

KEYNSHAM TOWN COUNCIL

Minutes of the Virtual Annual Town Council meeting held on
Wednesday 5th May 2021 at 7.30 pm

PRESENT: Councillors D Brassington, C Brennan, C Buxton, D Cooper, C Fricker, A Greenfield, A Halliday, H MacFie, A McGuinness, A Ross, B Simmons and A Wait (Chairman)

IN ATTENDANCE: Cheryl Scott – Town Clerk

NOT PRESENT Cllr J Wallcroft

1. ELECTION OF CHAIRMAN 2021/2022

The Chairman asked for nominations. Cllr Andy Wait was proposed by Cllr Greenfield and seconded by Cllr MacFie. There were no other nominations.

RESOLVED

- (i) To elect Cllr Andy Wait as Chairman for the ensuing municipal year.
- (ii) To receive the Chairman's Declaration of Acceptance of Office signed at the meeting and shown to the meeting via video camera.
- (iii) To approve the physical countersigning of the Acceptance of Office by the Clerk be performed at a later date.

2. ELECTION OF VICE-CHAIRMAN 2021/2022

The Chairman asked for nominations for Vice Chairman: Cllr Clive Fricker was proposed by Cllr Cooper and seconded by Cllr Wait. There were no other nominations.

RESOLVED

- (i) To elect Cllr Fricker as Vice Chairman for the ensuing municipal year.
- (ii) To receive the Vice-Chairman's Declaration of Office signed at the meeting and shown to the meeting via video camera.
- (iii) To approve the physical countersigning of the Acceptance of Office by the Clerk be performed at a later date.

3. DECLARATIONS AND DISPENSATIONS

There were none.

4. RECORD OF PREVIOUS MEETINGS

RESOLVED:

That the minutes of the meeting of the Town Council held on Thursday 22nd April 2021 (previously circulated) be confirmed as a true record and signed by the Chairman at a later date.

5. CHAIRMAN'S ANNOUNCEMENTS

The Chairman thanked Councillors for re-electing him and said he had not got any report to make as there had been no recent activity.

6. QUESTIONS ON NOTICE BY MEMBERS

There were none.

7. KEYNSHAMNOW

The Chairman provided an update from KeynshamNow.

RESOLVED

To receive and note the report from KeynshamNow.

8. MINUTES OF ANNUAL TOWN MEETING 28TH APRIL 2021

RESOLVED:

That the draft Minutes of the Annual Town Meeting held on 28th April 2021 (previously circulated) be noted.

9. MINUTES OF COMMITTEE MEETINGS

<u>Committee Meeting</u>	<u>Date 2021</u>	<u>Status</u>
Environment & Sustainability	2 March 2021	APPROVED
EATH Cttee	17 March 2021	APPROVED
Finance Committee	27 April 2021	DRAFT
Personnel Committee	29 April 2021	DRAFT

- a) The Chairman of EATH explained the recommendations in respect of the proposals to produce sample packs of postcards and posters of the previous GWR posters produced by local artists depicting scenes of Keynsham. It was proposed that there would now be no royalty fees paid to the original artists and built into the sale price of any products. This had been decided following feedback from a member of the public representing the group, but they would receive the original poster depicting their artwork FOC. The recommendations included for a limited pilot print run of 12 posters and 20 packs of postcards to further inform the business plan that had been requested by Finance Cttee. Arts Space would stock and sell the items when they held stalls/exhibitions and they were not expecting a commission on sales.

The Clerk ascertained that the total expenditure the Council was currently being asked to commit to was £123 for one run of posters and 20 packs of postcards. This expenditure on what was essentially a pilot could come from the Arts General activities budget (4108) and the outcome be used to inform a future full proposal for Finance Committee involving larger run volumes, sales prices and sales outlets.

The Chair of EATH then explained the recommendation for Christmas lights in respect of the short term and longer term plans.

RESOLVED

- (i) To approve the expenditure.
 - (ii) That there be no royalty fee for artists.
 - (iii) Artist concerned receives the original poster FOC.
 - (iv) Sales via Arts Space and the Town Council office with no sales commission paid.
 - (v) Sample poster to be brought to July meeting.
 - (vi) The Council stay with B&NES Council for the provision of Christmas lights and that the Council look into future options either via B&NES or in a consortium of other parish councils in the area in respect of new Christmas lights.
- b) In response to a comment from the Chair about the length of time taken for this Agenda item, the Clerk raised the point that if the Council wished to go through the

minutes recommendations in detail at each meeting then either Councillors need to have read the minutes in advance when circulated, or the Clerk would need to re-issue the minutes as part of the Agenda pack. A further option where the Clerk put all the recommendations into a separate report, used to be done but Council had decided they wished this practice to be discontinued owing to the extra time required for the Clerk to prepare a separate report. A further point was raised by Cllr Biddleston that delegation to Committees by the full Council was increasing and that there should be some level of trust in the Cttee's to do their jobs.

- c) RESOLVED:
 - (i) That the Minutes of the above meetings are received and noted.
 - (ii) That the remaining recommendations that are not part of subsequent agenda items are approved.

10. RECOMMENDATIONS FROM PERSONNEL COMMITTEE

A separate report had been issued containing the Committees recommendations in respect of 4 topics as follows:

1. Dignity at Work policy.
2. Role of Dual Hatted Councillors.
3. Changes to Standing Orders/Policies and Procedures.
4. Appointment of contractor for re-grading exercise.

10.1. Dignity at Work

The Dignity at Work policy was not ready to be submitted to Council so had not been submitted.

RESOLVED
To defer this item.

10.2. Role of Dual Hatted Councillors

- (a) The second item from Personnel Cttee was a question asking whether the positions of Chair of Council, Planning and Finance Cttees should be filled by dual hatted Councillors. It was not concerning any individuals but comparing what other Councils do. The question was whether B&NES Councillors had a conflict of interest when assuming these positions on the Town Council. The matter had arisen as a result of a grievance the Personnel Cttee had been dealing with for a number of months and the Cttee had given an undertaking as part of the proposed solution to the grievance to bring the matter to Council for discussion.
- (b) The question was asked on whether this was covered in respect of the declaration of interests. The Clerk responded that yes, Councillors are meant to declare interests but that generally Town Councillors were not very good at declaring their interests. Furthermore, it was not the Clerk's role to advise/remind them but the responsibility of individual Councillors to consult with the Monitoring Officer about their possible interests and declare them as appropriate.
- (c) The Chairman read out the paragraph on the Agenda pack about the role of the Chair and felt personally that being a dual hatted Chair would not mean the meeting would be run any differently from someone who isn't. It was pointed out that the good name of the Council and every Councillor should be considered as part of the

discussion and more importantly the perception of the public as to how Councillors behave.

- (d) The wider interests and activities of Councillors such as School Governors were mentioned. The Clerk clarified that her remarks were about all Councillors and their wider interests and how the dispensation system should be used which she felt was a training issue. The Chair of Personnel stated that none of this was directed at anyone personally but it had been brought to Council as part of a resolution to a grievance and that the matter needed to be looked at professionally and objectively as a Council.
- (e) In response to a further question on whether there had ever been any complaints from the public, the Clerk responded she had received a letter of concern the previous year about Councillor conduct which related to the declaration of interests that should have been made but weren't at the time. A further comment was made that there shouldn't really be an issue with a Councillor being dual hatted providing that the rules were followed and interests were declared, and that this was a training issue.
- (f) Reference was made to the accompanying report which demonstrated that some Councils do think dual hattedness is an issue whilst other Councils do not. This Town Council has been talking about the matter for many years and now was the opportunity to put the matter to bed with a motion and resolution confirming the Council's stance on whether being dual hatted did or did not present a conflict of interest.
- (g) The Chair agreed that it was a training issue to be taken seriously, as in his opinion Councillors were slightly cavalier about dispensations and should be minded about the fact everyone has different interests and issues. Personally, he didn't think that dual hatted councillors were any better or worse than anyone else in what they did, but maybe they should be as they have more experience given the work that they do. He had discussed the matter at Personnel Cttee and in his opinion, what he did for B&NES did not conflict with what he did for the Town Council. However, he did have an issue he wished to raise at this meeting with dual hatted Councillors being a member of the Town Council Planning Cttee if they also sat on B&NES Planning Cttee, as they were unable to vote/express an opinion on both Cttees as this was a conflict of interests. He invited Cllr Simmons to respond.
- (h) Cllr Simmons responded that he was currently only a reserve on the B&NES Cttee and that for the most part planning matters were delegated to officers rather than the Cttee. The Clerk pointed out that dual hatted Councillors could declare an interest on a specific matter at any Town Council planning meeting or send a substitute if they had reason to believe it would compromise their position on B&NES Planning Cttee. It was also pointed out that a dual hatted Councillor could also declare an interest at a B&NES meeting if what had been previously discussed at a Town Council meeting created a conflict of interest.
- (i) A motion was proposed and an amendment was discussed in respect of including training on interests and dispensations. The Clerk reminded the Council that it had already been agreed the Clerk would provide training to all Councillors on certain matters and this could be added to the list of items to be covered.

RESOLVED

This Council is happy to continue with dual hatted Councillors participating in all Committees and that all Councillors will undertake training on the issue of Interests and Dispensations.

- (j) The second recommendation in this section concerned the production of a guide detailing the differences in operational procedures between principle authorities such as B&NES and Town/Parish Councils. The Clerk gave some examples of the statutory differences such as the fact that principle authorities were required to give 5 clear days notice of meetings and Town and Parish Councils were only required to give 3 days. Principle authorities were permitted to add urgent business from the Chair to meeting's Agendas, but Town/Parish Councils were not permitted to add anything to the Clerk's Agenda once it had been published. The purpose of the recommendation was to ensure that principle authority procedures were not introduced in error into Town Council procedures, and as a consequence render decisions of the Town Council unlawful.
- (k) The Chairman felt that it was unnecessary to produce such a document. He admitted he got it wrong when he started in respect of urgent business, but it was the responsibility of dual hatted Councillors to know the difference.

RESOLVED

That a document be produced by Finance & Policy Cttee to explain the differences in procedures between Town/Parish Councils and principle Authorities.

10.3. Changes to Standing Orders/Policies and Procedures

The Personnel Cttee detailed a number of issues that they would like to see addressed by incorporating into policies/procedures following a staff Grievance.

(a) **Harassment**

The Cttee requested Council note 3(c)(v) of the Members and Officers Protocol which reads as follows:

In particular, Members and Employees should promote equality by not discriminating unlawfully or otherwise against any person. They should treat people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. Such principles will apply equally to the implementation of personnel and other policies, recruitment and promotion as they apply to day-to-day dealings with members of the public.

The Committee would also be presenting a Dignity at Work Policy to a later Council meeting for approval.

RESOLVED

That the Acceptance of Office for Councillors be amended to "I agree to abide by the Code of Conduct, Members and Officers protocol and all other policies of the Town Council."

(b) **Councillor Training and Development**

The Cttee were concerned at the lack of uptake of training by Councillors and requested Council note the Town Council's Training and Development policy which states:

1.4. All Chairmen together with Members of Specific Committees such as Planning & Development, Finance & Policy and Personnel will also be offered training relevant to the effective performance of their duties.

A question was asked about what training Councillors were required to undertake. The Clerk advised that the training required was laid out in policy decisions from the

Council over the last few years, for example Personnel Cttee members were required to undertake ACAS training. All Councillors were offered Essential Councillor training provided by ALCA. There was also the new training to be provided by the Clerk that Councillors had already agreed to.

In respect of the second recommendation on training the Cttee felt that it was important that Chairs of Committees should receive specific training but that there should be sanctions if training wasn't undertaken. There were issues in respect of suitable training being available at suitable times given many Councillors worked during the day. The Clerk advised that rather than an automatic resignation, the matter could be referred to Council and suggested alternative wording to the recommendation.

RESOLVED

- (i) That the Acceptance of Office for Councillors be amended to add *"I confirm I will undertake all training required by the Council."*
- (ii) That a new Standing Order be added as part of the review by Finance & Policy Cttee as follows: *"Councillors chairing full Council or Personnel, Finance or Planning Cttees are expected to undertake suitable training. The Council shall consider whether a Member shall be deemed to have resigned their position as Chair if training has not been undertaken within a period of 6 months."*

10.4 Appointment of Contractor for staff post regrading exercise.

This matter was withdrawn pending the next Personnel Committee meeting.

RESOLVED

To defer the matter until presented at a future meeting by Personnel Committee.

11. REVIEW OF TERMS OF REFERENCE OF COMMITTEES AND WORKING PARTIES

Finance & Policy Cttee had reviewed the Terms of Reference and provided proposed amendments to the existing Terms of Reference. There were no further amendments proposed.

RESOLVED:

To approve the attached Terms of Reference.

12. ELECTION OF MEMBERS TO COMMITTEES AND APPOINTMENT OF CHAIRS AND VICE-CHAIRS

The Clerk advised the Chairman that the Council had simply voted to keep the status quo at the last Annual Meeting owing to the pandemic. It was important that Councillors were given an opportunity to be nominated to the Committees this year and that the procedure made provision for this.

The Chair went through each Committee in turn asking firstly if any Councillor wished to join the Committee, then whether any Councillor wished to leave the Committee and finally nominations for Chair and Vice Chair.

RESOLVED:

- (i) To elect Members to Committees and Sub-Ctees as recorded in the attached Schedule of Committee Membership 2021-2022.
- (i) To elect Chair and Vice Chair to each Committee as recorded in the attached Schedule of Committee Membership.
- (ii) That Sub Ctees will elect their own Chair.

SCHEDULE OF STANDING COMMITTEE MEMBERSHIP	
Environment & Sustainability Plus a Representative each from: Keynsham Wombles, Keynsham Plastic Reaction, Keynsham in Bloom, Transition Keynsham, the Business Community and the Retail Traders	Dave Biddleston Caitlin Brennan Charlotte Buxton (Chair) Deb Cooper Alan Greenfield (Vice Chair) Brian Simmons Andy Wait
Events, Arts, Tourism & Heritage (EATH) (7)	Dave Biddleston (Chair) Caitlin Brennan (Vice Chair) Charlotte Buxton Hal MacFie Andy McGuinness Brian Simmons Jonathan Wallcroft
Finance & Policy (7)	Dave Biddleston Andy Halliday Clive Fricker Hal MacFie (Vice-Chair) Andy McGuinness (Chair) Brian Simmons Jonathan Wallcroft
Grants (7)	Dave Biddleston (Chair) Charlotte Buxton Clive Fricker Alan Greenfield Andy Halliday Andy McGuinness (Vice Chair) Alex Ross
NDP Steering Group (3) Business Forum	Deb Cooper Clive Fricker (Chair) Brian Simmons Clive Fricker (Chair) Deb Cooper Caitlin Brennan Brian Simmons Hal MacFie (Business Topic Group)

Personnel (7)	Dave Biddleston Deb Cooper (Chair) Clive Fricker Andy McGuinness (Vice Chair) Brian Simmons Allan Sinclair (substitute Andy Halliday) Andy Wait
Planning & Development (7)	David Brassington Deb Cooper (Vice Chair) Clive Fricker (Chair) Alan Greenfield Alex Ross Brian Simmons Jonathan Wallcroft
Environment & Sustainability Sub-Cttee (5)	Charlotte Buxton Deb Cooper Alan Greenfield Hal MacFie Brian Simmons
Finance GDPT Sub-Cttee	Not considered necessary at this time

13. ELECTION OF MEMBERS TO WORKING PARTIES AND APPOINTMENT OF CHAIRS AND VICE CHAIRS

RESOLVED

- (ii) To elect Members to Working Parties as recorded in the attached Schedule of Working Party Membership 2021-2022.
- (iii) That Working Parties elect their own Chair.

WORKING PARTIES, RESPONSE AND REVIEW GROUPS MEMBERSHIP 2021/2022	
Consultation Response Group (5 inc 3 members of Planning & Development Cttee)	Deb Cooper Clive Fricker Alan Greenfield Andy Wait Jonathan Wallcroft Brian Simmons (Substitute)
Allotments Strategy Working Group (5)	Dave Biddleston Caitlin Brennan Andy Halliday Hal MacFie Alex Ross

Youth Strategy working Group (5)	Dave Biddleston Caitlin Brennan Charlotte Buxton Deb Cooper Andy Wait
HS HAZ Cultural Consortium Steering Group 3 Town Councillors	Deb Cooper Dave Biddleston Charlotte Buxton
HS HAZ Programme Board 2 Town Councillors	Deb Cooper Brian Simmons
Joint Community Response Group for Keynsham North 3 Town Councillors	Clive Fricker Andy Wait Deb Cooper
Joint Strategy Keynsham Green Spaces (with B&NES Parks) 2 B&NES Councillors 2 Town Councillors	Brian Simmons Andy Wait Andy Halliday Vacancy

14. APPOINTMENT OF REPRESENTATIVES TO OUTSIDE BODIES 2021/2022

The Town Council appoints representatives to a number of outside bodies for the period of the municipal year. KMFA Trustees are appointed for the full 4 year term of the Town Council.

RESOLVED

That representatives are appointed to Outside Bodies as recorded in the attached schedule.

REPRESENTATIVES TO OUTSIDE BODIES/ ORGANISATIONS 2021/2022

AVON Local Council Association	<i>Cllr Clive Fricker</i>
Community @ 67	<i>Cllr Dave Biddleston</i>
Dial A Ride	<i>Cllr Caitlin Brennan</i>
Friends of Keynsham Train Station Group	<i>Cllrs Hal MacFie or David Brassington, Clive Fricker & Caitlin Brennan</i>
Keynsham Allotments Association	<i>Cllr Alex Ross</i>
KMFA Ltd (4 year duration)	<i>Cllrs David Biddleston, Caitlin Brennan, Deb Cooper & Clive Fricker</i>
Keynsham Memorial Park Forum	<i>Cllr Dave Biddleston and one Vacancy</i>
Keynsham In Bloom	<i>Cllrs Clive Fricker and Andy McGuinness</i>

Manor Road Community Woodland	<i>Cllr Clive Fricker</i>
New Communities Group (Keynsham North)	<i>Chairman of Council, Chairman of Planning & Chairman of NDP Steering Group (Andy Wait, Clive Fricker and Deb Cooper)</i>
Parish Councils Airport Association	<i>Cllr Clive Fricker</i>
Parish Liaison	<i>Chairman Cllr Andy Wait</i>
The Paddock	<i>Chairman Cllr Andy Wait</i>
Tintagel Residents	<i>Cllr Dave Biddleston</i>
Twinning Association	<i>Cllr Charlotte Buxton</i>
Walkers Are Welcome	<i>Cllrs Andy Wait and Alex Ross</i>
West of England – Local Rail	<i>Cllrs Clive Fricker & Charlotte Buxton</i>
Avon Pension Fund	The Town Council decline to nominate

15. SUBSTITUTE MEMBERS TO COMMITTEES

Standing Order no. 4(i) states: That substitute members may be nominated and appointed to a Committee and that the number is determined at the Annual Town Council meeting in May. The ability of a Cttee Member to appoint a substitute Member to attend in their absence helps to limit the number of Committee meetings that are unable to take place owing to quoracy issues.

RESOLVED:

- (i) That Members agree to the appointment of Substitute Members to Committees as quoted in Standing Order 4(i) for the 2020/21 Municipal Year.
- (ii) That the maximum number of substitute members permitted per Committee meeting remains at 2.

16. GENERAL POWER OF COMPETENCE

The Town Council is required to declare it meets the criteria for eligibility to use the General Power of Competence. A declaration is made at the first "Relevant" meeting which in this case was the first Full Council meeting after the Ordinary Elections in May 2019. The Power lasts until the next "Relevant" meeting which is in May 2023. Best practice suggests it is useful to re-state the declaration each year during the Council's 4 year term.

RESOLVED:

To re-state that the Town Council has met the criteria for eligibility for The General Power of Competence and will continue to exercise that Power for the term of the Council 2019-2023.

17. REVIEW OF FINANCIAL REGULATIONS

The Finance & Policy Cttee have reviewed and proposed amendments to the Financial Regulations in light of recommendations from the Internal Auditor and changes to the Council's financial procedures.

There were no further amendments proposed at Council to the draft submitted by Finance Committee.

RESOLVED

To approve the amended regulations.

18. ANNUAL SCHEDULE OF DIRECT DEBITS 2021/2022

The Financial Regulations require all expenditure to be authorised by Council before payment is taken/made. In order to manage Direct Debits and Standing Orders whilst complying with the regulations the Council approves a schedule of such payments annually in advance.

RESOLVED:

To approve the Direct Debit and Standing Order mandates for the Financial Year 1st April 2021 to 31st March 2022.

19. ANNUAL REVIEW OF CIL EXPENDITURE

The Clerk reported that the End of Year Accounts have not yet been finalised so this report was not yet available.

RESOLVED

To defer to the next meeting.

20. DATE OF NEXT MEETING

RESOLVED:

To note that the date for the Town Council's next meeting is Tuesday 22nd June 2021 at 7.30pm, and that there would be a short Finance meeting immediately preceding the Town Council meeting. The Annual Return and Accounts for 2020/2021 will be considered at this meeting prior to submission to the External Auditor.

21. EXCLUSION OF THE PRESS AND PUBLIC

The Clerk advised that the Personnel Committee had deferred the next item to discuss further at their meeting that had been arranged for the following day.

RESOLVED:

To defer the matter until re-presented by the Personnel Committee.

Thanks were provided by the Chair and by Cllr Biddleston to all Councillors for the positive contributions and approach to the meeting.

The Chair closed the meeting at 21.34.

SIGNED:..... (Chairman) Dated: