

LYDNEY TOWN COUNCIL

FULL COUNCIL MEETING – 2013/12/02 – 89

MINUTES OF THE TOWN COUNCIL MEETING held in the Council Chamber, Claremont House, Lydney on Monday 2 December 2013 at 7.05 pm.

PRESENT: Cllrs B Berryman (Chairman), J Bevan, D Biddle, R Bonser, C Harris, V Hobman, C Matthews, W Osborne, B Pearman, A Preest and B Thomas

Two members of the public
District Cllr M Winship
Mrs J Smailes – Chief Executive Officer (CEO)
Miss C Wheeler – Executive Officer (EO)

Cllr Berryman informed all present that no practice fire evacuation had been scheduled for the duration of the meeting. All attendees were then informed of the locations of the nearest fire exits.

Cllr Berryman welcomed Mr D Gaston, The Dean Academy, to the meeting. Mr Gaston began his presentation by explaining the background towards the decision to forge closer links with the Council and gave an overview of the operation of a “sponsored” school. Members were interested to learn that the School had appointed three members of its senior leadership team to work alongside the community and of the growing relationship the school fostered with primary schools. Mr Gaston was also pleased to inform Councillors that the school was performing significantly above the national average in a number of subjects.

Responding to a question which had been raised by Cllr Bevan regarding the possibility of creating a sixth form on site, Mr Gaston welcomed the opportunity to provide such a facility and spoke on the survey which had been undertaken of former students regarding such a proposal. Mr Gaston stated that he would like to be in a position to open a sixth form at the Academy from September 2015. Mr Gaston also embraced the opportunity to work with other primary schools outside of the Academy’s catchment area and briefly spoke on the benefits which could be offered through such a scheme (i.e. IT lessons).

There being no other questions Mr Gaston excused himself from the meeting at this point.

Note: Item 13 – Wild Boar was discussed directly after the Open Forum, however, the minutes reflect the order as shown on the agenda.

1. **APOLOGIES**

Apologies for absence were received and noted from Cllr Edwards

Members were advised that Mr Matt Pillinger had been elected uncontested in respect of the vacancy on the Lydney West Ward, however, Mr Pillinger had since informed the Council that he did not wish to take his seat. Forest of Dean District Council had therefore advised that the Council would be required to advertise the vacancy once again and therefore may face a further call for an election.

It was noted that the election for the Lydney East vacancy would take place on 12 December 2013, with a further election held on 23 January if the second vacancy for the ward was contested.

2. **DECLARATIONS OF INTEREST**

Cllr D Biddle – Agenda item 18 – Planning and Highways Committee



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3. MINUTES OF PREVIOUS MEETING

Referring to the draft minutes Cllr Berryman advised that District Cllr Winship had not advised that Forest of Dean District Council would be able to provide contact information for small businesses in the Town. Cllr Matthews advised that it had been she who had made the suggestion.

Cllr Osborne stated that no record had been made of the erroneous accusation that he had been responsible for arranging the Christmas event at the Lydney Community Centre and a parade. Members were reminded that the minutes were not a verbatim record as per LGA 1972, Sch 12 para 41 advice and did not seek to be inflammatory.

Approval of the minutes of the Town Council meeting held on 11 November 2013 was then **proposed by Cllr Matthews, seconded by Cllr Bonser**. Vote carried with one vote against and two abstentions.

4. POLICE MATTERS

Members were provided with a copy of the report which had been provided by the Police, the contents of which were duly noted.

It was noted that PCSO Mary Skinner had resigned from Gloucestershire Constabulary to take up alternative employment and Members expressed regret on such a loss to the community.

5. OPEN FORUM

Mr W Owen, 3 Augustus Way, Lydney – advised that two events had been organised outside the Co-operative Store on the night of the Christmas Lights Switch On. Mr Owen advised that the Mayor had attended one event, with the other event being a private arrangement which he had arranged. Mr Owen advised that children had a good time at the event and were celebrating the uniform of Father Christmas. It was recommended by Councillors that anyone undertaking such activities should be DBS checked. It was also noted that the Council were not responsible for the private event, nor any such activities arranged (which included the attendance by a Farther Christmas).

6. COMMUNICATIONS BY THE MAYOR

Cllr Berryman advised that he had attended the following events since the last meeting:-

- The Yvonne Walkerdene Music Bursary at Coleford
- High Sheriff visit encompassing Lydney Community Centre, Lydney Recreation Trust, Lydney Harbour, Bathurst Park, Bledisloe Window at St Mary's Church, Victoria Day Centre, the Dean Academy, Lydney Town Hall, Bathurst Pool, Lydney Town Council, Lydney Hospital
- The Dean Academy presentation evening
- Forest Sensory Services, Coleford
- Lydney Town Hall – switching on of new sign
- Christmas Lights Switch On
- Gloucester Cathedral Awards Ceremony for Gloucester College

Cllr Berryman advised that a complaint had also been made to the Council regarding the hedge at his property, however, he advised that remedial work had already been carried out to his hedge prior to the complaint being received.

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It was noted that FVAF had secured the provision of four defibrillators, one for each Forest Town, and it was suggested that the organisation may be considering placing a unit in the centre of Town. Cllr Berryman drew Members' attention to the copy of the letter which had been sent to Forest of Dean District Council's Monitoring Officer on behalf of Members in line with minuted approval and signed by himself as Mayor and sought acknowledgement that all Councillors had been provided with a copy. Noted.

Cllr Berryman also expressed his appreciation of the generosity of members of the public which he witnessed during a collection for the Forest Foodbank which was held in Tesco recently. Members were invited to bring items of non-perishable goods which they wished to donate to the Council's office; such goods would then be taken to the Forest Foodbank by the Mayor.

It was also noted that the Mayor had received an e-mail from District Cllr Paul McMahon advising that he had called on District Cllr Molyneux to support Small Business Saturday on 7 December 2013 through free car parking in the town and encouraged the Town Council to also lobby District Cllr Molyneux. After a short discussion on the matter it was **proposed by Cllr Bonser** that the Council would write to District Cllr Molyneux to advise that the Town Council request free car parking to be provided in the Town's car parks on 7 December 2013 in order to support Small Business Saturday. Furthermore, that Forest of Dean District Council should advertise its intention to provide free car parking on said day. **Seconded by Cllr Harris.** Vote carried.

7. CEOs REPORT

A copy of the CEOs report had been circulated to Councillors prior to the meeting, the contents of which were duly noted (Appendix A). A report was then given on the following matters:-

Lydney Town Hall Trust Management Committee

Members were advised that as per the decision taken at the November meeting, a letter had been sent to the Town Hall Trust Secretary and a response was awaited.

Planning Training

Members noted that the CEO, Executive Officer and Cllr C Matthews would attend the Planning Explored conference organised by Gloucestershire Association of Parish and Town Councils on 3 December 2013.

2014/2015 Budget

Members were advised that the Finance and Scrutiny Committee would consider the Council's draft budget for 2014/2015 at their next meeting on 9 December 2013. Furthermore, that an extra ordinary Finance and Scrutiny Committee meeting may be convened on Monday 6 January 2014 if Forest of Dean District Council had not been able to provide the Local Council Tax Support information in time for it to be considered at the meeting on 9 December 2013, as the information was required in order to formulate the Committee's budget/Precept recommendation to Full Council on January 2014.

Defibrillator Training

Members were advised that annual training in the use of the Council's defibrillator would take place in January 2014. It was noted that the course could accommodate up to 12 attendees and all Members/staff would be invited to attend.

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CCTV

The CEO advised that two requests for direct access to the CCTV had been received; one request related to a fall on the pedestrian crossing in Newerne Street, the other request relating to a vehicle collision in Newerne Street. Under the terms of the Council's policy a fee of £20.00 would be levied. Noted.

Health and Safety

It was noted that Council staff were in the process of producing a Risk Assessment for the Stiga to grit pavements in the Town (using the relevant attachment). However, it was noted that as a result of the Risk Assessment the machine may require the fitting of a flashing light and the application of hi-vis chevrons to the rear of the machine.

It was **proposed by Cllr Harris, seconded by Cllr Matthews** that Delegated Powers would be granted to the CEO regarding the arrangement of Defibrillator Training and the Risk Assessment for the Stiga machine in respect of gritting use and the fitting of said equipment. Unanimous.

Action by – the CEO

8. FINANCIAL MATTERS

Insert Accounts Here

FINANCIAL STATEMENT

DECEMBER 2013

Bank Balance as 1st April 2013

LLOYDS BANK - Current account		51,153.97	
LLOYDS BANK - Youth Council (Current)		450.00	
LLOYDS BANK - Earmarked Reserves:			
S106	29,191.50		
Lydney War Memorial	1,318.00		
Primrose Hill Play Area	8,000.00		
Cemetery	16,529.14		
Neighbourhood Development Plan	5,127.85	60,166.49	
LLOYDS BANK - General Reserve		104,183.89	164,350.38
			215,954.35

2012/13 Commitments Brought

Forward
£15,850.37

TRANSACTIONS

RECEIPTS

Receipts APRIL	226,497.94		<i>Incl Precept inst 1 of 2</i>
Receipts MAY	3,841.33		
Receipts JUNE	11,573.69		
Receipts JULY	9,189.85		
Receipts AUGUST	11,285.83		
Receipts SEPTEMBER	224,200.18		<i>Incl Precept inst 2 of 2</i>
Receipts OCTOBER	2,838.25		
Receipts NOVEMBER	10,567.34		Receipts Summary attached
Receipts DECEMBER	-		
Receipts JANUARY	-		
Receipts FEBRUARY	-		
Receipts MARCH	-		
NDP: Income to NDP current a/c	2,366.29		
Youth Council: Income to YC current a/c	0.00		
Total Receipts YTD		502,360.70	

PAYMENTS

Payments APRIL	24,604.10		
Payments MAY	44,666.17		
Payments JUNE	34,364.09		
Payments JULY	44,353.95		
Payments AUGUST	38,007.37		
Payments SEPTEMBER	27,191.97		
Payments OCTOBER	60,996.18		
Payments NOVEMBER	38,477.38		
Payments DECEMBER	42,773.20		Detailed below
Payments JANUARY	-		

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Payments FEBRUARY	-
Payments MARCH	-
Payments PRIOR TO YEAR END	-
NDP: Cheque Payments to date from NDP a/c	8,438.05
Cheque Payments to date from Youth Council a/c	114.04
Total Payments YTD	363,986.50
Total	354,328.55

*£155.84 Chqs/tfrs via LTC Apr & Jul
(prior to NDP a/c being opened)
£450 included in LTC Jun (prior to
separate Financial Statement)*

Reconciled Bank Statements as at end	November 2013			Bank Statement copies attached
LLOYDS BANK - Current account			133,263.34	
LLOYDS BANK - Youth Council - current			885.96	
LLOYDS BANK - NDP - current			12,559.25	
LLOYDS BANK - Earmarked Reserves:				
S106	29,191.50			
Lydney War Memorial	1,197.00			
Primrose Hill Play Area	8,000.00			
Cemetery	16,529.14			
Neighbourhood Development Plan	0.00	54,917.64		£5,127.85 Reserve transferred to NDP a/c
LLOYDS BANK - General Reserve		152,702.36	207,620.00	
Bank Balances as at: 29-Nov-13			354,328.55	0.00 check

DECEMBER PAYMENTS

Payments made by Direct Debit/Standing Order

ATOS Fuel Genie	13.11.13	512.17	Monthly	DD
Cablestream Ltd	15.11.13	164.12	Monthly	DD
Tate Computer Technology	20.11.13	79.20	Monthly	STO
BNP Paribas	22.11.13	369.54	Quarterly	DD
Dean Truck Repairs	28.11.13	234.00	Monthly	STO
Sub total		1,359.03		

Details/Spending Power:

via General Power of Competence

Fuel for van/mowers
Telephone
IT services
Telephone
Van Hire

Interim Payments made in advance of meeting:

Petty Cash	25.11.13	92.88	Monthly	7378
Interim Payments: Sub total		92.88		

Estab Chgs, Mtg Costs, Office Equip,
Tph, Training

Payments for approval at meeting held on:

	2nd December 2013	Chq. No.	
Christmas Window Competition Prize 1st	50.00	Annual	7379
Christmas Window Competition Prize 2nd	30.00	Annual	7380
Christmas Window Competition Prize 3rd	20.00	Annual	7381
Mr Cackett	258.50	Bi-annual	7382
Dean Mowers Ltd	42.00	Ad hoc	7383
East Fire	30.00	Annual	7384
ETB	24.48	Ad hoc	7385
Forest Equipment Services Ltd	699.10	Monthly	7386
GAPTC	185.59	Annual	7387
Mike Jones Plant Hire	474.00	Ad hoc	7388
Light Fantastic DIY Ltd	22.07	Monthly	7389
Richard Cole Contractors	1,890.00	Annual	7390
SLCC	35.50	Annual	7391
Bathurst Park & Recreation Trust	2,075.47	Quarterly	7392
Lydney Recreation Trust	1,830.38	Quarterly	7393
Lydney Town Hall Trust	1,500.00	Ad hoc	7394
GAPTC	65.00	Annual	7395
Payments for approval: Sub total	9,232.09		

Civic Expenses
Civic Expenses
Civic Expenses
Floral Displays / Churchyard
Machinery/Tools/Repairs
Establishment Charges
Machinery/Tools/Repairs
Litter Picking
Training
Play Areas
Floral Displays / Cemetery
Grass Cutting
Establishment Charges
VAT Repaid
VAT Repaid
Free Grant
Training

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Payments under Delegated Powers (Minute ref 2013/11/11-80)

			<u>Chq. No.</u>	
Corporate Expenditure	11,007.71	Monthly	7396-7405	re December
HMRC	3,090.79	Monthly	7406	re December
Glos LGPS	3,602.44	Monthly	7407	re December
Expenses	114.40	Ad hoc	7408	Training
Expenses	36.40	Annual	7409	Training
Expenses	26.62	Annual	7410	Training
Expenses	28.68	Annual	7411	Corporate
Designer Signs	236.40	Ad hoc	7412	Cemetery
EHB	11.76	Ad hoc	7413	Machinery Repairs
Eurostat	68.36	Monthly	7414	Stationery
GAPTC	554.00	Annual	7415	Training
LITE	12,693.60	Ad hoc	7416	Christmas
Lydney Settled Estate	152.49	Ad hoc	7417	Allotments/Cemetery
Network Connexions UK Ltd	180.00	Ad hoc	7418	CCTV
Office Star	139.42	Monthly	7419	Stationery
SITA	93.64	Monthly	7420	Cemetery
SLCC	52.49	Ad hoc	7421	Training
Payments for approval:	Sub total			
				32,089.20

TOTAL PAYMENTS	DECEMBER	42,773.20
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NEIGHBOURHOOD DEVELOPMENT PLAN:

See Separate Financial Statement

YOUTH COUNCIL:

See Separate Financial Statement

A list of unpresented Cheques (For Information only)

Image Signs	360.00	7126
Wildin & Co	300.00	7322
Corporate Expenditure	1,074.13	7341
Corporate Expenditure	1,070.24	7342
Corporate Expenditure	2,519.97	7344
Corporate Expenditure	166.83	7348
Royal British Legion Poppy Appeal	25.00	7364
Richard Cole Contractors	6,013.80	7371
Total	11,529.97	

Monthly Financial Statement

Attention was drawn to the three Financial Statements provided and members noted that the Financial Statements for both the Neighbourhood Development Plan and Lydney Youth Council were incorporated in the Council's Financial Statement. Members noted that it had not been possible to provide a reconciled bank statement, due to the timing of the December meeting, as the bank statements had yet to be received and payroll addressed for month of December. Members were reminded that they had previously granted Delegated Powers to the CEO and two Councillors in respect of the December Staff salaries. The CEO advised that said information would be included in the Financial Statement displayed in the minutes and that a copy of the reconciled December payment schedule would be circulated at the next Full Council meeting.

Virements

Attention was drawn to the virements which had been conducted in November, namely:

<u>Date</u>	<u>Amount</u>	<u>Details</u>
19.11.13	£150.00	From LTC Current Account to LTC Deposit Account
19.11.13	£2,000.00	From LTC Deposit Account to LTC Current Account
19.11.13	£398.00	From LTC Deposit Account to LTC Current Account

Endorsement proposed by Cllr Harris, seconded by Cllr Hobman. Unanimous.

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Monthly Financial Statement

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19.11.13	£398.00	From LTC Deposit Account to LTC Current Account

Endorsement **proposed by Cllr Harris, seconded by Cllr Hobman.** Unanimous.

Approval of the Monthly Financial Statement was **proposed by Cllr Bonser, seconded by Cllr Harris.** Unanimous.

Lydney Town Hall Trust Management Committee

CEO advised that a cheque had been raised for £1,500.00 and was held awaiting information from Lydney Town Hall Management Committee regarding "match funding". It was noted that the cheque would be released once the relevant information had been received.

9. STANDING ORDERS

Prior to the meeting Councillors were issued with draft Standing Orders, as revised in accordance with the new Model Standing Orders released by the National Association of Local Councils (NALC).

Members were given a brief overview as to the amendments which had been suggested by NALC and attention was drawn to the decisions which would need to be made in respect of the electronic issue of meeting Summons. General discussion took place on the document and it was noted that the NALC Standing Orders had not been written in a unisex manner. Cllr Matthews spoke in support of retaining the current Standing Orders as she found them to be easier, however, the CEO advised of the difficulties which would ensue if, in the future, the Council wished to obtain advice but were not utilising the latest Standing Orders advocated by NALC. It was noted that the Model Standing Orders had been tailored to a degree so as to allow the Council to retain its previous amendments (e.g. Members to remain seated whilst speaking, etc).

Cllr Osborne spoke on option to serve Summons on Councillors via e-mail, however, he did not see why Members should be forced to cover printing costs and Cllr Pearman noted that supporting documents would still be sent to Councillors by post. After a short further discussion it was **proposed by Cllr Harris, seconded by Cllr Preest,** that the draft Standing Orders would be accepted in its entirety, except for point 15 b i) as Council wished to continue for Meeting Summons and associated documentation to be served by post. **Cllr Preest then proposed that**

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Any Councillors wishing to amend Standing Orders to provide the CEO with written details of the proposed amendment in order that they may appear as an agenda item and be addressed in line with Standing Orders i.e. stand adjourned until following meeting etc. **Seconded by Cllr Pearman. Unanimous.**

Action by – All Councillors/CEO to produce & issue adopted version

10. COUNCILLOR SURGERIES

Noting to report.

11. LYDNEY COMMUNITY EMERGENCY PLAN

Cllr Preest advised that he was currently sourcing volunteers to assist with the implementation of the plan and he welcomed assistance from his fellow Councillors. Whilst Cllr Matthews stated that a meeting had yet to be arranged between her and Cllr Preest, she voiced her satisfaction with the document and did not feel that any changes were required.

Cllr Preest voiced his intention to only provide an unrestricted version of the plan and the CEO requested that Cllr Preest provide a copy of the amended plan (including details for volunteers) in order that it may be issued at the January meeting.

Action by – Cllr Preest

12. LYDNEY STATION

Cllr Thomas advised that the re-opening of the underpass at Lydney Station was currently being assessed and the funding for the scheme would be operated on a “points” system. Whilst it was noted that a Rail User Group for Lydney did not exist, Cllr Biddle advised that discussion had taken place regarding the Lydney to Templemeads line, however, the discussion was very much in its infancy.

Members were also provided with a copy of the response which had been received from Arriva Trains Wales and also a copy of the quotation which had been received from Richard Cole Contractors in respect of cutting back the overgrown vegetation in the car park at the Station. It was noted that Arriva Trains Wales had agreed to cut back the vegetation as soon as possible, depending on staffing commitments.

13. WILD BOAR

Cllr Bonser advised that she had been approached by a constituent who was experiencing problems with wild boar. Furthermore, that she had been advised by a Customer Services Adviser at Forest of Dean District Council that the responsibility for wild boar rested with the Forestry Commission and that the District Council would not be interested in considering a strategic approach with Parishes to tackle the issue.

Members were then apprised by the Mayor of the e-mail which had been received from the Forestry Commission regarding wild boar, which advised that in line with DEFRA's policy for feral wild boar on public land the Forestry Commission managed the boar as governed by the wishes of the community. Discussion then took place on the increase in population of the boar and it was noted that at the last three meetings of West Dean Parish Council items had been raised regarding the wild boar. Furthermore, Members noted that West Dean Parish Council had resolved that it would support limiting the number of wild boar in the Forest and it was **proposed by Cllr Preest, seconded by Cllr Harris**, that the Town Council should adopt the same stance. Unanimous.

Cllr Matthews encouraged members of the public to report problems with wild boar to hogwatch.fod@hotmail.co.uk in order that all reports may be centrally co-ordinated.



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14. RENEWABLE ENGERGY POLICY

Cllr Preest proposed that further revisions to the working document be deferred until May 2015 in order to allow Gloucestershire County Council's renewable energy policy to be located and also work to be undertaken on the District Council's policy. **Seconded by Cllr Osborne.**
Noted.

Cllr Preest gave a commitment to contact interested parties who had offered their assistance with revising the policy of the decision taken and welcomed all amendment suggestions.

15. CHRISTMAS LIGHTS SWITCH ON

Members agreed that the new lights had improved the display this year, however, it was felt that action needed to be taken for next year's display to provide a different form of barrier and also a PA facility.

Cllr Osborne advised that the tree had not been supplied in the colour which he originally thought and he recalled that he had originally suggested the provision of a picket fence. Cllr Osborne felt that a wooden picket fence could be constructed for the cost of £40-50 and, subject to Council agreement, Cllr Osborne suggested that the Planning and Highway Committee could be asked to cover the cost of the purchase, with the replacement fence constructed and erected by Ground staff by the weekend. It was also noted that in some places features of the same design had been positioned together, however, this was due to the fact that the equipment provider had not provided a copy of the illumination plan to the installer.

Regarding the provision of a picket fence, Members were reminded of the need to observe the six month rule. Members were also made aware of the timing problems which had been experienced with two of the lights which was thought to be due to issues with the timing clocks. Cllr Osborne acknowledged that some of the lights were coming on during the daytime, however, he requested that the minutes reflect that he had requested the provision of a picket fence in March, however, was reminded by the CEO that this had not been actioned due to overspend against budget which Members had supported/sanctioned. Members were asked to provide direction as to what action they wished taken regarding the features which were not coming on when required, as it was thought that expenditure may be incurred due to the need to replace timing clocks/incur call out charge. Cllr Osborne felt that the timing clocks should not be replaced if additional expenditure would be incurred.

During discussion Cllr Berryman offered to approach the Manager of Tesco to ascertain if the store would be willing to work in partnership with the Council to illuminate the highway area at the front of their store for the 2014 display.

Action by – Cllr Berryman

16. WWI COMMEMORATIVE EVENT

Cllr Osborne advised that little progress had been made with arrangements as the British Legion had yet to arrange a further meeting. However, Cllr Osborne advised that Lord Bledisloe had kindly agreed to dedicate small strips of land for the planting of poppies and he requested that the Amenities Committee consider the planting of poppies. It was thought that the area to be planted would be located between the Lydney/Aylburton roundabout and Watery Lane. It was agreed that the suggestion would be deferred to the Amenities Committee for consideration.

Action by – the CEO

Cllr Berryman advised Members that a tree would be planted in Bathurst Park at 11.00 am on Sunday 8 December 2013 in order to commemorate the Battle of Imjin River.

PLS

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17. FORMAL CORRESPONDENCE RECEIVED

- Forest of Dean District Council – E-mail from Ms R Capon, Environmental Contracts Team Leader advising where to find information about disruption to waste collections in the event of adverse weather conditions.
- Forest of Dean District Council – E-mail from Mr P Hibberd in response to the CEO's e-mail concerning the suspension of car park charging on Small Business Saturday.
- Berkeley Site Stakeholder Group – Letter from Cllr P Wride, Chair, advising that the Nuclear Decommissioning Authority have now published its preferred option for the Intermediate Level Waste Storage and Fuel Element Debris Treatment across Magnox England sites.
- Gloucestershire County Council – providing details of the next Chartered Parish Group meeting on 5 December 2013. Cllr Matthews advised that she would not be able to attend the meeting on behalf of the Council.
- NHS Family Health Services – Letter from Mr M Ovington, Chair (NHS England Gloucestershire Dispensing Panel) outlining the consideration given to the rurality of the area of Yorkley GL15 4RS.
- Mrs Smith, 10a Naas Lane, Lydney - Letter querying why the date of the Christmas Fair at Lydney Town Hall has been changed to 30 November 2013.
- Forest of Dean Citizens Advice Bureau/AGEUK Gloucestershire – Invitation to attend the Advice Pathway Project Launch on 10 December 2013.
- The Resilience Centre Ltd – press release re awardance of “Best Community Energy Initiative”.
- Horizon Nuclear Power Community Update – providing a copy of the November update letter.
- Mr M Pillingham – Letter from Cllr M Pillingham advising of his wish to stand down from his uncontested election to Lydney Town Council.

18. COMMITTEE AND OTHER REPORTS

Planning and Highway Committee

Planning Application by Sainsburys/Robert Hitchins Limited – P1796/12/FUL

Having declared an interest in this matter, Cllr Biddle excused himself from the Chamber at this point.

Cllr Bevan gave an overview of the charge of FODDC Officer maladministration which he, as a Town/District Councillor and four fellow District Councillors had lodged with Forest of Dean District Council (FODDC) following the granting of planning consent for the Sainsburys/Robert Hitchins Limited application at the October FODDC Planning Committee meeting and the subsequent decision to refuse planning consent when the application was brought back to the FODDC Planning Committee meeting by officers in November. Members noted that a confidential meeting convened by FODDC Officers had taken place prior to the November Planning Committee attended by FODDC Planning Officers, representatives from the applicants, FODDC Monitoring Officer and representatives from the Town Council and CEO at which attendees had been assured by the Monitoring Officer that FODDC Planning Committee had resolved to approve the application; the reason for the confidential meeting being purely to formally negotiate on the associated conditions/obligation to be placed on the Developer. (It was noted that no Delegated Powers had been bestowed at the October Planning Committee Meeting upon FODDC Officers to address/negotiate Contributions/Obligations). The application was, however, referred back to the November FODDC Planning Committee meeting and had subsequently been overturned.

HS

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During discussion it was noted that at the November FODDC Planning Committee meeting FODDC Members were advised that they were to consider the Conditions/Obligations attached to the application, later in the meeting Members were however advised that they were able to vote whichever way they chose despite the previous decision to approve. Cllr Bonser felt that FODDC had let Lydney down and questioned what steps could be taken to oppose/rectify the situation given that the decision would also affect Lydney's NDP and was contrary to the Core Strategy which cited land East of Lydney. Cllr Preest voiced his agreement with Cllr Bonser's statement; stressed that at the first FODDC Planning Committee meeting the impact that the Lydney development would have on Cinderford was highlighted in the Officer's report for refusal; expressed his opinion that the Chairman of the FODDC's Planning Committee should not have allowed such a discussion at the November Planning Committee; commended Cllr Bevan and the four other District Councillors who had submitted a charge of Officer Maladministration; highlighted the awful situation the Town Council were now facing; expressed a belief that FODDC had acted unlawfully; advised that he was prepared to put his name as a County Councillor to the opposition against the decision. Cllr Preest also felt that a Standards regime should be operated for Officers and spoke in support of the letter which had been written by the Mayor to the Head of Paid Services at FODDC and the CEO's e-mail to FODDCs Solicitor which queried the correct process and the submission of the Officer Maladministration complaint lodged by Town and District Cllr Bevan.

Members' attention was drawn to the previous minutes of the Town Council's Planning and Highway Committee meeting (which was held the day prior to FODDCs Planning Committee meeting in November). It was noted that the motion to refuse the application at FODDC's Planning Committee meeting had been proposed by a member of the Town Council (who was also a District Councillor) who sat on both committees and who had previously, at the October Full Council and District meeting, publically spoken against said application. It was suggested that the minutes therefore demonstrated pre-determination which should have been addressed/noted prior by FODDC.

Given FODDC Head of Paid Services had advised that there was no case of Officer maladministration to answer, Members discussed the possibility of a member of the electorate referring the matter to the Local Government Ombudsman, as it was felt that a lawful decision had been taken at the October FODDC Planning Committee meeting; no Delegated Powers having been bestowed to FODDC Officers in order to address/negotiate Contributions/Obligations or refer to the November meeting. It was noted that no reasons for the refusal of the application were shown in FODDCs November Planning minutes. Cllr Harris offered to refer the matter to the Local Government Ombudsman as a member of the electorate and that of a town shopkeeper adversely affected by the decision/loss of S106 contributions and obligations. **Cllr Berryman duly proposed** that the Council accept Cllr Harris's offer to take the matter forward as a member of the electorate (fully supported by the Town Council and aided by the CEO who would provide relevant paperwork in support of the submission), a charge of maladministration by FODDC Planning Officers to Local Government Ombudsman regarding the Sainsbury's/Robert Hitchins Limited planning application. Furthermore, that a formal complaint would be lodged with FODDC (as deemed necessary in order to demonstrate that the correct procedure had been duly followed prior to submission to the Ombudsman by an individual). Cllr Berryman then questioned if Members wished for a recorded vote on the matter and Cllr Bonser requested that such a vote be taken, results being:

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Vote For

Cllr Berryman
Cllr Bonser
Cllr Harris
Cllr Matthews
Cllr Pearman
Cllr Preest
Cllr Thomas

Vote Against

Abstentions

Cllr Bevan
Cllr Hobman
Cllr Osborne

The motion was carried.

Members noted that the Council's CEO was receiving criticism from FODDC Officers for action taken as per Council instruction. It was **proposed by Cllr Pearman** that the Council would protect its Officers and that legal advice would be obtained from Hedley's Solicitors, as deemed appropriate, in connection to any point which related to the charge of FODDC Officer maladministration and would seek advice re the process for submission to Local Government Ombudsman. Hedley's Solicitors would be engaged to provide advice/legal assistance as deemed appropriate in order to further the Council's objective and that a separate meeting would be held with Cllr Harris attended by those Members available. **Seconded by Cllr Preest.** A further recorded vote was taken which was unanimous.

Action by – Cllr Harris/the CEO

Flood Defence Meeting

Cllr Pearman gave an overview of the last meeting which was held on 13 November 2013 and was pleased to report that two representatives from Watts Group had also attended the meeting. It was noted that problems had been experienced with sewerage in Lakeside Avenue and Mead Lane during the last significant rainfall and that further work by Lydney Recreation Trust may be undertaken to clear a section of the bank on land south of the Albany Bridge. West Dean Parish Council had also expressed an interest in "mapping" an area of their Parish from Parkend to Lydney.

Youth Council

Members noted that Youth Council Members had been sent a "holding" letter advising that Council will review how best to take the Youth Council forward following the election of three Town Councillors.

An invitation had also been extended to all Youth Council Members inviting them to attend Full Council meetings during this interim period.

Neighbourhood Development Plan (NDP)

Cllr Pearman advised that meetings had taken place on 13, 20 and 26 November and that minutes would be circulated in due course. Cllr Pearman was delighted to advise that an independent qualified NDP examiner was providing support to the NDP Steering Group; that half the consultation period for the Draft NDP had now expired and that target date for submission of the plan was the end of the financial year.

Cllr Pearman spoke on the additional invaluable insight which had been gained through the support of the NDP examiner; the limited support which had been provided by FODDC and stressed that very encouraging work had been undertaken by the Steering Group.

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Lydney Town Hall Trust Management Committee (LTHTMC)

Cllr Bonser reported that she had attended the last LTHTMC meeting on 14 November 2013 which had mainly focused on arrangements for their Christmas Fayre, which Cllr Bonser felt had been quite a successful event. Cllr Bonser drew attention to the new sign which had been erected, together with the Christmas decorations and tree.

Cllr Bonser confirmed that the Committee had taken on board the Council's concerns regarding Health and Safety and the need to undertake priority actions. It was noted that the next meeting would take place on 12 December 2013 and Cllr Bonser advised that a steady stream of bookings were being received by the Town Hall.

Due to the absence of Cllr Edward it was agreed that the appointment of a second Council representative to LTHTMC would be deferred to the next meeting.

19. COUNTY COUNCILLOR REPORT

County Cllr Preest advised that he and Cllr Pearman would attend a meeting with County Cllr Mark Hawthorne, Leader, Gloucestershire County Council the following day. Furthermore, that he had received a copy of a Best Practice Guide to Community Covenants which he intended to circulate to Members via the CEO.

County Cllr Preest also advised that he, together with District Cllrs Glastonbury and Winship, had had cause to e-mail Two Rivers Housing on joint issues, however, whereas he had received a "noted" reply, no reply had been received by either District Councillors.

20. DISTRICT COUNCILLOR'S REPORTS

None.

21. COUNCILLORS REPORTS

Cllr Bonser advised that no progress had been made with cutting back an overgrown hedge in Forest Road.

Cllr Pearman advise that he had attended the Christmas Fayre at the Town Hall and offered his congratulations on the work which had been undertaken to improve the bar area. Cllr Pearman called for a future agenda item to discuss the purchase of a PA facility for the 2014 Christmas Light switch on. Cllr Bevan kindly offered the use of his personal PA facility.

Action by – the CEO

Cllr Biddle reminded his fellow Trustees that a meeting had been arranged for 9.30 am on Wednesday 11 December 2013 in order to discuss the use of land south of the Bypass.

Cllr Matthews informed Members that she had cause to take an elderly lady suffering from dementia home to The Springs. During her report it was noted that a Warden was no longer provided at The Springs and it was agreed that Two Rivers Housing would be requested to attend the next meeting to explain why such a facility had been withdrawn.

Action by – the CEO

Cllr Harris requested that the Council consider providing dog waste bins for Roman Park. It was agreed that the matter would be deferred to the Amenities Committee for consideration.

Action by – the CEO

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22. **PRESS RELEASE**

It was **proposed by Cllr Harris, seconded by Cllr Pearman**, that the Council would seek to raise the profile of the decisions taken by Forest of Dean District Council at the October and November Planning Committee meetings re Sainsburys/Robert Hitchins Limited and highlight the action taken by the Town Council in relation to this matter. Vote carried.

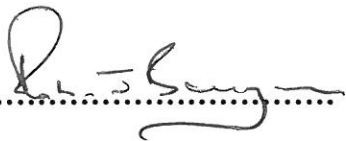
Action by – the CEO

23. **MEETING DATES**

Members noted that the following meetings would take place at the Council's offices at 7.00 pm (unless stated):-

- 9 December 2013 – Amenities/Finance & Scrutiny Committee

Meeting closed at 9.36 pm

Chairman 

Date 



Actions from Full Council meeting on 11 November 2013

Agenda Item	Action
4.	<ul style="list-style-type: none"> Request Police to attend December Full Council meeting to provide: <ul style="list-style-type: none"> Explanation of "messages inc press release" category in Incident Statistics report. Clarification as to whether it would be possible to provide statistics for Oakdale as a separate category. Information on Gloucestershire Constabulary's policy regarding the replacement of PCSOs <p>E-mail sent requesting police attendance at Decembers F/C Meeting</p>
5.	<ul style="list-style-type: none"> Inform Forest of Dean District Council (FODDC) of the Town Council's suggestion that car parking charges be suspended on Small Business Saturday. E-mail request sent to Peter Hibberd re. Cabinet consent FODDC to provide contact information for small businesses in the Town. Requested
15.	<ul style="list-style-type: none"> Formation of Working Group to consider Renewable Energy Policy adopted at November Full Council meeting. Working Group to consist of A Preest/plus two Councillors and two members of the public who are Lydney residents. Working Group to submit revised Policy to Full Council for further consideration (<i>as deemed appropriate given District/National guidance</i>). Pending – Verbal update Cllr Preest Members of the public interested in joining the Working Party invited to make themselves known to the CEO. Councillors to include Cllrs Preest and Matthews. Mr A Jones and Mr J Nelmes have been sent a 'holding' e-mail (copied to Cllr Preest). Cllr Preest liaising with FODDC re. District/National Policy prior to convening a Working Group
7.	<ul style="list-style-type: none"> CEO to re-issue flood alert list once new Councillors appointed after December By-election. Noted Cllr Bevan to be provided with a key to Sandbag Garage. Done
8.	<ul style="list-style-type: none"> Lydney Town Hall Trust Management Committee awarded an additional £1,500 - To be Match Funded, (taken from General Reserves), sum to be used towards the cost of replacing two fire doors in the bar lounge. Funding awarded on a time specific basis (i.e. by the end of the Financial Year). Ltr sent to this affect, awaiting response/building quote from LTHTMC and confirmation of 'match funding' prior to releasing cheque
10.	<ul style="list-style-type: none"> Cllr Matthews to be appointed as Liaison Representative to The Dean Academy. Academy to be notified accordingly. The Dean Academy officially advised. Mr Gaston and Mr Lomax will be attending LTC F/C Meeting December to provide a Presentation to Members.
11.	<ul style="list-style-type: none"> Cllrs Matthews, Berryman and Preest to amend current Policy and appoint Responsible Persons for consideration at December meeting. Pending Councillor action Councillors to inform Cllrs Matthews, Berryman and Preest if they are interested in taking part. Pending Councillor action Cllr Preest to obtain clarification on necessity to operate restricted/unrestricted versions. Pending advice from FODDC – Cllr Preest
13.	<ul style="list-style-type: none"> Approval given by Council for Cllr Osborne to apply for grant funding to cover the cost of refurbishing War Memorial. Action – Cllr Osborne
16.	<ul style="list-style-type: none"> Cllr Osborne to provide the Mayor with information on Mr W Sharma in preparation for an introduction at Christmas Lights Switch On. Action – Cllr Osborne
18.	<ul style="list-style-type: none"> CEO to further S106 negotiated contributions in order to secure Lydney's contribution, and to arrange for two Councillors (and CEO) to sign S106 Agreement. On - going – Pending - Planning Committee decision (also see next point)

MS

	<ul style="list-style-type: none"> • Re. Sainsbury's/Hitchins - CEO to liaise with Mayor re. Extraordinary meeting if approval decision overturned. Decision taken not to convene Extra-ordinary meeting but to instead allow DCllr Bevan to address / call-in (District Councillor capacity). Minutes/supporting info has been provided to Cllr Bevan by CEO (as requested). <p>Pending – Planning Committee to consider whether they wish to pursue this matter <i>(change to planning decision/loss of S106)</i> further.</p> <ul style="list-style-type: none"> • Cllr Bevan's appointment to Amenities Committee ratified. Noted • Youth Council placed in abeyance until such time as new Councillors appointed in December. Members of Youth Council to be advised accordingly and informed that meetings will be suspended until further notice. Noted. Ltr sent to LYC Members • Open invitation to be extended to Youth Councillors to attend future Council meetings. Done • Cllr Bonser requested to impress on Finance Committee of Lydney Town Hall Trust Management Committee the importance of raising the significance of Health and Safety issues and to get committee to further submission re. Fire Door <i>(Match funding info/quote obtained)</i>. Action – Cllr Bonser • County Cllr Preest to make enquiries regarding funding provided to District Cllrs by Gloucestershire County Council for youth activities. Action – Cllr Preest
21.	<ul style="list-style-type: none"> • Agenda item for next meeting – Wild Boar – as requested by Cllr Bonser. Agenda item