeneration budget for "Donations/Grants" (item 6);
- (iii) Members agreed that Councillors Mrs M Sidell, A Todd and J P Vickers provide North Lincolnshire Council Flooding Team with emergency mobile telephone numbers in the event of flooding issues arising in the town. The Clerk to notify North Lincolnshire Council (item 7).
- (iv) that the remaining correspondence be received and the contents noted.

42. Planning Matters

(a) Planning Applications

Minutes of an Ordinary Meeting of the Council held on 4 June 2008, cont'd

Resolved that the comments as stated be made to North Lincolnshire Council on the following Planning Applications:

- 1). **2008/0739 Mr & Mrs R Lake** – Planning permission to erect rear single storey extension at 6 Sandpiper Way, Barton (No comment or objection);
- 2). **2008/0749 Miss L Goodley** – Planning permission to erect a 2-storey side extension at 58 Tofts Road, Barton (No comment or object);
- 3). **2008/0696 Mr Neal Platt Keigar Homes Ltd** – Planning permission to erect a semi-detached dwelling with rear conservatory (amended house type) at Plot 124 off Ramblers Lane, Barton (No comment or objection);
- 4). **2008/0707 Mr Neal Platt Keigar Homes Ltd** – Planning permission to amend plot 80 approved under 2005/0044 to include the addition of a conservatory at 18 Ramblers Lane, Barton (No comment or objection);
- 5). **2008/0636 R & S Altoft** – Outline planning permission to erect a dwelling [Re-submission of PA/2008/0205] at Land adjoining 7 Elmdale, Barton (No comment or objection);
- 6). **2008/0738 Mr & Mrs M Williams** – Planning permission to erect a single storey rear extension at 9 Saxon Close, Barton (No comment or objection);
- 7). **2008/0786 Mr M Snowden Keigar Homes Ltd** – Planning permission to amend house type to plots 1 & 2 currently approved under application no. PA/2006/0777 for the formation of a second floor in the roof void at Plots 1 & 2 to the rear of 24 Dam Road, Barton (No comment or objection);
- 8). **2008/0774 Mrs Rosemary Hallgarth** – Listed building consent to install a satellite dish at 15 Market Place, Barton (No comment or objection);
- 9). **2008/0791 Tesco Stores** – Planning permission to construct a cage marshalling area and an ATM at The Factory Shop, Maltkiln Road, Barton (No comment or objection).

(b) Notice of Planning Decisions

Resolved that the following Notice of Planning Decisions received from North Lincolnshire Council be noted:

2008/0477 Mr Holberry – Full planning permission to erect a conservatory to rear of property at 19 Lower Meadows, Barton; **2008/0517 Mr Mark Loughran Tastee Foods** – Refusal of Listed Building Consent to retain rear external fire escape and UPVC door and windows at first floor level at Tastee Foods, 19 High Street, Barton; **2007/1977 Mr T Hazeldine** – Grant of consent for the display of advertisements to display 3 non-illuminated freestanding advertisements at Reeds Hotel access road off Far Ings Road and, junction of Gravel Pit Road & Ferriby Road, Barton; **2008/0520 Mr D Nundy** – Refusal of listed building consent to retain roof window at 1 Humber Terrace, access road to Humber Bridge Viewing Area, Barton; **2008/0442 Mr E Dicks** – Refusal of planning permission to erect a detached chalet bungalow (access, layout and scale not reserved for subsequent approval) at 74 Ferriby Road, Barton; **2008/0589 Mr J Velayudhannair** – Full planning permission to erect a single-storey rear extension at 8 Prince Charles Drive, Barton; **2008/0594 Mr M Beadle** – Full planning permission to raise height of roof to provide extra living accommodation [re-submission PA/2007/1943] at 8 Tofts Road, Barton; **2008/0089 J P & E A Miller** – Refusal of planning permission to erect 8no. two storey town houses to include demolition of existing building on site at Miller's Gym, Ferriby Road, Barton; **2008/0492 Mr & Mrs S R Adams** – Full planning permission to erect carport to side of property at 62 Brigg Road, Barton.

(c) Notice of Planning Applications Withdrawn

Resolved that the following Notice of Planning Applications withdrawn, as received from North Lincolnshire Council be noted:

Minutes of an Ordinary Meeting of the Council held on 4 June 2008, cont'd

2008/0541 Mr C French – Listed building consent to change the use of retail shop to domestic accommodation including domestic garage, removal of shop front, removal of timber outhouse, internal and external alterations and provide new access onto Fleetgate at 57, Fleetgate, Barton;

2008/0540 Mr C French – Planning permission to change the use of a shop to domestic accommodation including domestic garage, removal of the shop front, removal of a timber outhouse, internal and external alterations and provision of a new access onto Fleetgate at 57 Fleetgate, Barton.

43. **Accounts for Payment**

Consideration was given by the Council to a previously circulated Schedule of Accounts for payment.

Resolved that the Clerk be authorised to pay the accounts as listed in the sum of £2,025.57 (A/cs 53 to 58), and those presented at the meeting in the sum of £6,687.64 (A/cs 59 to 65), a grand total of £8,713.21.

44. **Nomination of representative for the Barton Community Development Trust Project** (Min Ref: 447(b)/180 – BTC 07/05/08).

A representative from the Town Council for the Barton Community Development Project was required, to fulfil the role formerly undertaken by Councillor N Turner. Councillor Mrs J Mason was proposed by Councillor P Shearer and seconded by Councillor J P Vickers. Members present agreed to the proposal.

Resolved that Councillor Mrs J Mason to undertake the role as representative of the Town Council, serving on the Barton Community Development Trust Project, in lieu of Councillor N Turner.

45. **The Mayor's Charities for the year 2008/2009**

The Mayor, Councillor Appleyard, informed members his three chosen charities for the year are St John Ambulance, St Mary's Church Fabric Fund and Wish Upon A Star (Dream Making for Sick Children).

Resolved that this be noted.

46. **Representatives serving on the Barton Neighbourhood Action Team**

Councillor Appleyard informed members the Barton Neighbourhood Action Team would be seeking proposals for a Chairperson at the forthcoming meeting.

Resolved that this be noted.

47. **The Deputy Mayor's Chain of Office Ribbon Colour**

Councillor K Vickers informed members that the Deputy Mayor's chain of office ribbon had originally been donated to the Town Council by former Councillor Welton in red. However, this had been replaced with a black one in 2006 (min ref: 6(b)/3-PSC 06/03/06 refers). He thought the ribbon should now be replaced with a red one, in honour of the original donated one. Members present agreed to this request.

Resolved that the Deputy Mayor's chain of office ribbon, currently in black, be replaced with a red one.

Minutes of an Ordinary Meeting of the Council held on 4 June 2008, cont'd

48. Reports from North Lincolnshire Council Representatives

(a) Public Views on the Town

Councillor K Vickers explained he was in possession of information, showing the views and expectations that members of the public had on the town. He stated the information was very interesting and informative, and suggested all members of the Council perused the information.

Resolved Councillor K Vickers to furnish members of the Town Council with the information document.

(b) Baysgarth Leisure Centre

Councillor K Vickers stated that the new leisure centre complex would have the "dry" section of the building open by the end of June. This would consist of the fitness suite etc. The "wet" section, the swimming pool area, would be open approximately two months later.

Resolved that this be noted.

49. Reports from Members on Outside Organisations

(a) Bowmandale School Cycle Link

Councillor Mrs Sidell stated the Town Council had received plans and details of the Barton Links to School Phase II, which she thought should be noted for information purposes.

Resolved that this be noted.

(b) Barton Senior Alliance

Councillor Mrs W Witter stated this year's Annual Tea would be held on 29 September at the Trinity Methodist Chapel. Everyone over 50 would be welcome to attend. A meeting had been arranged with Shopmobility/North Lincolnshire Council to undertake an inspection of the town to assess dropped kerbs and future requirements. Thanks were given to those who arranged the Annual Barton Beer Festival last weekend. The event had been enjoyed by all who attended and there appeared to be no noise or disruption to the surrounding neighbourhood residential properties.

Resolved that this be noted.

(c) Barton Cleethorpes Community Rail Partnership

Councillor A Todd informed members that he had recently attended a meeting of the partnership. There was interesting and positive future developments proposed, including platform enhancements, improved rail services and superfast trains.

Resolved that this be noted.

(d) Performance in the Park 2008

Councillor J P Vickers wished to thank Barton Town Band for their excellent performance on Sunday 25 May. It had been a great start to the summer season of concerts held in Baysgarth Park. The next concert would be held this forthcoming Sunday, 8 June. The performance would be The Story

Minutes of an Ordinary Meeting of the Council held on 4 June 2008, cont'd

Tellers Co presenting Alice in Wonderland. The event is free of charge and everyone welcome to attend. It commences at 2.00 pm in front of Baysgarth House Museum.

Resolved that this be noted.

The Chairman, Councillor G Appleyard, closed the meeting at 8.20 p.m.

..... Chairman 2 July 2008

BARTON - UPON - HUMBER TOWN COUNCIL
MINUTES of an ORDINARY MEETING HELD in the COUNCIL CHAMBER, BAYSGARTH
HOUSE on WEDNESDAY 2 JULY 2008 COMMENCING at 7.30 p.m.

Present: Councillor G Appleyard (Chairman)

Councillors T Chant, Mrs A Clark, F Coulsey, K Letts, Mrs J Mason, M Osgerby, Mr J Oxley, Mrs J Oxley, Mrs D Pearson, P Shearer, N Turner, J P Vickers, K Vickers and Mrs W Witter.

Also Present: Ms S Richards (Town Clerk) and Ms A Pullan (Scunthorpe Telegraph).

66. **Prayer**

Councillor K Vickers read the Town Prayer.

67. **Notice of Meeting**

It was noted that Notice of this Meeting had been given in accordance with Schedule 12 Paragraph 10(2) of the Local Government Act 1972.

68. **Apologies for Absence**

Councillors A Adams, M Barden, J Evison, C Huggins, Mrs M Sidell, A Todd and Mrs W Witter.

69. **Declarations of Interest**

- Barton Senior Alliance – Councillor G Appleyard (Personal interest)
- Barton Senior Alliance – Councillor Mrs A Clark (Personal interest)
- Barton Senior Alliance – Councillor K Letts (Personal interest)
- Barton Senior Alliance – Councillor Mrs J Mason (Personal interest)
- Barton Senior Alliance – Councillor Mr J Oxley (Personal interest)
- Barton Senior Alliance – Councillor Mrs J Oxley (Personal interest)
- Neighbourhood Action Team, Tesco Stores Limited and The Grange – Councillor P Shearer (Personal interest)
- Barton Senior Alliance – Councillor Mrs D Pearson (Personal interest)

70. **Police**

Any Police issues of concern to be raised with Members of the Town Council attending the bi-monthly Neighbourhood Action Team meetings

Resolved that this be noted.

71. **Minutes**

(a) **Ordinary Meeting of the Council – 4 June 2008**

Resolved that the previously circulated Minutes of the Ordinary Meeting of the Council held on 4 June 2008, be received, approved and confirmed as a correct record, and signed by the Chairman.

72. **Matters of Report Arising**

There were no matters of report discussed.

73. **Other Meeting Minutes**

Minutes of an Ordinary Meeting of the Council held on 2 July 2008, cont'd

(a) Minutes of a Christmas Festival Advisory Committee Meeting

1) Correct Record

Resolved that the previously circulated Minutes of the Christmas Festival Advisory Committee Meeting held on Monday 16 June 2008, be approved as a correct record.

(b) Minutes of an Extra-Ordinary Meeting

2) Correct Record

Resolved that the previously circulated Minutes of an Extra-Ordinary Meeting held on Monday 16 June 2008, be approved as a correct record.

(c) Minutes of a Community Regeneration Committee Meeting

3) Correct Record

Resolved that the previously circulated Minutes of a Community Regeneration Committee Meeting held on Monday 16 June 2008, be approved as a correct record.

74. Matters of Report Arising

(a) Barton Christmas Festival 29 November 2008 (Min Ref: 65(c)(iv)/28 – CRC 16/06/08)

Councillor P Vickers explained that timing of the festival parades and lights switch on would have to be finalised, in order for the Town Council to draft and submit a premises licence to North Lincolnshire Council. It was agreed and

Resolved that the community parade commence at 2.00pm, the lantern parade at 4.30pm and the Christmas lights switch on at 6.30pm. Submission of a premises licence to North Lincolnshire Council to reflect this.

75. Correspondence

1. Confirmation required by Barton Town Twinning Association that the Town Council will be organising a reception for the Feyzin visitors on Tuesday 15 July 2008 during their visit to Barton.
2. Price received to undertake testing of Barton Christmas light fixings. (Min Ref: 403(i)/163 – 17/03/08 CRC).
3. Notification from Barton School Forum co-ordinator that Councillor John Oxley chairs their meetings and Councillor Margaret Sidell is the link to various departments within North Lincolnshire Council. They stress that no more than four Councillors in total works well for their meetings, as when other invited guests attend, it results in more adults than children, which the children find intimidating.
4. Update from North Lincolnshire Council Street Lighting regarding seasonal decorations in 2008 (*copy enclosed for Councillors not at Community Regeneration Meeting on 16 June 2008*)
5. Receipt of copy aerial photos from the Proudfoot Group around their old store in Barton.
6. Notification from North Lincolnshire Council Elections Officer confirming, that as they have not received requests from ten electors for an election to take place, it is for the Town Council to co-opt a replacement Member for Park Ward following the resignation of Mrs S Sidell.
7. Letter from resident of Vagarth Close complaining at the waste of council tax payers money on the road works being done to the A15 (*copy forwarded to North Lincolnshire Council Highways & resident advised accordingly*).

Minutes of an Ordinary Meeting of the Council held on 2 July 2008, cont'd

8. Notification from North Lincolnshire Council that Malcolm Sands has taken over from Trevor Mills at Electoral Services Officer.
9. Invitation to attend Safer Neighbourhoods Forum on 2 July 2008 at 7.00pm in the Wortley House Hotel. This will be a joint forum with Humberside Association of Neighbourhood Watch (*copy of invite forwarded to Town Council NAT members*).
10. Letter of thanks from Councillor Mrs Pearson on behalf of Barton Senior Alliance for funding the coach to the Corus Gala (Min Ref: 434(c)/175 – F & GP 21/04/08).
11. Notification from North Lincolnshire Council of the removal public telephone kiosk at Burnham, Barton. Any comments must be received by 4 July 2008.
12. Receipt of letter and factsheet from Eco2 Ltd regarding their proposed Eco2 straw-powered electricity generating plant at Scawby Brook, Brigg – a new era of energy generation for North Lincolnshire Full details can be viewed at Brigg Town Council Office or on www.briggprep.co.uk.
13. Letter of thanks from Barton Town Band for all the support of the Town Council and giving an update of their current success. They are also seeking match funding to allow them to purchase over £12,000 of instruments.
14. Invite from the Colin Booth Group for members to attend a summer jazz dinner dance at Bardney Hall on Saturday 19 July 2008, tickets cost £85.00.
15. Receipt from Safer Neighbourhoods Nite Safe of Barton Town Centre Safety Patrol Team, recorded incident reports for May 2008.
16. Notification from North Lincolnshire Council School Travel Plan Adviser that working with Bowmandale School, the Authority will be starting a consultation exercise to gauge support from parent/carers and residents for the installation of a safety zone outside the school gates. The zone is at the request of the school after developing a travel plan and identifying congestion outside as a potential hazard to its pupils. At the same time the school is working to encourage walking and cycling. A plan of the scheme is available to view at the Council Office.
17. Receipt of copy letter sent to Mr M Bennett, Barton Bike Night Organiser, from North Lincolnshire Council PEG outlining their concerns with some of the information provided in his event assessment form which lacks sufficient details.
18. Receipt of agenda and minutes from Barton Tourism Group.
19. Request from Councillor Mrs Pearson to contact Wilkinson's Head Office to ask if they would open a store in Barton.
20. Invite from North Lincolnshire Council Leisure Services to attend Active Choices Active Futures launch of The Barton and District Neighbourhood Plan on Wednesday 23 July 2008 5.30pm – 8.00pm at Baysgarth Leisure Centre.

Resolved:

- (i) It was agreed by members present that CHAMP provide a town twinning reception at Baysgarth House on behalf of the Town Council on Tuesday 15 July 2008. The cost to be borne out of the Town Council budget set aside for this. Proposed by Councillor N Turner and seconded by Councillor Mr J Oxley. Also, an agenda item to be placed at the next Community Regeneration Committee meeting to be held on 15 September 2008 to clarify future town twinning reception arrangements (item 1);
- (ii) members present agreed to accept the quotation received from HTS Structural Engineers to undertake direct tensile testing on the existing brackets in the sum of £1,296 per day, plus £200 for the report. Proposed by Councillor Mr J Oxley and seconded by Councillor Mrs A Clark. The contractor to be notified accordingly (item 2);
- (iii) the Clerk reminded members of the update received and the very tight timescale the Town Council were up against to provide information to North Lincolnshire Council. This matter to be progressed as soon as possible in conjunction with the contractors appointed (item 4);
- (iv) members agreed to co-opt a new member onto the Town Council at the next meeting. To be held on 6 August 2008. Public notices to be placed advertising the vacancy accordingly (item 6);
- (v) to be placed as an agenda item at the next meeting of the Finance and General Purposes

Minutes of an Ordinary Meeting of the Council held on 2 July 2008, cont'd

Committee to be held on 21 July 2008 (item 13);

(vi) to be placed as an agenda item at the next Ordinary Meeting of the Town Council to be held on 6 August 2008. Councillor K Vickers to provide members with a progress report (item 15);

(vii) that the remaining correspondence be received and the contents noted.

76. Correspondence Received Since Issue of the Agenda

1. Letter received from North Lincolnshire Council regarding Public Events Safety - Barton Bike Night. They wish the Town Council to clarify the individual arrangements and responsibilities of the event between the Town Council and Mr M Bennett (*copy enclosed*).
2. Notification from ERNLLCA of the AGM of the North Lincolnshire District Committee, to be held on Thursday 17 July 2008, 6pm at Pittwood House, Ashby Road, Scunthorpe.
3. Adoption by North Lincolnshire Council of the "National and Local Application Validation Requirements" of Planning Applications. A copy of the document available for perusal in the Town Council office.
4. Summer 2008 edition of the CPRE magazine "Countryside Voice".
5. Receipt of July 2008 Local Councils "Clerks & Councils Direct" Magazine.

Resolved:

(i) an agenda item to be placed at the next meeting of the Community Regeneration Committee to be held on 15 September 2008. Responsibilities/arrangements for Bike Night to be discussed in conjunction with the risk assessment and liability of the event to the Town Council (item 1);

(ii) that the remaining correspondence be received and the contents noted.

77. Planning Matters

(a) Planning Applications

Resolved that the comments as stated be made to North Lincolnshire Council on the following Planning Applications:

- 1) 2008/0743 Mr Alan Grainger Arg Tools Ltd – Planning permission to retain change of use of land for siting of boat for temporary residential accommodation at Unit 7 Harrier Road, Barton (No comment or objection);
- 2) 2008/0875 Mr Alun Friend – Planning permission to erect a single storey extension to rear and attached domestic garage to side at 34 West Acridge, Barton (No comment or objection);
- 3) 2008/0791 Tesco Stores – Planning permission to construct a cage marshalling area and an ATM [amendment – Re-siting of location of proposed ATM] at The Factory Shop, Maltkiln Road, Barton (No comment or objection);
- 4) 2008/0819 Mr P Sipling – Planning permission to retain change of use to a hot food takeaway at 6 Market Lane, Barton (Comment only: the business is situated near to a busy junction with double yellow lines outside the premises).

(b) Planning Decisions

Resolved that the following Notice of Planning Decisions received from North Lincolnshire Council be noted:

2008/0670 Mr Peter Sipling Heron Lodge Kennels – Full planning permission to erect an extension to taxi office at 8-10 Market Lane, Barton; 2008/0708 Mr N Platt Keigar Homes Ltd – Full

Minutes of an Ordinary Meeting of the Council held on 2 July 2008, cont'd

planning permission to amend plot 113 of previous approval 2007/0389 to include a conservatory at Plot 113, Ramblers Lane, Barton.

(b) Planning Appeal

Resolved that the following Notice of Planning Appeal, as received from North Lincolnshire Council be noted:

APP/Y2003/A/08/2077721/NWF Marston's Pub Company – Planning permission to erect an awning to provide a smoking shelter at The Volunteer Arms 25 Whitecross Street, Barton.

78. Accounts for Payment

Consideration was given by the Council to a previously circulated Schedule of Accounts for payment.

Resolved that the Clerk be authorised to pay the accounts as listed in the sum of £4,946.40 (A/cs 66 to 75), and those presented at the meeting in the sum of £6,272.14 (A/cs 76 to 83), a grand total of £11,218.54.

79. Final Accounts of the Town Council for the Financial Year 2007/2008

Consideration was given to the circulated Final Accounts of the Town Council for the Financial Year 2007/2008, prepared by the Town Clerk/Responsible Financial Officer, in accordance with the Audit Regulations. The Town Council's Auditor Mr S Wilbur of Microshade Business Consultants Limited, had undertaken an audit of the Town Council financial records on 11 June 2008, and deemed the final accounts of the Town Council for the period 2007/2008 to be accurate and in order. The Clerk informed members that due to changes in legislation and audit procedures, more and more information was requested by the Audit Commission and the Auditor's Report required the action points to be addressed by the Town Council.

The Chairman of the Finance and General Purposes Committee together with the Town Council office staff were thanked for their endeavours in preparation of the accounts.

Resolved

- (i) that the Final Accounts of the Town Council for the Financial Year 2007/2008 be approved, the Responsible Financial Officer and the Town Mayor being authorised to sign the appropriate certification of the final accounts for submission to the Audit Commission;
- (ii) an agenda item to be placed at the next meeting of the Finance and General Purposes Committee, to be held on 21 July 2008, to address the Auditor's Report.

80. Barton Community Development Trust Project

Councillor N Turner explained that CHAMP took over management of Baysgarth House in 2004, in order to provide sustainability of the building, with support from North Lincolnshire Council. Similar buildings in the town also require sustainability. An asset portfolio has been put together to hopefully sustain the service and heritage of four buildings, namely Baysgarth House, 51 Fleetgate, the Youth Centre and the Assembly Rooms. The outcome of this is to promote self-financing and re-structure of the named buildings. As part of the feasibility study, the Assembly Rooms have been included as an essential element of the whole business plan. Refurbishment work to the building would be required, with a contribution towards this made from the Town Council budget. This would be necessary to make the building viable and remove the responsibility from the Town Council. A successful bid of

Minutes of an Ordinary Meeting of the Council held on 2 July 2008, cont'd

£1m has been received through this project to refurbish the Youth Centre. Work is currently underway, with construction commencing in the new-year, early in 2009.

Councillor Turner further explained that a representative from the funding body will address this matter at a future meeting of the Town Council, when further developments have taken place and the issues progressed in more detail.

Members of the Town Council entered into discussion with Councillor Turner regarding the project. Members discussed, agreed and

Resolved that an agenda item be placed for all future Ordinary Meetings of the Town Council, until further notice, of the "Barton Community Development Trust Project". To allow the Town Council representatives for the Project, to provide progress reports on this matter.

81. **Representatives of The Barton Schools Forum**

The Mayor, Councillor G Appleyard, wished to review representatives of the Town Council sitting on the Barton Schools Forum. The Forum had provided information explaining they were happy with Councillor Mr J Oxley chairing the meetings and Councillor Mrs M Sidell, as their link with North Lincolnshire Council. They further explained that a maximum of four representatives were required, leaving the option for two other Councillors to attend. Councillor K Letts was proposed by Councillor Mr J Oxley and seconded by Councillor P Shearer, and Councillor P Shearer was proposed by Councillor Mrs J Mason and seconded by Councillor K Letts. Members present agreed to this.

Resolved that the four representatives of the Town Council serving on the Barton Schools Forum are Councillors K Letts, Mr J Oxley, P Shearer and Mrs M Sidell.

82. **Reports from North Lincolnshire Council Representatives**

(a) **General Issues**

Councillor K Vickers distributed copies of the "North Lincolnshire Neighbourhood Profile for Barton Ward", encouraging all members to peruse the document as it contained some very interesting information about the town.

It was reported Baysgarth Leisure Centre was now open with impressive fitness suites and equipment for all to use. The swimming pool would be open at the end of August, completing the refurbishment of the centre.

Tree/hedge pruning issues on Ferriby Road were raised, together with whether or not the new Barrow Road Cycleway would be gritted during the winter months. Councillor Appleyard explained he would report these to North Lincolnshire Council if further details could be provided to him.

Resolved that this be noted.

(b) **Travellers**

Reports had been received of travellers settling into areas around Far Ings Road with anti social behaviour and vandalism to the allotments reported. This had been communicated to North Lincolnshire Council, who had taken remedial action, involving partnership working with the Traveller Liaison Officer and the Police. The matter was being monitored and progressed to hopefully alleviate the problems caused.

Minutes of an Ordinary Meeting of the Council held on 2 July 2008, cont'd

Resolved that this be noted.

83. Reports from Members on Outside Organisations

(a) The Barton Neighbourhood Action Team

Councillor M Osgerby wished to announce his resignation as a Town Council representative at the meetings. Councillor Mrs J Mason was proposed by Councillor Osgerby and seconded by Councillor Mr J Oxley to replace him. Members present agreed.

Councillor P Shearer reported he had been nominated as the Chairman of this group. In future, the meetings would be held once every two months, in lieu of the current monthly meetings. The next meeting would be held on 12 August, 7pm at the Assembly Rooms.

Resolved that this be noted.

(b) Town Council Public Seats

Councillor P Shearer wished to thank The Grange for undertaking painting of some of the public seats in the town, on behalf of the Town Council. Members agreed to this.

Resolved the Town Council office write to The Grange, thanking them for the work undertaken in painting the Town Council public seats.

(c) Barton Tourism Group

Councillor P Vickers informed members of the Performance in the Park to be held this forthcoming Sunday, 6 July. The Pleasure Garden will be performed under cover in a marquee. There will be eight performances lasting 15 minutes each, with a maximum of 25 people attending each performance. This is a new venture to provide undercover entertainment, should the weather be inclement. Baysgarth Museum would be open offering provision of refreshments on the day.

Resolved that this be noted.

(d) Town Award Winner 2008

It was reported the Town Award winner, Mr M Bennett, had raised over £2,000.00 towards the Baysgarth School 'Uganda Challenge', by holding charity auctions. Praise was given for his fundraising contribution.

(e) Humber Bridge Board

The Mayor, Councillor G Appleyard stated that as a representative on the Humber Bridge Board Advisory Committee, he was championing the reduction of toll fees for hospital visiting and needy causes, along with North Lincolnshire Council and the Scunthorpe Telegraph.

Resolved that this be noted.

The Chairman, Councillor G Appleyard, closed the meeting at 8.50 p.m

..... Chairman 6 August 2008

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BARTON - UPON - HUMBER TOWN COUNCIL
MINUTES of an ORDINARY MEETING HELD in the COUNCIL CHAMBER, BAYSGARTH
HOUSE on WEDNESDAY 3 DECEMBER 2008 COMMENCING at 7.30 p.m.

Present: Councillor G Appleyard (Chairman)

Councillors A Adams, T Chant, Mrs A Clark, F Coulosey, J Evison, Ms S Gilbert, C Huggins, K Letts, Mrs J Mason, M Osgerby, Mrs J Oxley, Mr J Oxley, P Shearer, Mrs M Sidell, A Todd, N Turner, J P Vickers, K Vickers and Mrs W Witter.

Also Present: Ms S Richards (Town Clerk), Ms A Pullan (Scunthorpe Telegraph), Members of the public and Mr N Jacques (part of meeting only).

256. **Prayer**

Councillor K Vickers read the Town Prayer.

257. **Notice of Meeting**

It was noted that Notice of this Meeting had been given in accordance with Schedule 12 Paragraph 10(2) of the Local Government Act 1972.

258. **Apologies for Absence**

Councillor Mrs D Pearson.

259. **Declarations of Interest**

- Barton Senior Alliance – Councillor G Appleyard (Personal interest)
- Barton Senior Alliance – Councillor Mrs A Clark (Personal interest)
- Item 15 – CHAMP/Barton Development Trust Project – Councillor Ms S Gilbert (Prejudicial interest)
- Barton Senior Alliance – Councillor C Huggins (Personal interest)
- Barton Senior Alliance – Councillor K Letts (Personal interest)
- Barton Senior Alliance – Councillor Mrs J Mason (Personal interest)
- Barton Senior Alliance – Councillor Mrs J Oxley (Personal interest)
- Barton Senior Alliance – Councillor Mr J Oxley (Personal interest)
- The Grange – Councillor P Shearer (Personal interest)
- Bowmandale Primary School and planning application 2008/1621 – Councillor Mrs M Sidell (Personal interest)
- Dynamic Electrical Services Ltd – Councillor A Todd (Personal interest)
- Planning application 2008/1621 and Item 15 – CHAMP/Barton Development Trust Project – Councillor N Turner (Personal interest)
- Item 15 – CHAMP/Barton Development Trust Project – Councillor J P Vickers (Personal interest)
- Item 15 – CHAMP/Barton Development Trust Project – Councillor K Vickers (Personal interest)
- Barton Senior Alliance – Councillor Mrs W Witter (Personal interest)

260. **Adjourned Meeting**

The Chairman, Councillor G Appleyard, with the permission of the Council, adjourned the meeting under Standing Order 23(q), to allow Mr N Jacques, representative of North Lincolnshire Council to speak about CHAMP and the Barton Development Trust Project.

Mr Jacques informed the Council that CHAMP took over management of Baysgarth House in 2004 from North Lincolnshire Council. This has, to date, proved successful with the museum hosting excellent exhibitions and events. This has been enhanced with the assistance of volunteers giving up their spare time to help run the building. CHAMP/ The Barton Development Trust Project were now

Minutes of an Ordinary Meeting of the Council held on 3 December 2008, cont'd

looking to develop this, by adding the management of other community buildings in the town. Three are owned by North Lincolnshire Council, namely Baysgarth House, Barton Youth Centre and 51 Fleetgate, Barton. The fourth building is the Assembly Rooms owned by Barton Town Council. All four buildings have been included to form part of the building management consortium. CHAMP is a charitable trust, therefore it can apply to external funding sources for grant aid monies that Local Government organisations are not always applicable to do so. Already, funding for £1m has been secured in respect of refurbishment work to the Barton Youth Centre building to develop the building to maximise it's potential. This funding relies on partnership working and the inclusion of the Assembly Rooms into the portfolio. Mr Jacques explained he was aware Barton Town Council had previously agreed in principle to negotiate a management lease of the Assembly Rooms with CHAMP. Commitment was now required to enable the matter to be progressed accordingly.

Members of the town council asked Mr Jacques questions regarding this matter, including the Assembly Rooms forming part of the business plan, what happens if there is a delay in confirmation of the lease agreement and issues surrounding the lift scheme project for the Assembly Rooms, in particular the funding.

Councillor Appleyard thanked Mr Jacques for his discussion and re-opened the meeting.

261. **Police**

No Police matters were discussed at this meeting.

Resolved that any Police issues of concern to be raised with Members of the Town Council attending the bi-monthly Neighbourhood Action Team meetings.

262. **Minutes**

(a) **Ordinary Meeting of the Council – 5 November 2008**

Resolved that the previously circulated Minutes of the Ordinary Meeting of the Council held on 5 November 2008, be received, approved and confirmed as a correct record, and signed by the Chairman.

263. **Matters of Report Arising**

(a) **Barrow Road Pedestrian Crossing** (Min Ref: 239(c)/95 – BTC 05/11/08)

Councillor M Osgerby gave a progress report. Councillor Mrs M Sidell had raised this matter with North Lincolnshire Council and the Highways Department had responded accordingly. It would appear due to health and safety criteria a bleeper or similar device was not allowed, however, there was a cone device for impaired or partially sighted people to use on the crossing itself.

Resolved that this be noted.

264. **Other Meeting Minutes**

(a) **Minutes of a Christmas Festival Advisory Committee Meeting**

1) **Correct Record**

Resolved that the previously circulated Minutes of the Christmas Festival Advisory Committee

Minutes of an Ordinary Meeting of the Council held on 3 December 2008, cont'd

Meeting held on Monday 17 November 2008, be approved as a correct record.

(b) **Minutes of an Extra-Ordinary Meeting**

2) **Correct Record**

Resolved that the previously circulated Minutes of an Extra-Ordinary Meeting held on Monday 17 November 2008, be approved as a correct record.

(c) **Minutes of an Environmental Regeneration Committee Meeting**

3) **Correct Record**

Resolved that the previously circulated Minutes of an Environmental Regeneration Committee Meeting held on Monday 24 November 2008, be approved as a correct record.

(d) **Minutes of a Personnel Sub-Committee Meeting**

4) **Correct Record**

Resolved that the previously circulated Minutes of a Personnel Sub-Committee Meeting held on Monday 24 November 2008, be approved as a correct record.

265. **Matters of Report Arising**

(a) **Public Seats** (Min Ref: 253(i)(ii)/100 – ERC 24/11/08)

Councillor P Shearer explained the public seats at the Beck had damage to the metal structure as well as the wooden slats, making repair very difficult. Councillor Mr J Oxley reported the Barton Lions Group were in the process of repairing the seat on 'Stivvy Hill', Tofts Road, but, the seat sited on Brigg Road was beyond repair. Members agreed and

Resolved that:

- (i) Councillor P Shearer to undertake work required to the posts of the four town signs by coating them with wood preservative as students at The Grange were unable to undertake this;
- (ii) the town council provide students from The Grange with a certificate each, thanking them for the work undertaken in repairing the town's public seats. Councillor P Shearer to provide the town council office with a list of names applicable.

(b) **Barton Christmas Festival 2008** (Min Ref: 243/97 – BCFAC 17/11/08)

Members reported on the Christmas festival lighting. Despite various setbacks, the electrical contractor had done a sterling job, working day and night to ensure the lights worked at the "switch on". It was hoped the lighting scheme could be reviewed to include the Market Place and western High Street in future years. Also discussed was the merit's of this year's event, moving the event to December, the reindeer contractor required immediate notification if the event was moved and thanks given to everyone who gave their time in organising the Christmas Festival.

Resolved that this be further discussed at a meeting of the Community Regeneration Committee to be held on 15 December 2008. A letter of thanks be sent to staff at the Barton Link Office.

Minutes of an Ordinary Meeting of the Council held on 3 December 2008, cont'd

266. Correspondence

1. Letter of thanks from Baysgarth School for the recent donation towards student trip to China (Min Ref: 201(d)/78 – BTC 01/10/08).
2. Letter from Keith Ready & Co. requesting a replacement representative on the Ada Flower Barton upon Humber Relief in Sickness Charity, following the end of term of office for Miss Audrey Cole, who no longer wishes to continue. The other Council appointed trustee is Councillor Mrs Witter.
3. Details and toolkit from CPRE of their anti-litter campaign, details available from the Council Office.
4. Request from Baysgarth School for a donation towards their Rock Challenge performance for 2009.
5. Letter of advice from ERNLLCA regarding the Assembly Rooms and Barton Development Trust. *(copy enclosed)*.
6. Letter from Humber Sports Partnership enquiring if the Town Council would like to be part of the Sport Unlimited Programme. Full details are available on www.lincs2leisure.co.uk
7. Receipt of 'Ebb & Flow' newsletter for Autumn from the Humber Management Scheme.
8. Receipt from YEDL of acceptance form and costs for the electricity service at the CCTV camera at Barton Railway Station.
9. Email from local resident expressing views regarding Barton needing a bypass/relief road.
10. Notification of public exhibition at Baysgarth Museum on Sunday 30 November 2008 10.00am – 2.30pm regarding proposals for Saxby Wold Wind Farm.
11. Request from Bowmandale School for a donation towards their student Residential visit for 2009.
12. Letter from Mr P Williams, Service Director (Asset Management & Culture) at North Lincolnshire Council regarding lease of the Assembly Rooms to Barton Development Trust.
13. Letter from North Lincolnshire Council Planning regarding 'Housing and Employment Land Allocations – 2nd Stage Pre-Submission Consultation (formerly Preferred Options) Development Plan Document'. The document when adopted will allocate sufficient land for housing and employment purposes to meet the needs of North Lincolnshire over the period to 2021. It also looks at development limits, Town Centre boundaries and the allocation of Travellers/Gypsies Sites. They wish to stage public consultation beginning 2nd week in January 2009 running for a 6 week period on the 2nd Stage with manned exhibitions.
14. Letter of thanks from Castledyke School for the recent donation towards transport cost for the schools Pantomime trip (Min Ref:-216(a)/86 - F&GP 20/10/08).
15. Letter of thanks from Shona McIsaac MP for the support with the successful Post Office Card Account campaign, also including a copy of her letter of thanks received from the Prime Minister.
16. Receipt requiring signature from BCCRP confirming hand over to Barton Town Council of computer in relation to the CCTV system for Barton.

Resolved:

- (i) Councillor Mr J Oxley was proposed by Councillor Mrs W Witter to be a representative of the town council to replace Miss Audrey Cole on the Ada Flower Barton upon Humber Relief in Sickness Charity. All Members present agreed to this (item 2);
- (ii) to be placed on the agenda for the Finance and General Purposes Committee meeting to be held on 19 January 2009 (item 4);
- (iii) Members present agreed the town council accept the YEDL costs for the electricity service at the CCTV camera at Barton Railway Station and for the Barton Chamber of Trade to provide funding towards this, as part of the working partnership agreement of the town's CCTV cameras. Proposed by Councillor J Evison and seconded by Councillor Mr J Oxley (item 8);
- (iv) to be placed on the agenda for the Finance and General Purposes Committee meeting to be held on 19 January 2009 (item 11);
- (v) to be placed as an agenda item at the next Full Council meeting to be held on 7 January 2009 (item 13);
- (vi) all members present agreed to accept a computer from the BCCRP to operate the CCTV system

Minutes of an Ordinary Meeting of the Council held on 3 December 2008, cont'd

to be sited on the pole at Barton transport station. The town council office to sign the acceptance form accordingly (item 16);
(vii) that the remaining correspondence be received and the contents noted.

267. Correspondence Received Since Issue of the Agenda

1. Receipt of Register of Electors for 2008 from North Lincolnshire Council.
2. Letter of resignation from Mr M Barden as Town Councillor on Bridge Ward, Barton.
3. Receipt from VANL of Community Interest Group minutes from 1 December 2008 meeting.
4. Notification from the Information Commissioner's Office that the current adopted Publication Scheme for Freedom of Information will expire on 31 December 2008. A model publication scheme that all public sector organisations must adopt from 1 January 2009 has been forwarded. Councils can adopt the scheme and complete the template without needing to submit anything to the ICO. Once adopted the scheme will be valid until further notice.
5. Receipt of November newsletter from ERNLLCA.
6. Notification from North Lincolnshire Council Building Control of street numbering for Appleyard Drive, Barton.
7. Notification from Keigar Homes that the proposed new street name 'Victoria Cottages' has been rejected by North Lincolnshire Council and therefore submit a new proposal 'Mill View' for their development off Dam Road.
8. Receipt of Barton Schools Forum minutes from 12 November 2008 meeting.

Resolved:

- (i) the Clerk has informed North Lincolnshire Council about the resignation (item 2);
- (ii) Members present agreed for the town council to adopt the new Publication Scheme for Freedom of Information, to commence on 1 January 2009. Proposed by Councillor Mrs J Oxley, seconded by Councillor Mr J Oxley (item 4);
- (iii) Members present agreed to the suggested street name of "Mill View" for the development off Dam Road. The developer to be notified accordingly (item 7);
- (ii) that the remaining correspondence be received and the contents noted.

268. Planning Matters

(a) Planning Applications

Resolved that the comments as stated be made to North Lincolnshire Council on the following Planning Applications:

- (1) 2008/1566 Mr Stuart Elliot – Planning permission to convert existing outbuildings to residential accommodation at Southfield 11 Brigg Road, Barton (No comment or objection);
- (2) 2008/1557 Mr Adrian Barley – Planning permission to erect a 2-storey rear extension at 20 Bowmandale, Barton (No comment or objection);
- (3) 2008/1267 Mark & Ian Proudfoot The Proudfoot Group – Planning permission to erect a single storey extension to the Ropewalk at The Ropewalk, Maltkiln Road, Barton (No comment or objection);
- (4) 2008/1283 Mark & Ian Proudfoot The Proudfoot Group – Listed building consent to erect a single storey extension to the Ropewalk at The Ropewalk, Maltkiln Road, Barton (No comment or objection);
- (5) 2008/1621 Mr C Booth – Planning permission for change of use of part of ground floor to hold civil weddings and receptions at Bardney Hall, Whitecross Street, Barton (Comment only: concerns raised by neighbouring properties regarding the volume of events to be held and noise);

Minutes of an Ordinary Meeting of the Council held on 3 December 2008, cont'd

- (6) **2008/1624 Charlies Bar** – Listed building consent to retain 3 static externally illuminated fascia signs, 1 non-illuminated projecting sign and 3 spotlights at Charlies Bar, 73 Fleetgate, Barton (No comment or objection);
- (7) **2008/1623 Charlies Bar** – Advertisement consent to retain 3 static externally illuminated fascia signs, 1 non-illuminated projecting sign and 3 spotlights at Charlies Bar, 73 Fleetgate, Barton (No comment or objection).

(b) Planning Decisions

Resolved that the following Notice of Planning Decisions received from North Lincolnshire Council be noted:

2008/1409 Mr Craig Osborne-Goodson – Full planning permission to change of use from beauty salon to craft café (A1 and A3 use) at 10 Market Place, Barton; **2008/1389 Mr P Tutty Orchid Homes Ltd** – Refusal of planning permission to erect four terraced houses (including demolition of church buildings) at Kingdom Hall, East Acridge, Barton; **2007/2009 Mr Ashraf ZASH Property Development** – Full planning permission to erect 11 industrial units (to include offices, access roads and car parking) at Land East of Victory Way, Barton.

269. Accounts for Payment

Consideration was given by the Council to a previously circulated Schedule of Accounts for payment.

Resolved that the Clerk be authorised to pay the accounts as listed in the sum of £5,555.10 (A/cs 200 to 214), and those presented at the meeting in the sum of £28,100.77 (A/cs 215 to 236), a grand total of £33,655.87.

270. Progress Report of the Barton Community Development Trust Project

The next agenda item will report any matter arising.

271. Lease of the Assembly Rooms to the Barton Development Trust Project

Councillor K Vickers explained recent developments had progressed very quickly with the project and a £1m bid had been secured for refurbishment of the Barton Youth Centre provided the town council owned building the Assembly Rooms was included in the portfolio. He concluded the project was very innovative and benefitted everyone. Members debated this at length. This included concerns regarding responsibilities for the maintenance and insurance of the Assembly Rooms, Members being accountable to the electorate for town council assets and also as employers of staff, lack of monthly progress reports at town council meetings, no legal advice sought whilst the matter was being progressed by the town council, funding towards installation of a lift at the Assembly Rooms, repairs/improvements, management of the Assembly Rooms by the Trust whilst the town council would still own it and clarification of advice received from the East Riding and North Lincolnshire Local Councils Association etc.

Councillor K Vickers made the following proposal: “that Barton-upon-Humber Town Council agree in principle to the transfer of management of the Assembly Rooms to the CHAMP charitable trust. Subject to the current lottery bid being successful, then to proceed to take solicitors advice as to the way forward with regard to the lease, legal terms of transfer and protection to staff”.

Councillor Mrs M Sidell put forward an amendment to the proposal made that “Barton-upon-Humber Town Council do not currently proceed further without taking legal advice in the first instance”

Minutes of an Ordinary Meeting of the Council held on 3 December 2008, cont'd

Members present agreed to take a recorded vote for the amendment made by Councillor Mrs M Sidell first. Councillor's P Shearer and Mrs M Sidell voted in favour of the amendment. No further votes were received, therefore, the amendment was not upheld.

Members present were then asked for a recorded vote for the proposal put forward by Councillor K Vickers. Councillor's A Adams, T Chant, Mrs A Clark, F Coulese, J Evison, C Huggins, K Letts, Mrs J Mason, M Osgerby, Mrs J Oxley, Mr J Oxley, A Todd, N Turner, J P Vickers, K Vickers and Mrs W Witter agreed to the proposal. Councillor's P Shearer and Mrs M Sidell did not agree to the proposal, Councillor Ms S Gilbert was not allowed to vote due to her declaration of a prejudicial interest in the subject matter and The Mayor, Councillor G Appleyard abstained from the vote.

Resolved that by a majority recorded vote "that Barton-upon-Humber Town Council agree in principle to the transfer of management of the Assembly Rooms to the CHAMP charitable trust. Subject to the current lottery bid being successful, then to proceed to take solicitors advice as to the way forward with regard to the lease, legal terms of transfer and protection to staff".

272. Erection of the Town Centre CCTV System

The Clerk explained four quotations had been sought from contractors to erect the CCTV system (min ref: 215(i)/86 - F&GP 20/10/08 refers). Two local contractors had been chosen, another one by expression of interest to Councillor K Vickers and one by expression of interest from Grimsby to the town council office. Two of the contractors declined to provide a quotation and two provided one. The two quotation prices received were £1,850.00 and £3,240.77. The company with the first quotation price was not accredited to the National Inspection Council for Electrical Contractors, whilst the latter one was. The Clerk commented that some of the contractors had expressed there had been insufficient background information given to them.

Members debated the merits of the quotation prices given, including best value and the National Inspection Council accreditation and

Resolved that the quotation submitted by Dynamic Electrical Services Limited be accepted in the sum of £3,240.77. The contractor to be notified accordingly, Proposed by Councillor Mrs J Oxley and seconded by Councillor Mr J Oxley. The budget for erection of the CCTV camera system to be taken from the town council reserves.

273. Christmas Closure of Barton Town Council Office

Members discussed closure of the office over the Christmas period. Due to public holidays and weekends, the office would be closed from noon on Tuesday 23 December 2008 to 10.00 am Monday 5 January 2009. This was proposed by Councillor Mr J Oxley. Members present agreed to this.

Resolved that Barton Town Council office be closed for Christmas/New Year from noon Tuesday 23 December 2008 to 10.00 am Monday 5 January 2009.

274. Reports from North Lincolnshire Council Representatives

Salt Bins and Highway Gritting

During the recent inclement weather conditions, it was noted that the unused salt bins sited on Victoria Drive had not been re-located to Beretun Green and Willow Drive (min ref: 263(b)/108 - ERC 19/11/07) refers. Members expressed concern regarding gritting on various highways in the town. Members agreed and

Minutes of an Ordinary Meeting of the Council held on 3 December 2008, cont'd

Resolved that:

- (i) the town council office remind North Lincolnshire Council the unused salt bins sited on Victoria Drive need to be re-located at Beretun Green and Willow Drive, as previously agreed;
- (ii) the town council office contact North Lincolnshire Council Highways Department to enquire if the following could be considered for secondary salting routes in the town – Forkdale, Meadow Drive, Westfield Road, Butts Road and Riverbank Rise. Members stated that most of these are bus routes which members felt were a priority, and in some cases school bus routes.

275. **Reports from Members on Outside Organisations**

No matters of report were discussed at the meeting.

The Chairman, Councillor G Appleyard, closed the meeting at 9.05 p.m.

..... Chairman

7 January 2009

BARTON - UPON - HUMBER TOWN COUNCIL
MINUTES of an ORDINARY MEETING HELD in the COUNCIL CHAMBER, BAYSGARTH
HOUSE on WEDNESDAY 6 MAY 2009 COMMENCING at 7.30 p.m.

Present: Councillor K Vickers (Vice-Chairman)

Councillors A Adams, T Chant, F Coulsey, J Evison, Ms S Gilbert, C Huggins, M Martin, Mrs J Mason, M Osgerby, Mrs J Oxley, Mr J Oxley, Mrs D Pearson, P Shearer, M Sidell, A Todd and J P Vickers.

Also Present: Ms S Richards (Town Clerk) and Ms J Curtis (Scunthorpe Telegraph).

Prior to the meeting commencing, there was a minutes silence in respect of the late Eileen Shooter, a former Barton Town Council Councillor and Mayor, who sadly passed away earlier today.

434. **Prayer**

Councillor C Huggins read the Town Prayer.

435. **Notice of Meeting**

It was noted that Notice of this Meeting had been given in accordance with Schedule 12 Paragraph 10(2) of the Local Government Act 1972.

436. **Apologies for Absence**

Councillors Mrs A Clark, K Letts and Mrs W Witter.

437. **Declarations of Interest**

- Barton Bike Night Committee – Councillor J Evison (Personal interest)
- CHAMP Ltd – Councillor Ms S Gilbert (Personal interest)
- Barton Senior Alliance – Councillor C Huggins (Personal interest)
- Barton Chamber of Trade & Industry and Scoff Publishing Limited (Personal interest), Planning Application 2009/0327 (Prejudicial interest) – Councillor M Martin
- Barton Senior Alliance – Councillor Mrs J Mason (Personal interest)
- Barton Senior Alliance – Councillor Mrs J Oxley (Personal interest)
- Barton Bike Night Committee, Barton Civic Society, Barton Lions Group and Barton Senior Alliance – Councillor Mr J Oxley (Personal interest)
- Barton Bike Night Committee and Barton Lions Group – Councillor A Todd (Personal interest)
- Barton Tourism Partnership and CHAMP Ltd – Councillor J P Vickers (Personal interest)

438. **Police**

Vehicles parking on Barrow Road footpaths was discussed causing pedestrian problems. Apparently this has being reported to the Police previously, but remained a problem. It was announced the Police are organising "Bike Awareness" to be held at Carlton Education on Fleetgate, following success of funding arrangements. A report was received regarding youths causing anti-social behaviour on the transport interchange railway platform by pulling the door release handles on trains causing safety issues. Several such incidents were reported by the rail drivers and guards of the Northern Rail trains.

Councillor P Shearer respectfully requested if clear and detailed information could be provided when incidents are reported and the importance of reporting incidents directly to the Police as and when they happen. This enables the Police to action and target the problem forthwith.

Minutes of an Ordinary Meeting of the Council held on 6 May 2009, cont'd

Resolved that this be noted and the above issues of concern to be raised with members of the town council attending the bi-monthly Neighbourhood Action Team meetings.

439. Minutes

(a) Ordinary Meeting of the Council – 1 April 2009

Resolved that the previously circulated Minutes of the Ordinary Meeting of the Council held on 1 April 2009, to be received, approved and confirmed as a correct record, and signed by the Chairman.

440. Matters of Report Arising

(a) St George's Day Concert (Min Ref: 420(a)169 – BTC 01/04/09)

Councillor P Shearer reported he had attended the concert and found it to be excellent. He concluded that the late Town Mayor/Councillor Ted Appleyard, would have been extremely proud of the event. Members agreed and

Resolved that the Clerk send a letter of thanks to the Barton Town Band for their performance and fund raising in honour of the late Councillor Appleyard's mayoral fund raising appeal.

(b) Website Services (Min Ref: 416(2)(i)/167 – BTC 01/04/09)

Councillor M Martin requested an up-date on the current position of the Barton Tourism Partnership regarding this matter. The Chairman, Councillor K Vickers, reported that the issue was currently being addressed by the Tourism Partnership. As such, until it had been concluded, the matter was unable to be progressed at this meeting.

Resolved that this be noted for further report.

441. Other Meeting Minutes

(a) Minutes of the Annual Town Meeting

1) Correct Record

Resolved that the previously circulated Minutes of the Annual Town Meeting held on Thursday 16 April 2009, be approved as a correct record.

(b) Minutes of an Extra-Ordinary Meeting

2) Correct Record

Resolved that the previously circulated Minutes of an Extra-Ordinary Meeting held on Monday 20 April 2009, be approved as a correct record.

(c) Minutes of a Finance & General Purposes Committee Meeting

3) Correct Record

Resolved that the previously circulated Minutes of a Finance & General Purposes Committee

Minutes of an Ordinary Meeting of the Council held on 6 May 2009, cont'd

Meeting held on Monday 20 April 2009, be approved as a correct record.

442. **Matters of Report Arising**

(a) **Town Centre CCTV System** (Min Ref: 430(i)(ii)/172 – F&GP 20/04/09)

The Clerk reported YEDL were connecting an electricity supply to the transport interchange pole today and the electrical contractor would continue system installation once this had been complete.

Resolved that this be noted.

(b) **Councillor Identification Badges** (Min Ref: 432/173 – F&GP 20/04/09)

Councillor K Vickers reported he had obtained samples of badges for the town council to further discuss. Members present agreed identification badges were a good idea to adopt.

Resolved that an agenda item be placed at the next meeting of the Personnel Sub-Committee to be held on 1 June 2009, to discuss this matter further.

443. **Correspondence**

1. Receipt from Information Commissioner's Office of DVD giving practical advice on the way in which public authorities are legally required to handle requests for information under both the Freedom of Information Act and Environmental Information Regulations.
2. (a) Receipt from North Lincolnshire Council Elections office of Notices of Vacancy for public display for the vacancies of Barton Town Council Bridge Ward and North Lincolnshire Council Barton Ward.
(b) Receipt from North Lincolnshire Council Elections office of Notices of Elections for Barton Town Council Bridge Ward and North Lincolnshire Council Barton Ward to be held on Thursday 21 May 2009.
3. Receipt from North Lincolnshire Council Environmental Health of new leaflet on dog control.
4. Notification of Barton Civic Society Victorian Day to be held on Sunday 28 June 2009 in Queen Street, between 11 am – 4pm.
5. Further request from Animal Aid for the Town Council to consider adopting the Animal Aid's Compassionate Charter. A copy of the Charter is available for members to view in the Town Council office.
6. Receipt of ERNLLCA April newsletter, which confirms that from 1 April 2009 the organisation, is now independent after many years of association with HWRCC.
7. Receipt of copy letter from Councillor Martin sent to North Lincolnshire Council licensing regarding licensing policy street trading and collections in connection with market stalls at the Christmas Festival (Min Ref: 414(a)/167 Barton Town Council 01/04/09).
8. Receipt of CD from North Lincolnshire Council Local Development Framework regarding 'Draft Strategic Housing Land Availability Assessment'. Comments are required by Friday 8 May 2009.
9. Receipt of March issue of H&WRCC Umbrella newsletter.
10. Receipt of Humber Management Scheme spring newsletter, Ebb & Flow.
11. Notification from Equality and Human Rights Commission of the forthcoming Equality Bill on public sector duties, which will harmonise the existing three public sector equality duties (Race, disability and gender) into one equality duty.
12. Information from contractor with recommended works to the Mayoral chain (*copy enclosed*).
13. Receipt of minutes from 13 March 2009 Champ Liaison Meeting, and agenda for 24 April 2009 meeting.
14. Receipt of minutes from 21 April 2009 Barton Tourism Partnership meeting.

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15. Letter from North Lincolnshire Council Service Director Highways and Planning with responses following the Annual Town Meeting held on 16 April 2009 (*copy enclosed*).
16. Letter received from local resident regarding graffiti on privately owned buildings in the town, requesting the town council to address the problem.

Resolved:

- (i) Members present agreed that Councillor Mrs J Oxley peruse and comment upon the "Draft Strategic Housing Land Availability Assessment" accordingly, by 8 May 2009 (item 8);
- (ii) Members requested the town council office obtain further information regarding choice of backing materials/colours for the mayoral chain. It was suggested refurbishment costs for the chain could be taken from the town council reserves, as there was no budget provision to do so in the current financial year. To be placed as an agenda item at the next meeting of the town council to be held on 3 June 2009 (item 12);
- (iii) The Clerk write to the resident explaining the town council agree that graffiti is unsightly and that the letter will be passed to North Lincolnshire Council Neighbourhood Services for their consideration. However, the local authority have limited powers regarding private properties, unless the graffiti is of a serious and offensive nature. A copy of the letter to be passed to Councillor K Vickers for his action also (item 16);
- (iv) that the remaining correspondence be received and the contents noted.

444. **Correspondence Received Since issue of the Agenda**

1. Letters from Barton Bike Night Committee requesting use of the Assembly Rooms Committee room as the Control Room for Barton Bike night, with the possibility to use the office BT telephone landline in case of an emergency incident. They also request permission to use the town councils road closed signage stored in the Assembly Rooms rear yard.
2. Receipt of Humber Playing Fields Association Spring newsletter and letter requesting financial support towards the Association.
3. Reply from South Ferriby Parish Council regarding our recent request for support towards the extension of public footpath 333 which is within their parish boundary. The parish council have resolved not to support the proposal due to concerns that once the path becomes a PROW the landowner would not be able to manage unwelcome vehicles, i.e. motorcycles, without police assistance. Also the route would have to be closed to horse riders and cyclists (Min Ref: 356(ii)/143 - ERC 16/02/09).
4. Request for financial assistance from Barton Dolphins Swimming Club towards their weekly provision for adults and children with a variety of disabilities to enjoy swimming at Baysgarth Leisure centre.
5. Receipt of draft lease and underlease between Barton Town Council and CHAMP for the Assembly Rooms.
6. Reply received from North Lincolnshire Council licensing manager regarding Street Trading and Collections Policy - Barton Market Charter (*copy enclosed*).

Resolved:

- (i) Members present agreed for the Barton Bike Night Committee to use the Assembly Rooms Committee Room as their control room on the evening of 8 July 2009 for Barton Bike Night. Also, it was agreed the town council telephone line be available to them for emergency purposes and that the town council's "road closed" signage borrowed for use at the event. It was also agreed that no charges would be made by the town council for these to the organisers of the event, as it was a major tourist attraction in the town (item 1);
- (ii) Members noted this matter had now being resolved amicably with the land owner (item 3);

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Meeting held on Monday 20 April 2009, be approved as a correct record.

442. Matters of Report Arising

(a) Town Centre CCTV System (Min Ref: 430(i)(ii)/172 -- F&GP 20/04/09)

The Clerk reported YEDL were connecting an electricity supply to the transport interchange pole today and the electrical contractor would continue system installation once this had been complete.

Resolved that this be noted.

(b) Councillor Identification Badges (Min Ref: 432/173 -- F&GP 20/04/09)

Councillor K Vickers reported he had obtained samples of badges for the town council to further discuss. Members present agreed identification badges were a good idea to adopt.

Resolved that an agenda item be placed at the next meeting of the Personnel Sub-Committee to be held on 1 June 2009, to discuss this matter further.

443. Correspondence

1. Receipt from Information Commissioner's Office of DVD giving practical advice on the way in which public authorities are legally required to handle requests for information under both the Freedom of Information Act and Environmental Information Regulations.
2. (a) Receipt from North Lincolnshire Council Elections office of Notices of Vacancy for public display for the vacancies of Barton Town Council Bridge Ward and North Lincolnshire Council Barton Ward.
(b) Receipt from North Lincolnshire Council Elections office of Notices of Elections for Barton Town Council Bridge Ward and North Lincolnshire Council Barton Ward to be held on Thursday 21 May 2009.
3. Receipt from North Lincolnshire Council Environmental Health of new leaflet on dog control.
4. Notification of Barton Civic Society Victorian Day to be held on Sunday 28 June 2009 in Queen Street, between 11am -- 4pm.
5. Further request from Animal Aid for the Town Council to consider adopting the Animal Aid's Compassionate Charter. A copy of the Charter is available for members to view in the Town Council office.
6. Receipt of ERNLLCA April newsletter, which confirms that from 1 April 2009 the organisation, is now independent after many years of association with HWRCC.
7. Receipt of copy letter from Councillor Martin sent to North Lincolnshire Council licensing regarding licensing policy street trading and collections in connection with market stalls at the Christmas Festival (Min Ref: 414(a)/167 Barton Town Council 01/04/09).
8. Receipt of CD from North Lincolnshire Council Local Development Framework regarding 'Draft Strategic Housing Land Availability Assessment'. Comments are required by Friday 8 May 2009.
9. Receipt of March issue of H&WRCC Umbrella newsletter.
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11. Notification from Equality and Human Rights Commission of the forthcoming Equality Bill on public sector duties, which will harmonise the existing three public sector equality duties (Race, disability and gender) into one equality duty.
12. Information from contractor with recommended works to the Mayoral chain (*copy enclosed*).
13. Receipt of minutes from 13 March 2009 Champ Liaison Meeting, and agenda for 24 April 2009 meeting.
14. Receipt of minutes from 21 April 2009 Barton Tourism Partnership meeting.

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(iii) Councillor K Vickers reported the town council's Barton Community Development Trust Project Working Party had discussed formation of a draft lease/underlease with the appointed solicitor. Copies of this were now available from the town council office for each Member to comment upon. The matter to be further discussed at the next meeting of the town council to be held on 3 June 2009 (item 5);

(iv) Councillor M Martin gave an up-date report of the current position. It would appear North Lincolnshire Council Licensing Division would now be undertaking a full review of all market charters in North Lincolnshire to obtain a universal policy. Councillor Martin explained the consultation period and report were likely to be concluded by October 2009. Councillor Mr J Oxley expressed concern at this timescale as the Barton Christmas Festival was due to take place in November, giving limited time to organise the planned farmers market at the event. Members agreed the town council draft a letter to the Licensing Division explaining the town council wish to be involved in the consultation and the town's wish to have market charter rights etc (item 6);

(v) that the remaining correspondence be received and the contents noted.

445. Planning Matters

(a) Planning Applications

Resolved that the comments as stated be made to North Lincolnshire Council on the following Planning Applications:

- (1) 2009/0468 Mr L Wynder & Miss F Matthews – Planning permission to erect a two-storey and single storey extensions at 63 West Acridge, Barton (No comment or objection);
- (2) 2009/0313 Mr Clive Mash Mash Enterprises – Planning permission to erect a wall/fence at Housing estate development facing Humber Road, Barton (No comment or objection);
- (3) 2009/0430 Mr D Lawless – Listed building consent to erect a summer room at 13 Burgate, Barton (No comment or objection).

(b) Planning Decisions

Resolved that the following Notice of Planning Decisions received from North Lincolnshire Council be noted:

2009/0188 Charlies Bar – Grant of consent for the display of advertisements to retain three static externally illuminated fascia signs, one non-illuminated projecting sign and three spotlights at Charlies Bar, 73 Fleetgate, Barton; 2009/0189 Charlies Bar – Listed building consent to retain three static externally illuminated fascia signs, one non-illuminated projecting sign and three spotlights at Charlies Bar, 73 Fleetgate, Barton; 2009/0364 Bakkavor Primebake – Full planning permission to remove condition 3 of PA/2006/1636 relating to the temporary siting of a canteen unit at Bakkavor Primebake, Antelope Road, Barton; 2009/0209 Mrs Pauline Dawes – Full planning permission to erect a three-storey block of 8 maisonettes (including demolition of existing building) at 12 Brigg Road, Barton.

446. Accounts for Payment

Consideration was given by the Council to a previously circulated Schedule of Accounts for payment.

Resolved that the Clerk be authorised to pay the accounts as listed in the sum of £17,102.51 (A/cs 16 to 39), and those presented at the meeting in the sum of £ 7,289.89 (A/cs 40 to 48), a grand total of £24,392.40.

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447. Progress Report of the Barton Community Development Trust Project

Councillor K Vickers explained the town council's working party, in consultation with the solicitor appointed to act on behalf of the town council in this matter, have drafted a lease and under-lease between Barton Upon Humber Town Council and the Community Heritage Arts and Media Project Limited. (CHAMP Ltd). Copies of these were available from the town council office for all Members of the town council to peruse and make comment upon. The matter to be discussed at the next meeting of the town council to be held on 3 June 2009 to progress the lease arrangements accordingly.

Councillor M Martin made reference to the correspondence received from Andrew & Co. Solicitors, dated 26 March 2009. He queried consideration of comments made, the way in which the working party had dealt with some of the issues, consultation with North Lincolnshire Council and that the town council have not yet agreed to a partnership arrangement with CHAMP Ltd. He stated that the town council need to view documents and have clarity regarding pre-conditions before any lease documents could be finalised i.e. feasibility study, programme for the building construction works, building repairs and maintenance issues etc. Councillor A Todd commented the town council was in partnership with CHAMP Ltd through representation by Barton Town Council. The time limits for construction work would be determined under building regulations and that the town council would still have building responsibilities as owners of the Assembly Rooms. Councillor K Vickers asked Councillor Martin if he could peruse both draft lease documents and make comment on his findings for the working party to address. He then urged all Members to peruse the draft lease/under-lease documents before further comment was made, in order to fully digest the information contained therein.

Resolved that this be noted and further discussed at the 3 June meeting of the town council.

448. Final Accounts of the Town Council 2008/2009

Consideration was given to the circulated Final Accounts of the Town Council for the Financial Year 2008/2009, prepared by the Town Clerk/Responsible Financial Officer, in accordance with the Audit Commission Regulations. The town council's auditor Mr G Howard of RBS Software Solutions had undertaken an audit of the town council financial records on 30 April 2009, and deemed the final accounts of the Town Council for the period 2008/2009 to be accurate and in order. The Clerk informed members that due to changes in legislation and audit procedures, more and more information was requested by the Audit Commission and the Auditor's Report required the action points to be addressed by the Town Council. A copy of the Auditor's Report was handed to each Member for perusal.

The town council office staff were thanked for their endeavours in preparation of the accounts.

Resolved

(i) that the Final Accounts of the Town Council for the Financial Year 2008/2009 be approved, the Responsible Financial Officer and the Deputy Town Mayor being authorised to sign the appropriate certification of the final accounts for submission to the Audit Commission.

449. Green Lane

Councillor Mrs D Pearson presented historical documentation regarding the un-adopted highway on Green Lane. As a point of order, Councillor Mr J Oxley expressed concern this matter was

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continuously raised at town council meetings, whereby it was not in the remit of the town council. The Clerk explained documents presented by Councillor Mrs Pearson had been passed to North Lincolnshire Council (Min Ref: 40(3)(i)/18-BTC 04/06/08 refers). However, Councillor Mrs Pearson explained the documents she now held were new ones. Councillor K Vickers requested the documents be passed to him and he would address the matter with the Highways Department of North Lincolnshire Council accordingly.

Resolved that this be noted.

450. Reports from North Lincolnshire Council Representatives

(a) Caistor Road

Councillor Mrs D Pearson explained she had received reports of overhanging shrubs/bushes along the highway on Caistor Road. Councillor K Vickers replied he would look into the matter.

Resolved that this be noted.

451. Reports from Members on Outside Organisations

There were no matters of report discussed at this meeting.

The Vice-Chairman, Councillor K Vickers, closed the meeting at 8.20 p.m.

..... Vice-Chairman

3 June 2009