

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

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**Minutes of meeting**

**MEETING:** Full Council

**DATE & TIME**: Wednesday 7th April 2021 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

Kate Wheller Christine James Kevin Brookes

Tia Roos David Harris Ken Whatley

Lucy Hamilton Oz Kanji David Gray

Richard Nickinson

**Officers** Jane Biscombe (Town Clerk)

Niki Ayles (Democratic & Administration Officer)

Tony Hurley (Operations Manager)

Charmaine Denny (Contracts & Facilities Officer)

Tara Williams (Parks & Open Spaces Manager)

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| C0304 | **Welcome**  Cllr Graham Winter welcomed everyone to the meeting and informed them that it would be live streamed on the WTC Facebook page and recorded. |
| C0305 | **Apologies for Absence**  Apologies were unanimously approved from Cllr Weaving and Cllr Hope. |
| C0306 | **Declarations of Interest**  There were no declarations of interest. |
| C0307 | **Minutes of the last meeting**  **Resolved:**  The minutes of the last meeting held on 9 March 2021 were unanimously agreed as a correct record and will be signed as such on a future date. |
| C0308 | **Councillor Questions and Updates**  There were no Councillor questions. |
| C0309 | **Town Mayor’s Announcements**  The Town Assembly meeting was a successful event. Up to 200 members of the public watched it on Facebook and feedback was positive.  The Mayor recent attended a virtual Seaside Towns meeting along with Mayors and Town Clerks in Lyme Regis, Seaton and Sidmouth. As is to be expected, these towns are experiencing the same sorts of issues as Weymouth during the Covid-19 pandemic. |
| C0310 | **Committee Minutes and Recommendations from other Committees**  Members noted the minutes and recommendations from other Committees. |
| C0311 | **Public Questions**  There were no public questions. |
| C0312 | **Decision making by the Council after 06 May 2021**  Jane Biscombe introduced the item as detailed in the agenda documentation and provided details of the four options available, as follows:   1. 1) Continue to meet virtually.   Although, technically not permitted, this route is being suggested by some other Councils. Although the risk of legal challenge is low, decisions could be challenged in the courts as ultra-vires.  The 1960 Admission to Meetings Act and the Local Government Act 1972 are understandably silent on the matter of online meetings. In the most recent correspondence from Government they have advised that public attendance at Council meetings should continue to happen online for the time being where possible.  In other words, online openness to the public is neither prohibited nor enabled by the 1960 or 1972 Acts.  There is existing case law that says that "a valid meeting normally consist of people who can both see and hear each other" (Byng v London Life Association (1989) 1 All ER 560) and back in March 2012 the government acknowledged this in their advice to charities about attendance at meetings.  <https://www.gov.uk/government/publications/charities-and-meetings-cc48/charities-and-meetings#the-definition-and-forms-of-a-meeting>   1. 2) Temporary Scheme of Delegation to the Clerk.   This would be backed up by the meetings plan as usual. This would mean that Committee and Full Council meetings could go ahead virtually and instead of making decisions, would recommend decisions to the Town Clerk, who would then enact those recommendations under the temporary delegation (draft Scheme of Delegation in Annex 2.) The scheme would remain in place until Councillors decided that a return to face-to-face meetings was safe, or that the delegation should cease for any other reason.  A meeting would need to be held on 05 May for the only two items for the meeting planned for 19 May 2021 that cannot be delegated – the election of Chair and the election of Vice-Chair.  The only other item that is in the forward plan that cannot be delegated is the signing off of the Annual Governance and Audit statements. This needs to be done by 30 June and we will need to think of a route for this. Possibly a single item meeting with a pre-agreed quorate in attendance, or an outdoor meeting if a larger venue is not available, or is too expensive.   1. 3) Temporary delegation to a new Committee   As above but with delegation to a group of 5 Councillors who would meet face to face to enact delegations. This would need to be held as an official meeting of the Council.  This would require a change to Standing Orders to set up a new Committee. The Town Clerk will aim to bring a draft amendment to Standing Orders to the meeting on 07 April.  This option is being evaluated against current legislation and an update will be provided at the Full Council meeting.   1. 4) Hold face-to-face meetings   This would be in line with the advice from NALC, as detailed in Annex 1.  The Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021 includes an exception (exception 3) that a gathering is allowed where it is necessary for certain purposes which include "for work purposes or the provision of voluntary or charitable services.” Members/officers attending a meeting would fall under this. Additionally, in the letter dated 25 March 2021, from Luke Hall MP recommendations are given on how to hold safe Council meetings, which infers that it would be legal to hold them.  However, provision should be made to enable to public to view the meeting on Facebook and currently the Council does not have the technology in place to allow this to happen to a high enough quality.  The holding of face-to-face meetings could pose a reputational risk to the Council if public perception is that these should not be held until restrictions are lifted.  The Council will also need to take into account the concerns of both Councillors and Officers over returning to face-to-face meetings whilst restrictions are still in place. Particularly those who are unvaccinated, have been shielding, or have other health concerns.  Cllr Orrell joined the meeting during this item.  **Resolved:**  Proposer: Cllr Fuhrmann Seconder: Cllr Barrow  Members voted unanimously in favour of virtual meetings continuing as they are until 5th May 2021 when an additional Full Council meeting will be held to elect the Mayor and Deputy Mayor, and to vote on Option 2 at that point if required. |
| C0313  C0314  C0315  C0316  C0317  C0318  C0319  C0320  C0321  C0322 | **Land off Pinemoor Close/Brackendown Avenue**  Charmaine Denny introduced the item as detailed in the agenda documentation. The business case relating to this item was omitted from the agenda pack in error. This will be uploaded to the WTC website at the earliest opportunity.  Cllr Harris asked whether the land being allocated as allotments could be rectangular rather than triangular as this would be easier to convert into allotments. Cllr Ferrari responded that Dorset Council (DC) is transferring all of the land that it owns and if there is a desire to change the shape then WTC would need to liaise with the private landowners.  Cllr Frost had left the meeting briefly and re-joined at this point.  **Resolved:**  Proposer: Cllr Legg Seconder: Cllr Tewkesbury  Members voted unanimously in favour of agreeing the transfer of Land off Pinemoor Close/Brackendown Avenue as detailed in the report and in accordance with the heads of terms set out in confidential Appendix B.  **Amendments to Standing Orders**  Jane Biscombe introduced the item as detailed in the agenda documentation.  **Resolved:**  Proposer: Cllr Wakeling Seconder: Cllr Legg  Members voted by a majority of 21 in favour, with 1 against and 2 abstentions, to agree the amendments to Standing Orders as detailed in the agenda documentation.  **Grant Policy and Form 21/22**  Jane Biscombe introduced the item as detailed in the agenda documentation.  **Resolved:**  Proposer: Cllr Gray Seconder: Cllr Nickinson  Members voted unanimously in favour of agreeing the revised policy and form (Appendix C) for use in 21/22.  **Working Group Terms of Reference**  Cllr Harris introduced the item as detailed in the agenda documentation.  **Resolved:**  Proposer: Cllr Harris Seconder: Cllr Northam  Members voted unanimously in favour of agreeing the Working Groups Terms of Reference template (Appendix D).  **Weymouth 450 Proposal**  Jane Biscombe introduced the item as detailed in the agenda documentation and highlighted that a brief explanation of the history of Weymouth and Melcombe Regis was circulated to Members at the end of last week as part of the weekly round-up email. This information will be used to promote the Weymouth 450 commemorations.  **Resolved:**  Proposer: Cllr Whatley Seconder: Cllr Gray  Members voted unanimously in favour to:   1. To allocate £15,000 to a grant fund to support local groups delivering events and activities in celebration of the towns 450th birthday this year. 2. That the Town Clerk, chair of Finance and Governance, and Chair of Tourism Events, Arts and Festivals (TEAF) are delegated the authority to determine applications. 3. That allocations of grants are report back to each F&G and TEAF meeting. 4. That the events team administer the fund and deliver a logo and merchandising plan to the next appropriate TEAF meeting.   **Paternity Policy**  Jane Biscombe introduced the item as detailed in the agenda documentation.  **Resolved:**  Proposer: Cllr Legg Seconder: Cllr Northam  Members voted by a majority of 23 in favour, with 1 abstention, that the Council adopts the Paternity policy (Appendix E).  **Social Media Policy**  Jane Biscombe introduced the item as detailed in the agenda documentation.  **Resolved:**  Proposer: Cllr Wakeling Seconder: Cllr Fuhrmann  Members voted by a majority of 23 in favour, with 1 against, that the Council adopts the Social Media policy (Appendix F).  **Information Items**  **Key Objectives for the Council**  Cllr Gray highlighted that there is no update for E2, relating to waste bins, and felt that this might be an important issue given the expected number of visitors to Weymouth in the coming months. Cllr Gray requested that WTC has a fall back position for extra waste bins.  Jane Biscombe reassured Members that plans are in place to manage the waste bins on the seafront as the Summer months can be extremely busy. Mechanisms are in place with DC for additional emptying of bins and for larger roll top bins to be installed. Additionally, a Bin Policy has been drafted which will go to the Green and Clean Group, and Services Committee, before being brought to Full Council for adoption.  Members noted the information items.  **Exclusion of the press and public**  **Resolved:**  Proposer: Cllr Gray Seconder: Cllr Wheller  Members voted unanimously in favour of the exclusion of the press and public due to the sensitive nature of the item next to be considered.  **Weymouth Beach Attractions Tender**  Tony Hurley introduced the item as detailed in the agenda documentation.  Cllr Barrow left the meeting briefly and re-joined during this item.  **Resolved:**  Proposer: Cllr Wheller Seconder: Cllr Gray  Members voted by a majority of 20 in favour, with 2 against and 2 abstentions:  That Full Council:   1. agrees to the award short-term contracts for some traditional and some innovative attractions for the four attraction sites for both the 2021 and 2022 summer seasons and that the Town Clerk be given the delegated authority to negotiate and award any such two-season contracts; 2. instructs officers to draft a brief for the development of this masterplan, along with an indication of the resources required, for consideration by Services Committee in due course. Any such masterplan should be completed by mid-2022 to enable the procurement for attractions concession in time for the 2023 season.   The meeting concluded at 9.16 pm. |