

FLITWICK TOWN COUNCIL

Minutes of the 405th Meeting of Flitwick Town Council held on 17th September 2019 at the Rufus Centre

Present: Cllr M A Williams (Chairman, Deputy Town Mayor)
Cllrs M Halligan P Earles G Mackey K Badham R Shaw
P Dodds A Snape A Lutley M Platt D Toinko
J Roberts I Blazeby

Also present: CBCllrs C Gomm P Bunyan
2 residents

In attendance: Acting Town Clerk Assistant Town Clerk

Apologies received and accepted: Cllrs R Coleman P Thompson J Blakeman

Open forum

1. A resident came to advise the Council of some problems at Flitwick Skatepark. He spoke about knife crime and drug use and detailed how young children were now unable to use the facility without an adult present. He spoke about the lack of policing and the need for CCTV as there were warning signs of the problems. The train station was an added issue since young people from further afield were able to get to Flitwick without paying for a train ticket (no barriers at the station). The resident asked Members whether or not they could acquire CCTV to protect young people. The Chairman stated that the issue raised had been discussed previously by the Council.

(Cllrs Blazeby and Bunyan entered the meeting at this time.)

2. Cllr Snape advised that the Council were working on acquiring CCTV for the skatepark however it was not proving easy due to the lack of power. Staff were in conversation with Central Beds Council (CBC) to see if it would be possible to use streetlight power. The best positioning would be in the middle of the park.

3. The Chairman commented that the Police were conducting an initiative ('Operation Sceptre') in relation to knife crime issues.

4. The resident asked if the fact that no barriers were at the station could be put in addition to the disabled access issue.

5. Cllr Dann advised that he was attending a Police Priorities Setting Meeting the following day and would communicate the resident's views there.

(The resident left the meeting at this time).

4841 A request from resident regarding metal detecting

(i) The Chairman advised that a resident was in attendance regarding agenda item 11(ii) and suggested moving this item to the beginning of the agenda. This was agreed by Members.

(ii) A resident advised that he had written to the Council regarding an application to undertake metal detecting at Maulden Road (new Burial Ground/Country Park site). He stated there would be possible historic finds of interest and he would report these to the Council. The resident and his son were fully insured.

FLITWICK TOWN COUNCIL

Minutes of the 405th Meeting of Flitwick Town Council held on 17th September 2019 at the Rufus Centre

(iii) The Chairman asked Members for their views. Cllr Blazeby supported the idea as he felt it would be a missed opportunity prior to the projects developing at the site. The Acting Town Clerk advised that it was a condition for the new Burial Ground and Country Park projects that an archaeological survey needed to be carried out and consultants were acquiring quotes at present. Cllr Blazeby commented that the survey would not be for the whole field and that the residents would find more.

(iv) Cllr Mackey proposed that permission be granted subject to the resident providing the Council with a 'Finds Report' and the correct licences for named persons being shown to the Acting Town Clerk prior to undertaking the metal detecting. This was seconded by Cllr Earles. The Chairman requested for the resident to advise when the activity would be taking place and the Acting Town Clerk stated that the Council would issue the licence first.

It was RESOLVED to grant permission to the named residents to undertake metal detecting at Maulden Road subject to appropriate licences and the submission of a 'Finds Report'.

Vote: unanimous

(The resident left the meeting at this time).

4842 Reports from Central Bedfordshire Members

1. CBCllr Gomm advised that new household refuse collections would begin from February 2020 to replace the current Biffa collections. There would be an option for residents to use garden waste bins to replace the green bags. The Chairman asked if glass would be collected and CBCllr Mackey advised that this had been deemed financially unviable under the new contract. Cllr Blazeby asked if the contract included extending food waste collections and CBCllr Gomm commented that it was a uniform contract for the whole area therefore he believed it would be extended. Cllr Snape commented that formally South Beds Council had glass collections and asked if this would continue. CBCllr Gomm did not think it would be continued under the new contract. Cllr Toinko asked what CBC did with the food waste contents and asked if it was used for composting. CBCllr Gomm advised that it did get used for composting and was provided to worthwhile causes.

2. CBCllr Mackey provided Members with an update on step free access at the station. He, along with CBCllr Bunyan and Cllr Halligan, had attended a meeting at Westminster. All three Members had been disappointed with the answers as they highlighted the inaction by stakeholders. It was clear that without match funding it was unlikely for progress to be achieved. There would be a motion the following week stating that CBC agree that step free access at Flitwick station was discriminatory and a moral outrage. Councillors would be asking CBC to match fund. CBCllr Mackey emphasised the urgency for this since it would be another 5 year wait for the next Access for All grant.

3. CBCllr Gomm had emailed CBCllr Ghent (Portfolio Holder) regarding the Steppingley Crematorium proposal. Arguments would be put together within 2-3 weeks. CBCllr Mackey had said to Steppingley Parish Council that they and Flitwick Town Council needed to work together so that the Ward Members could emphasise the issues collaboratively. The Ward Members had asked CBC why they would not engage with them and interim discussions had been ruled out before the Development Management Committee meeting. Ward Members thought it was inappropriate not to include these consultations. Cllr Shaw asked if Ward Members had seen the site selection report and CBCllr Mackey advised that this had not been made available to them,

FLITWICK TOWN COUNCIL

Minutes of the 405th Meeting of Flitwick Town Council held on 17th September 2019 at the Rufus Centre

which was deemed undemocratic and unacceptable. CBCllr Gomm added that comments had been extended to Jonathan Partridge as well.

4. Cllr Dodds asked for an update on when the road surface outside the Station access would be repaired. CBCllr Gomm stated that this had been discussed at the Highways Meeting since work had not been done. Ward Members would continue to liaise with the Area Technician on this. CBCllr Mackey advised that there was a reluctance in CBC to spend too much in this area due to the station regeneration project however temporary upgrades were required.

4843 To note any Declarations of Interest relating to items on the agenda

(i) Cllr Mackey declared a non pecuniary interest in relation to items covering the Market Towns Regeneration Project project (items 8 and in the Confidential Section) and therefore signed the Declaration of Interest Book accordingly. Cllr Mackey later declared an interest regarding a Christmas Lights event discussion under item 11 - Community Services Committee meeting Minutes - and therefore signed the Declaration of Interest Book and took no part in this discussion.

(ii) The Acting Town Clerk informed Members about the Declaration of Interest information she had sought in relation to Cllr Thompson and his involvement in the Market Towns Regeneration Project project. Cllr Thompson was not present however other Members were informed that he would be declaring a non pecuniary interest in relation to his role with Bedfordshire County Scout Group for future discussions on the Market Towns Regeneration Project Regeneration Project. Cllr Thompson was not affiliated in anyway with the Flitwick Branch of the Scouts. Under the Code of Conduct (section 3.3) Cllr Thompson had already registered his role as the Assistant County Commissioner of Bedfordshire County Scout Group with the Monitoring Officer. The Acting Town Clerk advised that Cllr Thompson was able to participate in discussions and be part of the decision making process for Market Towns Regeneration Project Regeneration Project. The Monitoring Officer was of the view that Cllr Thompson had not made decisions using a predetermined or bias view and that decisions of the Council were robust so as not to be capable of being challenged by Judicial Review. There was no issue with Cllr Thompson continuing his role in the context of the project.

(iii) Cllr Blazeby commented that Cllr Thompson had been the lead negotiator in the generation of plans for the new Headquarters building and asked how this was covered in the Code of Conduct. The Acting Town Clerk stated that Cllr Thompson's role was voluntary and he had always been accompanied by an Officer to meetings. Members were also informed that Cllr Thompson had substantially reduced the build costs of the proposed Headquarters building and there was no evidence of that his involvement had been in anyway prejudicial.

(iv) Cllr Toinko stated that Cllr Thompson had registered an interest recently. The Acting Town Clerk advised that he did this at the correct time in May 2019 (new election term) via the Monitoring Officer. The Monitoring Officer was aware that the non pecuniary interest had not been previously recorded however was satisfied that there was no issue. Members could approach the Monitoring Officer separately if they wanted to.

4844 Town Mayor's Announcements

The Chairman advised that the Planning Committee Minutes from 29th August 2019 had unfortunately not been included on the agenda. Since the application from Aldi supermarket had been publicised on the Planning agenda, the Chairman stated that Members could discuss the application at this meeting if required. Cllr Blazeby commented that there had been no public attendance at the Planning Committee meeting where Aldi's proposals were presented. Cllr Mackey stated that some prior public objections had been put forward via the Planning Committee

FLITWICK TOWN COUNCIL

**Minutes of the 405th Meeting of Flitwick Town Council held on
17th September 2019 at the Rufus Centre**

process. Cllr Shaw advised that he had personally objected via the CBC Portal because of weekend traffic implications with the nearby Football Centre.

4845 To note the circulated Clerk's Report

- (i) The Clerk's Report was noted.
- (ii) During the Acting Town Clerk's summary of the Report, Cllr Dodds explained that he needed Members to speak loudly due to his hearing impairment. A short discussion followed regarding the microphone system within the Council Chamber.

4846 To confirm and adopt the Minutes of the 402nd Meeting of Flitwick Town Council held on 18th June 2019

It was proposed, seconded and agreed to RESOLVE that the Minutes of the 402nd Meeting of Flitwick Town Council held on 18th June 2019 having previously been circulated, be noted and signed as a true record with the following amendment: Minute Number 4811 (h) 'Community Services Committee meet monthly and this was agreed'.

4847 To confirm and adopt the Minutes of the 403rd meeting of Flitwick Town Council held on 16th July 2019

It was proposed, seconded and agreed to RESOLVE that the Minutes of the 403rd meeting of Flitwick Town Council held on 16th July 2019 having previously been circulated, be noted and signed as a true record with the following amendments: insert Cllr Williams' apologies, use Jonathan's full name and correctly spell Cllr Badham's name under Minute Number 4813.

4848 To confirm and adopt the Minutes of the 404th meeting of Flitwick Town Council (Extraordinary) held on 5th September 2019

(ii) To discuss item 483 viii) Resolution that the applications be kept alive until such time as new information comes to light and the public meeting has been held

(i) Before agreeing the Minutes, some Members questioned the accuracy and order of decisions regarding particular resolutions made at the Extraordinary Town Council Meeting. Cllrs Dann, Badham, Snape and Toinko made comments regarding the Town Mayor's use of a Casting Vote regarding a project decision for the Station Road site. Members had not heard the announcement of the Casting Vote and some were unsure if Cllr Mackey's suggested amendment had superseded the original proposal. This was all in relation to either proceeding with or withdrawing the Council's planning applications for new Headquarters buildings/shoppers car park and the over 55's retirement living facility at Station Road.

(ii) Cllr Badham commented on the improper decisions to vote on withdrawing the applications followed by the vote to keep them live. He added that since the meeting, he had listened to an audio recording of the meeting made by a resident which did not include the announcement of a Casting Vote.

(iii) The Chairman commented that she had heard the Town Mayor announce his use of the Casting Vote.

FLITWICK TOWN COUNCIL

Minutes of the 405th Meeting of Flitwick Town Council held on 17th September 2019 at the Rufus Centre

- (iv) The Acting Town Clerk advised that since the meeting, three Members had emailed her and the Town Mayor regarding the Resolutions and their inability to hear and understand the decisions and discussions. She asked Members if they therefore wished to discuss the Resolution at this meeting as new information had come to light which allowed Members to revisit their decision.
- (v) Cllr Badham advised that he thought the situation was complicated and that the Council had firstly Resolved to withdraw the applications. The inability to further discuss the Resolution and perhaps decide to alter the decision fell under Standing Order 7a where this cannot happen within a six month period. The Assistant Town Clerk stated that it was at this meeting where Members could agree (or not) the Minutes presented from the Extraordinary Meeting as they were currently in draft form.
- (vi) Cllr Dodds commented that it had been clarified that Cllr Mackey's amendment had not been carried for the proposal being discussed and that it was a separate proposal.
- (vii) The Chairman and Acting Town Clerk at this point communicated that they believed the Council needed to sought legal advice on the effect of the Minutes before progressing.
- (viii) Cllr Blazeby said that the situation was problematic since the provision of over 55's housing may still be 'best value' and that there was no logic in stopping the applications at the present time. The Acting Town Clerk advised that in seeking 'best value', the Council could come to a view of what they wished to develop at Station Road and it could be that the Council needed to revisit the appropriateness of a retirement living facility since the original Market Towns Regeneration Project scheme was put together in 2016.
- (ix) Cllr Shaw shared his opinion that if the Council were to withdraw the applications at this stage and then resubmit, it would mean incurring that expenditure a second time.
- (x) The Acting Town Clerk asked Members if they would consider separating the two applications - potentially withdrawing the application for outline planning permission for the retirement living facility but progressing the provision of the new Headquarters building and a car park. The Chairman commented that the sale of Station Road was required in order to fund other necessary large projects, e.g. the new Burial Ground.
- (xi) Cllr Dodds requested for the public meeting on this subject to have similar content to that of the two briefing meetings so that residents understood the Market Towns Regeneration Project project.
- (xii) The Acting Town Clerk advised that the outline planning application was made because of the mobile telephone mast application. It was important to ensure that the local planning authority were aware of the possibility of the land at Station Road being developed for residential use and that the replacement of the mobile telecoms mast with a higher mast with more equipment attached to it did not rule this out. The Planning Officer had requested more detailed plans in connection with the outline application but had been prevented from demanding these as the request was out of time and residents were unhappy as it was not clear what was envisaged to be built. The mast application had now been granted and she was satisfied that its grant did not preclude future residential use. She added that her advice would be to withdraw the outline application and continue with the Headquarters building and car park application. Cllr Dodds commented on the use of public money.
- (xiii) Cllr Snape asked whether or not the emails sent in by three Members would constitute reason for another vote on the subject that evening. He was advised that this could not be done.

FLITWICK TOWN COUNCIL

Minutes of the 405th Meeting of Flitwick Town Council held on 17th September 2019 at the Rufus Centre

(xiv) The Acting Town Clerk advised that the pre-application consultation was still with the Planning Officer and a positive decision of that would attract some value.

(xv) Cllr Mackey suggested that the Chairman and the Acting Town Clerk to make a decision under the Council's Standing Orders and to take an adjournment if necessary. This was seconded by Cllr Earles. A vote took place and all Members agreed with the exception of Cllrs Blazeby and Toinko.

(The Chairman, Acting Town Clerk and Assistant Town Clerk left the meeting at this time for a period of 5 minutes in an adjournment).

(xvi) The Chairman stated that she was using her powers as Chairman to interpret the Minutes as followed: To continue with the application for the Scouts and Royal British Legion Headquarters and car park to continue and withdraw the outline planning application for Station Road.

It was proposed, seconded and agreed to RESOLVE that the Minutes of the 404th meeting of Flitwick Town Council (Extraordinary) held on 5th September 2019 having previously been circulated, be noted as read, signed and adopted as a true record.

iii) To discuss the date, format and other administrative arrangements relating to the holding of the public meeting

(xvii) The Acting Town Clerk had checked the availability of the Lockyer Suite for holding the public meeting and it could be held on any of the following dates: 30th September, 2nd October or 3rd October. Members were asked to decide which date to progress with.

(xviii) The Acting Town Clerk had envisaged that the meeting needed some structure and suggested it begin with a short presentation by her and that the advertisement for the meeting should ask residents to submit questions in advance so that answers could be investigated or prepared. Extra comments and questions could be received on the night. Cllr Halligan stated that any questions that the Council did not know on the night could be looked into afterwards.

(xix) As Cllr Mackey had expressed an interest in Chairing the meeting, Cllr Toinko asked him how he would conduct it. Cllr Mackey advised that this type of meeting was not bound by the same rules as formal Council meetings and that it would be more dynamic, much like the former public meetings he had Chaired for healthcare and policing which had been positively received. Most Members agreed that a Chairman was necessary. Cllr Toinko asked for the reason why residents needed to submit questions in advance as he believed this could hinder residents' comments. Cllr Snape asked for reassurance and commitment from Cllr Mackey that him Chairing this meeting was not to enhance his profile as a CBC Ward Member.

(xx) The Chairman advised that if Members wished to continue discussions they would need to agree to an extension of 15 minutes for this meeting. A vote took place and this was agreed by all.

(The meeting was extended by 15 minutes to deal with urgent Council business).

(xxi) As Members thought it was necessary for the Town Mayor to be available for this public meeting, it was agreed to approach him the following day to check his availability before deciding on a date. This date would be communicated in the Flitwick Papers and to all Members.

FLITWICK TOWN COUNCIL

**Minutes of the 405th Meeting of Flitwick Town Council held on
17th September 2019 at the Rufus Centre**

(xxii) Cllr Lutley asked if the previously mentioned 'Fact Sheet' would be available on the night. The Acting Town Clerk advised that this was almost complete and this information could be released for public viewing when the invite for the public meeting was issued.

(xxiii) A conversation took place regarding what to title the public meeting on the invitation and it was agreed to call it 'Public Meeting on Station Road Project'. Cllr Dann proposed an informal set-up for the meeting with perhaps four tables with some Members sat at each one to consider different areas of the project, which would make the meeting more creative and encourage resident feedback more effectively. This idea was endorsed by Cllr Toinko. It was agreed to set up a small Working Group consisting of Cllrs Toinko, Mackey, Dodds and Dann to confirm the format of the public meeting and report back to the Acting Town Clerk in due course. It was agreed that asking for questions in advance was the best way forward.

4849 To confirm and adopt the Minutes of the Planning Committee held on 8th August 2019

(i) Cllr Badham pointed out that the opening sentence of the Minutes needed adjustment in terms of Cllr Toinko's involvement and this would be amended. Cllr Toinko added that the other four Members present at the Planning meeting had all agreed that a room be used to continue discussions with residents therefore the Minutes needed to reflect this.

It was proposed, seconded and agreed to RESOLVE that the Minutes of the Planning Committee held on 8th August 2019 having previously been circulated, be taken as read, signed and adopted as a true record with the amendments: adjust the first sentence regarding Cllr Toinko's involvement and that all Members used the Woodfield Room to continue discussions with residents.

4850 To confirm and adopt the Minutes of the 50th meeting of the Community Services Committee held on 6th August 2019

(i) The confirmation and adoption of the Minutes for the 50th meeting of the Community Services Committee was deferred to the next Town Council meeting.

(ii) Cllr Badham advised that there was an element of these Minutes which required urgent discussion. This related to the Christmas Lights event being held within The Swan Public House grounds. He advised Members that this decision would be more cost effective for the Council with no commercial issues. The event would be on a much smaller scale than previous years and would take place at this venue for one year with a review of how it went afterwards.

It was proposed, seconded (by Cllr Blazeby) and agreed to RESOLVE that the 2019 Christmas Lights event take place at The Swan Public House grounds for one year.

Vote: 12 in favour.

(Cllr Mackey declared an interest and did not take place in the discussion or voting process).

4851 To confirm and adopt the Minutes of the 51st meeting of the Community Services Committee held on 3rd September 2019

This item was deferred to the next meeting.

FLITWICK TOWN COUNCIL

**Minutes of the 405th Meeting of Flitwick Town Council held on
17th September 2019 at the Rufus Centre**

4852 To receive reports from representatives on Outside Bodies

There were no reports.

**4853 To amend Standing Order 23 - Execution and sealing of legal deeds - to
accommodate lettings of rooms at the Rufus Centre**

(i) The Acting Town Clerk advised that Standing Order 23 was not appropriate to follow for the quick turnaround required for office lettings at the Rufus Centre. It was not possible to wait between Committee meetings for approval.

(ii) Cllr Mackey proposed the amendment be made to Standing Order 23 to omit the Rufus Centre office lettings from being bound by the same rules as other deeds, which was seconded by Cllr Blazeby. A vote took place which was unanimously in favour.

***RESOLVED: to amend Standing Order 23 to enable lettings of
the Rufus Centre to proceed without a Resolution of the
Council.***

**4854 To note response from Central Bedfordshire Council regarding alternative
crematorium location**

This item was deferred to the next meeting.

4855 Questions

There were no questions.

Confidential Section

In accordance with Section 1 of the Public Bodies (Admission to Meetings Act 1960) the public and press to be excluded for items 17, 18 & 19 in view of the confidential nature of the information to be discussed in relation to financial and contractual negotiations and item 20.

(The Acting Town Clerk and Assistant Town Clerk left the meeting at this time).

4856 To receive a report from the Chairman of the Personnel Panel

Members received a report.

(The Acting Town Clerk and the Assistant Town Clerk re-entered the meeting at this time).

(i) Upon returning to the meeting, Officers were advised that two decisions had been made in their absence.

(ii) The Michael Jackson Tribute Night would be made a free event with income to be generated from the bar.

FLITWICK TOWN COUNCIL

**Minutes of the 405th Meeting of Flitwick Town Council held on
17th September 2019 at the Rufus Centre**

It was proposed, seconded and agreed to RESOLVE that the Michael Jackson Tribute Night would be made a free event.

(iii)

It was proposed, seconded and agreed to RESOLVE that the recommendations from the Personnel Panel be adopted. This included:

1. The appointment of Sharon Long as the Acting Town Clerk. Members wished to recruit for the Town Clerk position in March 2020.
2. Members agreed the Personnel Panel's proposals discussed including a replacement for the Catering Supervisor following notification of her retirement and the release of the subject access request.

4857 Projects Update

This item was deferred to the next meeting.

4858 To resolve that the Council enter into a lease

This item was deferred to the next meeting.

4859 Questions

There were no questions.

Meeting closed at 9.45pm.

Signed.....
Chairman