

DOWNHAM MARKET TOWN COUNCIL

MINUTES OF FULL COUNCIL MEETING HELD

Tuesday 2nd February 2021 at 6.00pm

This was held as a zoom meeting.

	Present The Mayor Cllr Hayes, Chair Cllrs Hepworth, Daymond, Willow, Pyatt, Hendry, Brighty, Woodmin, Westrop, Pickering, Groom, Molyneux-Hetherington, Sharman Town Clerk Elaine Oliver Borough Cllrs Patel, Ratcliffe and Bullen Members of the public	ACTION
Number	Item	Action
1	To receive Members' Apologies for Absence CCllr White, Cllr Doyle – personal reasons, apologies accepted Cllr Lawson – there was some confusion to his reason for apologies. His first email was due to advice from his insurers and then it appears this was withdrawn, and Cllr Lawson said he didn't need to apologise for his absence. Cllr Hendry proposed not to accept the apology as the apologies. She stated that the apologise were just a series of insults. The meeting did not accept these apologies. Cllr Groom is having difficulties in connecting and is coming in and out but hopefully the connection will become stronger throughout the meeting.	
2	To receive Members' Declarations of Interest Cllr Hepworth's standard declaration, employed by Hawkins Ryan Cllr Hayes declared an interest in item 11.2 as a licence holder with the Town Council	
3	Mayors Announcements – Aural Health Van has been providing a service on the Town Square – they are due to return once a month, appointments only.	
4	To approve the minutes of the Full Council Meeting 12 January 2021 Proposed Cllr Pickering Seconded Cllr Molyneux-Hetherington All agreed	
5	Matters Arising	

	<p>Cllr Hendry asked if Cllr Lawson had supplied a list of the retailers, Cllrs and traders he said he represents – The Mayor said that no list had been forthcoming but that it would be raised again at the next meeting.</p> <p>Cllr Westrop asked if Cllr Lawson had apologised, as he promised to the people who complained about his offensive posts. The Mayor said she had had no feedback that this was the case.</p> <p>Heritage Centre – investigations are still under way and the Clerk will be in a position to feedback at the next meeting.</p> <p>Burial Board – information gathering is still underway and once collated will be fed back through next meeting.</p> <p>The Mayor read out a statement from Cllr Pyatt: I want to make it clear that like other Councillors I have my own opinions and beliefs and disagree with anyone else speaking on my behalf, I do not allow it unless I have given my previous authority. Any mention of anyone representing me can be classed as in modern terms “Fake news”. Fellow Councillors have mentioned the older generation of Councillors and I do feel there should be no distinction age-wise, as we all have our own positives to contribute. The words “corruption” and “undemocratic” have been used lately and I take exception to this as it has no bearing on this Council or any other Council. End of statement</p>	
	<p>Adjourn the meeting for public participation and consideration of written reports and written questions.</p> <ul style="list-style-type: none"> <p>Borough Councillors reports and questions – Cllr Ratcliffe and Bullen had previously circulated their reports. Cllr Pyatt had raised questions to B/Cllr Ratcliffe, and she undertook to feedback on these at the next meeting. Cllr Woodmin thanked B/Cllr Ratcliffe for her ongoing support for the Market on social media and for her written report. Cllr Westrop asked Cllr Bullen if the flooding issues mentioned in his report could be fed into the Neighbourhood Planning process.</p> <p>Public Participation – no written questions have been submitted – one member of the public wished to speak. Roger Jones asked about a potential vaccination centre in Downham Market. He queried why at the previous meeting a B/Cllr who wished to raise a question had been muted. The Mayor thanked him for his questions and confirmed that in accordance with Standing Orders the Clerk would answer them in writing. Mr Jones asked why the B/Cllr’s questions could not be answered and suggested a lack of transparency and prejudice on the part of DMTC.</p> 	

	RESUME MEETING	
6	<p>To discuss ongoing management of Zoom meetings</p> <p>The Mayor referred to a paper previously circulated containing remote meeting guidelines to ensure the meetings run as smoothly as possible.</p> <p>She highlighted public representation during meetings and asked for Cllr opinions.</p> <p>Cllr Hendry expressed a preference that members of the public have their video on when addressing the Council.</p> <p>Cllr Hepworth asked about live streaming the meetings and whether this would replace having the public participate in the Zoom meeting. The Mayor confirmed the Borough Council do just that, and any public questions are read out.</p> <p>Cllr M-H spoke in favour of live streaming but he would not wish to lose the opportunity for the public to present their questions in person at a Council meeting if they so wish, albeit that the question should be submitted in writing before the meeting.</p> <p>B/Cllr Ratcliffe outlined the system used at the Borough Council – that meetings are live streamed on YouTube, and where a question from the public has been submitted correctly, they are invited to attend the zoom meeting to read out their question. B/Cllr Patel spoke in favour of allowing supplementary questions.</p> <p>Cllr Pyatt raised the system for voting and recommended the Borough Council system which requires each Cllr in turn to vote in favour or against individually at least on important issues. The Clerk asked that if this practice is adopted a member needs to ask for a recorded vote when appropriate.</p> <p>The Mayor raised the need for members of the public to be excluded during items of confidentiality and emphasised that it is the Cllr's responsibility to ensure that the discussion cannot be overheard by anyone else who may be in their household. To allow this would be considered a breach of the Council's Code of Conduct.</p> <p>Cllrs agreed on a show of hands to include this requirement in the guidelines and that each Cllr would be asked to confirm that they are alone each time the meeting goes into Confidentiality.</p> <p>Responding to a question from Cllr Woodmin, The Mayor confirmed that the guideline would apply specifically to meetings of the Full</p>	

	<p>Council but that there is no reason why other committee meetings could not adopt the same measures.</p> <p><i>B/Cllr Bullen left the meeting at this point</i></p> <p>Proposed Cllr Hayes Seconded Cllr Hendry All Agreed That the Council adopt the remote meeting guidelines with amendment to include the above points.</p> <p>Responding to a question from Cllr Daymond, The Mayor confirmed that Cllrs can raise questions during Matters Arising or add their issue to the list of items for the next agenda, or they can submit their question in writing for inclusion on an agenda.</p>	
7	<p>To discuss Committees/Strategy Group Membership and timing of meetings</p> <p>The Mayor reminded Cllrs of Standing Orders that refer to the formation and membership of standing committees.</p> <p>She reviewed the membership of and the Chair for each standing committee and asked members to show their agreement:</p> <p>Car Park Committee – membership unanimously agreed, and Cllr Hayes was voted in as Chair.</p> <p>Finance - membership unanimously agreed and Cllr Pickering was voted in as Chair.</p> <p>Planning - membership unanimously agreed and Cllr Daymond was voted in as Chair.</p> <p>HR – current membership was unanimously agreed, and Cllr Pickering was voted in as Chair.</p> <p>The Mayor said she has had three nominations to fill the vacancy on HR – Cllrs Westrop, Cllr Molyneux-Hetherington and Cllr Lawson and invited these Cllrs to add to their statement. Cllr Molyneux-Hetherington withdrew his nomination in favour of Cllr Westrop who did not wish to add to her statement. Cllr Lawson's nomination was also discussed.</p> <p>A confidential vote was taken by phone call, email or text to the Clerk and Cllr Westrop was duly elected to the HR Committee with 11 Cllrs in favour, one abstention and one declined to vote.</p> <p>The Mayor reviewed the membership of the Strategy Groups and advised that the Chair could be agreed at the first meeting of the group.</p> <p>Action Downham - membership unanimously agreed.</p>	

	<p>Environment - membership unanimously agreed.</p> <p>Neighbourhood Plan - membership unanimously agreed, including members of the public and input from a consultant.</p> <p><i>B/Cllr Patel wanted the Council to know that he is on the Planning Committee at BCKLWN</i></p> <p>Town Hall - membership unanimously agreed.</p> <p>Market - membership unanimously agreed. The Mayor said she had received an email from Cllr Lawson stating he had specifically been requested by the market traders to put himself forward as a member of this strategy group.</p> <p>Cllr Hendry enquired if the Code of Conduct said anything about this. The Code of Conduct was referred to and it was confirmed that the code states a member signs to say their conduct will in particular address the statutory principles of the code by “exercising independent judgement and not compromising my position by placing myself under obligations to outside individuals or organisations who may seek to influence the way I perform my duties”.</p> <p>The meeting was also reminded of standing orders which need to be considered in light of Cllr Lawsons request</p> <p>Cllr Molyneux-Hetherington felt it may be a good idea to have a Market representative on the strategy group as long as they represented all the market, however he felt that in light of Cllr Lawson’s behaviour, which appears to be against the code of conduct, he would not vote to add him to any strategy groups or standing committees.</p> <p>Cllr Daymond asked if we should write to him with reference to the code of conduct.</p> <p>Concern was raised that there Cllr Lawson does not appear to abide by the code of conduct so far. His conduct has been raised several times and he does not change.</p> <p>He doesn’t claim to represent all it should be all the traders so a group of traders may not be represented.</p> <p>Strategy group is internal it is not a decision-making group.</p> <p>Cllr Westrop felt the code of conduct was very clear and didn’t not feel that Cllr Lawson should be included in the strategy group.</p> <p>We are still holding the traders meeting every 4/6 weeks.</p> <p>The Mayor asked for two votes by show of hands and the existing membership was unanimously agreed. This was followed by a vote to allow Cllr Lawson to join the Market Strategy Group, for which only one</p>	
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	<p>Cllr voted in favour. The Mayor confirmed therefore that Cllr Lawson could not join the Strategy Group.</p> <p>The dates of the meetings as previously circulated was agreed with an amendment to that of the Market SG. The Mayor asked that each committee/group agree their terms of reference at their next meeting.</p>	
8	<p>To discuss a Covid memorial</p> <p>A member of the public had previously raised this – A discussion followed about what could be a suitable memorial. Cllr Hepworth was in favour of a memorial tree with plaque. Cllr Molyneux-Hetherington suggested a public consultation, and Cllr Daymond advised that there is space in the Memorial Garden. Cllr Groom suggested that alternative locations could be explored.</p> <p>Proposed Cllr Westrop Seconded: Cllr Pickering All Agreed</p> <p>To launch a four-week public consultation on our website and on Facebook with a report back at the April meeting.</p>	
9	<p>Finance</p> <p>9.1 To agree payment of Bills as attached with one late additional bill.</p> <p>Proposed: Cllr Pickering Seconded: Cllr Hendry Agreed</p> <p>Cllr Daymond asked about the previous gas bill for the Town Hall and the Clerk confirmed that readings are now being taken weekly and they are looking more realistic.</p>	
10	<p>To discuss quotes for extra electricity points in the Market and Town square</p> <p>The Clerk summarised the work required on the Market Square and compared the quotes received. On the advice of Cllr Pyatt, the Clerk recommended the more expensive quote which would also provide additional sockets.</p> <p>Proposed: Cllr Pyatt Seconded: Cllr Westrop Agreed</p> <p>She added that investigations are ongoing with regards the electrical supply on the Town Square.</p>	
11	<p>Market Issues</p> <p>11.1 Update on the market - Cllr Woodmin</p> <p>The market has been running with traders who are willing and able to attend. The COVID Rangers continue to be active in supporting the public on market days.</p>	

	<p>Traders meeting 27th January – 6 traders attended, and ideas were generated. The clerk outlined the application process for the Borough CIL fund.</p> <p>11.2 To discuss reduction of market rates during pandemic and to allow payment in arrears. Cllr Hayes reminded the meeting of her declaration of interest ref agenda item 2.</p> <p>Cllr Hepworth highlighted the central Government Fund, and it was confirmed that this has been signposted.</p> <p>Cllrs discussed a request for reduction in rent during the pandemic and the Mayor confirmed that those traders who are not trading are not being charged. She reminded Cllrs of the four week 'holiday' which is allowed under the licence i.e., the regular traders are only charged on a calendar month i.e., 48 weeks. Cllr Molyneux-Hetherington spoke in favour of supporting the market in other ways e.g., promotion and making the area attractive.</p> <p>No Cllr wished to propose a reduction in rent for market traders.</p> <p>Cllrs discussed allowing traders to make payment in arrears during the COVID period, and this was agreed.</p> <p>Proposed: Cllr Daymond Seconded: Cllr Willow Agreed Cllr Hayes did not vote on this item due to her declaration of interest, ref agenda 2</p> <p>At this point Cllr Hayes asked to suspend Standing Orders to deal with the remaining items on the agenda past 9.00pm Proposed: Cllr Hayes Seconded: Cllr Westrop Agreed</p>	
12	<p>Items for future agenda</p> <ul style="list-style-type: none"> • Councillor's questions • Biosphere • Neighbourhood Plan • Events 	
13	<p>Confidential Items To consider a resolution (under the Public Bodies Admission to Meetings Act 1960) to exclude members of the public and press to consider a Human Resources matter. Proposed Cllr Hayes agreed unanimously <i>Members of the public and press were asked to leave the meeting</i></p> <p>13.1 Update on Personnel – HR issue</p>	

	<p>The meeting was updated on the vacant position in the office. A replacement Assistant to the Town Clerk has been appointed and will hopefully start on 1 April 2021.</p> <p>It was reported that a complaint had been received about a Cllrs conduct. The Clerk was instructed to write back and tell the person to refer this to the Monitoring Officer.</p> <p>The Council were sad to read this letter but could not put any sanctions on this Councillor at the moment</p> <p>13.2 To agree actions in relation to protecting Clerk and Councillors from bullying - HR issue</p> <p>The Council were made aware of their legal obligation to protect the Clerk, staff and each other from any form of bullying of vexatious behaviour whether this is from a Cllr or a member of the public. It was felt when we live stream meetings this will be easier for members of the public.</p> <p>It was reported that we have been told the Monitoring Officer will have a decision on the corporate complaint soon.</p> <p>Cllr Westrop wanted to remind the Councillors that to ignore cases of bullying is no defence and that individual Cllrs can be financially liable if they do not step in to protect members of staff.</p> <p>After much discussion it was proposed by Cllr Groom, seconded by Cllr Hendry, that vexatious questions from members of the public would be dealt with under our vexatious policy and that as the bullying, harassing, relentless emails had not stopped, emails from Cllr Lawson, would not be received by the office but would be directed to an email box that would be accessed by Cllr Hayes and Groom.</p> <p>It was agreed that we would not respond to social media or emails from this Cllr and the Mayor would respond only once, to an email that has a valid question.</p> <p>13.3 To receive an update on vaccination centre and agree actions to support this</p> <p>An update on this was received and it was clearly stated that this information had to be kept confidential as it was extremely sensitive. It was felt that having a vaccination centre in DM would be a positive move for the town.</p>	
14	Date of next meeting to be held via Zoom 02.03.21	