

Council Offices, Commercial Road, Weymouth, Dorset, DT4 8NG

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**Minutes of meeting**

**MEETING:** Full Council

**DATE & TIME**: Wednesday 14th October 2020 at 7.00pm

**PLACE:** Zoom Virtual Meeting Place

**Present:** Graham Winter Colin Huckle Mark Tewkesbury

**Councillors** Peter Barrow Alex Fuhrmann Jan Bergman

Howard Legg David Northam Tony Ferrari

Graham Lambert Luke Wakeling Trefor Morgan

Michael Frost Jon Orrell Gill Taylor

Christine James Kate Wheller David Mannings

Tia Roos David Harris Ryan Hope

Kevin Brookes Oz Kanji David Gray

Richard Nickinson Ann Weaving Ken Whatley

Lucy Hamilton

**Officers** Jane Biscombe (Town Clerk)

Matt Ryan (Deputy Town Clerk)

Tara Williams (Parks & Open Spaces Manager)

Ian Mine (Business & Finance Manager)

Charmaine Denny (Contracts & Facilities Officer)

Charlie Shepherd (Events Manager)

Niki Ayles (Democratic & Administration Officer)

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| C0227 | **Welcome**  Cllr Graham Winter welcomed everyone to the meeting and informed them that it would be live streamed on the WTC Facebook page.  Cllr Winter paid tribute to former Weymouth and Portland Borough Councillor, Alderman Andy Hutchings, who sadly passed away recently. Due to Covid-19 restrictions, Cllr Winter and the Town Clerk were unable to attend the funeral service on 2nd October so they observed and paid their respects from a distance.  The Mayor said that Mr Hutchings sat on Weymouth and Portland Borough Council for in excess of 20 years. He was a gentleman and a man of principle, a Councillor, a good champion for his ward and the town, a keen historian and had an enviable postcard collection which covered many subjects. Mr Hutchings had a keen interest in local and heritage issues and was a member of the Swanage Railway. He gave presentations to many local organisations and was a member of many charities until recently when health issues took over.  Members and Officers then paid their respects with a minutes silence. |
| C0228 | **Apologies for Absence**  There were no apologies for absence. |
| C0229 | **Declarations of Interest**  There were no declarations of interest. |
| C0230 | **Minutes of the last meeting**  The minutes of the last meeting held on 9 September 2020 were unanimously agreed as a correct record and will be signed as such on a future date. |
| C0231 | **Councillor Question Time**  Cllr Winter suggested that the order of the agenda be changed in order that public questions can be taken before moving straight into the item regarding the Brunswick Catering Kiosk. The agenda would therefore run in the following order:   * Committee minutes and recommendations * Councillors questions and updates * Town Mayor’s announcements * Public Questions * Brunswick Catering Kiosk * Remaining items on the agenda   Cllr Winter also suggested that this be a permanent change to the running order of the agenda.  **Resolved:**  Members agreed unanimously to the changes suggested by Cllr Winter above. |
| C0232 | **Committee Minutes:**  Jane Biscombe informed Members that the item on the Christmas light projection, as recommended by the Finance and Governance Committee, is no longer on the agenda as the BID have decided to not progress the project.  **Resolved:**  Members agreed unanimously to note the minutes of the Committee meetings detailed in the agenda documentation. |
| C0233 | **Town Mayor’s Announcements**  Due to Covid-19 restrictions, the Mayor has been unable to attend many civic events. However, he recently attended a Merchant Navy flag raising event at the cenotaph and a Thomas Fowell Buxton memorial event at Bincleaves Green. He has also attended two Battle of Britain events; a commemorative event at the Cenotaph and the unveiling of a Battle of Britain memorial at Bowleaze Cove. This is a fitting addition to the memorials in the town.  The Mayor recently welcomed the Weldmar Hospicecare outreach vehicle to the town. The vehicle will be taken to various town centres to highlight the work of Weldmar, which includes services such as counselling as well as end of life care.  Weymouth was recently awarded Purple Flag status and the Town Centre Management Group received a mention during the ward process. The work of the group helps to highlight what Weymouth has to offer. |
| C0234 | **Councillor Questions and Updates**  Cllr Bergman provided a short update regarding discussions around a potential ferry service between Weymouth and Guernsey. Cllr Bergman, Cllr Winter and Cllr Huckle have met with representatives from the States of Guernsey to ascertain whether matters can be progressed. The States of Guernsey have asked for Dorset Council to be involved in discussions as they are a major stakeholder, particularly financially. Cllr Bergman has met with representatives from Dorset Council and a meeting is now being arranged between WTC, DC and the States of Guernsey. Cllr Bergman will update Members shortly regarding any ongoing discussions. |
| C0235 | **Public Questions**  Questions regarding the Brunswick Catering Kiosk proposal had been submitted by several members of the public. Details of the questions, as well as the responses from WTC are detailed below:  **Question from Mr Ben Lane**: It seems that the recommendation has been made partly on the basis that bringing the kiosk into Council control will help the council fulfil its priority to improve community engagement. May I ask whether an assessment of the impact of the current arrangement on community engagement has been carried out and if so in what way the recommendation will improve upon the current arrangements?  **WTC Response:** In the report on the Brunswick catering site it states that ‘The Council can deliver an offer in keeping with the ethos and aspirations of a council that has made sustainability and community engagement a priority.’  No assessments have been carried out regarding the impact of the current lease on community engagement as this is not felt to be pertinent to the options that have been considered by Councillors with regard to the future of the site when the current 10-year lease ends in March 2021.  The kiosk could provide an additional front-facing service that helps the council to engage with its community and offer training opportunities.  **Question from Mrs S Dewar**: I note that the initial capital investment to provide a new facility at the Brunswick Catering will be recouped through increased precept. Given the financial forecasts that are included in the business case how long will it take to generate a profit equal to the initial investment?  **WTC Response:** The information that is being asked for is commercially sensitive and is not something that we can disclose. Disclosure would adversely affect the Council’s ability to negotiate and act commercially and could prejudice any future procurement.  **Questions from Sarah Male:**  **Question 1)** I understand Community Engagement has been identified as a priority for the Council. Can you tell me to what extent the council has engaged the community in developing the proposal for the council to operate a catering facility at the Brunswick Catering Kiosk?  **WTC Response**: No community engagement has taken place when developing the proposal to operate Brunswick catering kiosk inhouse, as this is not relevant to the options that are being considered by the council’s committees. The kiosks will provide an additional front-facing services that helps the council to engage with its community and could offer training opportunities.  **Question 2**) The financial projections have been compared to the current rental/lease income. Why haven't the future projections of possible income levels been compared to the future projections of possible rental/ lease income?  **WTC Response:** Future income and expenditure financial projections have been taken into consideration. A tender exercise took place during the winter of 2019 for four catering sites on Weymouth Beach, along with three retail sites; from this tender exercise it was found that rental values are less then what they were in 2010. These values were reflected in the projections for the future rental income from this particular site.  **Petition**: **Stop WTC from taking over Aunty Vi’s café.**  A public petition had been submitted to the Council by Poppy Townsend, the details of which can be found below:  By signing this petition you pledge to the WTC that:   1. Pete is offered the one-year lease extension. As suggested by the government’s coronavirus guidance issued in March.   **WTC Response**: There are no provisions in the current lease for the Brunswick Terrace site for an extension as to its duration. In addition, the government guidance is that councils have to justify any extension to a contract/lease by demonstrating that the council is adversely affected by Covid-19 and that staff are, for example, sick or diverted to other Covid-19 related duties. These circumstances don’t exist at present and so this option is not available to the Council.   1. The Brunswick kiosk site is put out for public tender at the end of its lease, as well as other WTC sites nearing the end of their leases.   **WTC Response**: When a lease or contract comes to an end then the council will consider options for the future of that asset. No other leases are due to expire in the short-term but, when they do, they will be dealt with on a case-by-case basis.   1. Communication and relations between the WTC and their tenants to be vastly improved, particularly during the lease expiry period.   **WTC Response:** When a lease is coming to an end and the council has decided on the future of the asset, then the council will communicate with the current tenant. It would be highly unusual for any landlord to seek input from an outgoing leasee.  **Questions accompanying Petition by Poppy Townsend**:  In particular, I would like the below comments addressed. These were taken directly from the petition comments pdf and I feel they summarise a lot of the support we have received so far.   1. Terrible lack of communication at a bad time for businesses. Should have approached Pete with an offer to assist getting over the problem.   **WTC Response**: With the end of lease approaching as agreed in the 2011 lease, the Council needed to decide on the future of the site. Once the Council had agreed we would let the tenant know so that they could prepare for the end of the lease. Since March, the Council has provided regular updates to tenants given the impact of Covid-19. Prior to the September 2020 Finance & Governance Committee a conversation took place with the tenant to advise them of the committee report and details were sent to the tenant ahead of the meeting.   1. Pete always has time to chat and spend time with people, he even made a coffee for me once when I was out in the pouring rain when he was closed. This isn’t just a tea hut it’s a community   **WTC Response**: We note the current tenant’s relationship with his customers and the local community.   1. This should go out to tender like all the other ones did. Then he could if he put in a good proposal run it again. If it does not go to tender and WTC take it over they should be purchasing the hut which would give Pete a lump sum.   **WTC Response:** The Council has taken the opportunity to review the options that are open to it now that the 10-year lease is coming to an end. If the Council proceeds with an in-house operation, then it will enter into discussions with the tenant to possibly buy any suitable equipment from them.   1. Has anyone heard of the pandemic!! Try supporting local businesses and their customers instead of undermining their livelihoods!   **WTC Response**: The council has liaised with tenants over recent months to assist them during this difficult time in line with the Council’s agreed policy on Business Tenant and Licensee Support Policy, as agreed by the Council at its Full Council meeting in June this year |
| C0236  C0237  C0238  C0239  C0240  C0241 | **Brunswick Catering Kiosk**  Cllr Winter reminded Members that the business plan circulated to members (**confidential Appendix A**) remains confidential - publicity/ disclosure would compromise the Commercial sensitivity of the information; significantly impacting on the Councils ability to negotiate, act commercially and would prejudice future procurement. Members were informed that they could move into confidential session if they wished.  Cllr Winter reminded members of the need to base their discussion on the facts in front of them, not on any information or misinformation that they may have seen or heard on the media or on social media. He requested that Members remember that this is not about personalities or the work of previous Councils, but about WTC making business decisions in line with agreed ways of working and the strategy agreed by the Council some months ago.  Charmaine Denny introduced the item as detailed in the agenda documentation.  Cllr Gray reported that when this item was put before the Finance and Governance Committee he undertook some research regarding commerciality in councils and found that nearly 50% of councils operate a commercial arm. Bournemouth, in particular, does this very successfully. Operating the Brunswick Kiosk in-house will make a substantial contribution to the precept and the Council can differentiate the offer, and won’t be offering the same as the other units.  Addressing concerns about what happens if it goes wrong, Cllr Gray said that the Council can always go back to tender as it is WTC land. However, if it works, it will help with the precept. Members then debated the item at length.  There were concerns that WTC may have a vision to take over leases as they approach the end of their term and that this will send a dangerous signal to current tenants who may be concerned about how this is going to turn out. Additionally, there were concerns that if any in-house running of the kiosk did not work, it would fall on council tax payers, and that there did not appear to have been any work undertaken regarding where the revenue figures are coming from. Some Members also felt that the Town Council’s job is to provide services to the community, for which they pay a precept, and that the running of businesses should be left to the private sector, whilst others were concerned about WTC starting a business during the current pandemic, and about reputational risk to the Council.  Members supporting the proposal did so on the basis of Council’s receiving less funding from central government and therefore having to find ways of generating income. Additionally, it was felt that the income generated by this proposal will keep council tax down and provide more money to keep services going, such as events and parks, as the Council has to find funding from other sources, mainly its assets.  Cllr Taylor reported that the Income Generation Group have identified that there is a need for Councillors to receive commercialisation training, and requested that this be explored, and stated that there is also a need for a Commercialisation Policy.  Cllr Nickinson raised a motion for a recorded vote to be undertaken, which was seconded by Cllr James and agreed by Members.  A recorded vote was undertaken as follows in respect of the recommendation as detailed in the agenda documentation:  Cllr Barrow – For Cllr Bergman – Against  Cllr Brookes – Against Cllr Ferrari – Against  Cllr Frost – Against Cllr Fuhrmann – For  Cllr Gray – For Cllr Hamilton – For  Cllr Harris – For Cllr Hope – For  Cllr Huckle – Against Cllr James – Against  Cllr Kanji – Against Cllr Lambert – For  Cllr Legg – For Cllr Mannings – For  Cllr Morgan – For Cllr Nickinson – Against  Cllr Northam – For Cllr Orrell – For  Cllr Roos – Against Cllr Taylor – For  Cllr Tewkesbury – Against Cllr Weaving – Against  Cllr Whatley – For Cllr Wheller – For  Cllr Wakeling – For Cllr Winter – For  **Resolved:**  Proposer: Cllr Gray Seconder: Cllr Harris  Members voted by a majority of 17 in favour, with 11 against and no abstentions, to agree the use of £57,785 of the Prudent General Fund Reserve to fund the capital costs of the purchase and fit-out of a kiosk for the Brunswick Terrace site as detailed within the business plan (**confidential Appendix A**) and agree to replenish this reserve through the precept as part of the budget process.  **Footpath Repairs:**  Tara Williams introduced the item as detailed in the agenda documentation.  **Resolved:**  Proposer: Cllr Wheller Seconder: Cllr James  Members voted unanimously to agree to move £9,437 from the Parks reserve into an operational budget for urgent footpath repairs.  **Cleansing and Waste Contract**  Matt Ryan introduced the item as detailed in the agenda documentation. Cllr Bergman left the virtual meeting temporarily during this item.  **Resolved:**  Members present voted unanimously to extend the Cleansing and Waste services contract with Dorset Council for a period of 12 months from 1st April 2021 until 31st March 2022 as set out in the report.  **Customer Service Standards**  Jane Biscombe introduced the item as detailed in the agenda documentation and stated that in future policies would come to the Full Council for agreement only after having been considered and recommended by the most appropriate committee.  **Resolved:**  Proposer: Cllr Northam Seconder: Cllr Legg  Members voted unanimously in favour of the Complaints Procedure to be considered by the Services Committee prior to being approved by Full Council.  **Resolved:**  Members voted unanimously in favour of approving the following policies:   * Dealing with Abusive, Persistent or Vexatious Complaints and Complainants Policy * Customer Service Standards   **Gifts and Hospitality Policy**  Jane Biscombe introduced the item as detailed in the agenda documentation.  **Resolved:**  Proposer: Cllr Harris Seconder:  Members voted unanimously in favour of approving the Gifts and Hospitality Policy.  **Information Items**  Remembrance 2020:  Charlie Shepherd introduced the item as detailed in the agenda documentation. Cllr Bergman re-joined the meeting during this item. The Events Team will continue to liaise with Cllr James as Armed Forces Champion.  **Resolved:**  Members noted both the preparations that are being made for Remembrance events in Weymouth and the venue options that are being considered.  *Cllr Wheller left the meeting during the information items.*  **Update - Beach Office and Toilets:**  Tony Hurley had provided a written update regarding the Beach Office and Toilets. There were no questions of comments from Members.  **White Paper – Planning for the Future**  Cllr Hamilton and Cllr Northam spoke briefly about Planning for the Future consultation. Cllr Hamilton will circulate a draft response to all members, and will put the draft before the Planning and Licensing Committee prior to submission next week so that it is publicly available.  Cllr Hamilton believed that all residents, businesses and local organisations should be encouraged to respond individually.  **Transparency and Competition: A call for evidence on data on land control (consultation)**  Cllr Northam supported the suggestions being made with regards to transparency and competition as he understood that this would mean developers and landowners would have to declare to the Land Registry what deals are being done and what land comes on to the marks at what rate.  **Actions from previous meetings**  Cllr James asked what is being done regarding littering, as a result of leafleting, in town car parks as no action appears to have been taken. Jane Biscombe responded that Officers share Cllr James’ frustration and would like some resolution, even though it has not been an issue recently. It has been escalated to a Corporate Director at DC and the matter will be raised again at a monthly meeting between WTC and DC.  **Resolved:**  Councillors noted the information items.  The meeting concluded at 9.39 pm |