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Minutes of the Five Hundred and Eighteenth Meeting of Middlewich Town Council, held in the Victoria Hall, Civic Way, Middlewich on Monday 16th March 2020, commencing at 7.15 pm

PART ONE

Present

Councillors Mike Hunter (Chairman) Sean Boyle, Graham Orme, Carol Bulman, Pauline Hickey, Jonathan Parry and David Latham,

Council Officers:

Lisa Benskin, Interim Town Clerk

1. To receive and approve apologies for absence

Apologies for absence were received from Cllr Russell Watkinson, Gareth Williams Vicky Perez, Chris Jones and Helen Watkinson (Health)

FEEDBACK AND REPORTS

2. To receive any announcements to be made by the Chairman

Councillor Hunter advised that the decision regarding the changes to gritting routes at Cheshire East Council has been discussed at the most recent Cabinet meeting. It has been agreed that full re consultation would take too long. Instead a shorter process will be conducted with Area Highway Groups, Councils and Schools being invited to go through the detail of the proposed routes to be withdrawn. For example the policy provides that all routes to secondary schools are to be gritted automatically, but they don't necessarily know that its necessary to use St Ann's Rd to get a coach there which was removed from the routes. Cllr Orme noted that he had attended the meeting and found it productive.

Councillor Hunter indicated to the Town Clerk that he planned to provide a statement on the Cemetery. It was noted that he had not advised the Clerk of this in advance of the meeting. Cllr Hunter then provided the following statement:

"In June 2019, an investigation email address was created and extensively advertised, following concerns from residents about issues at Middlewich Cemetery. We invited

residents to email their concerns to this address, and we formally closed the email address at the end of January 2020.

Our promise to residents was that we would forward any concerns we received to the relevant authority. For example, if an issue was deemed to be serious enough, then we would notify the Ministry of Justice, which oversees cemetery boards in the UK.

The majority of emails we received were in relation to the general maintenance of Middlewich Cemetery, and we will therefore send the contents of these to the Middlewich Cemetery Committee, which is the relevant authority in this case. One other complaint was subsequently withdrawn by the complainant.

As councillors, residents and bereaved relatives, we now consider our investigation closed.”

Cllr Latham noted that it was disappointing that given the amount of lambasting Councillors had received, for not one complainant to provide a complaint that was capable of being referred to the Department of Justice was disappointing.

Cllr Hunter started that there had been one serious complaint but that was withdrawn.

3. To note any declarations of Members’ Interests on any agenda item

Councillor Orme declared a personal interest as his wife is employed by the Police and Crime Commissioner and he is a former employee of Compass Minerals.

Councillors Parry, Bulman and Hunter declared personal interests as members of Cheshire East Council (CEC).

Cllr Latham declared an interest as a member of Community Pride and is on the ANSA Liaison Committee.

4. Public Participation

This agenda item was increased from 15 minutes to 30 minutes at the Chairman’s discretion to try and answer all questions submitted in advance of the meeting as detailed in report F1908 as well as questions from members of the public present at the meeting.

With respect to the questions raised in advance and contained in report F1908:

1. It was noted that the member of the public who had raised the question was not present at the meeting and as such a written response would be provided.
2.
 - 2.1(a) The Town Clerk noted that the Middlewich Community Trust was a separate entity from the Council. The Companies House record indicated it was a Private company limited by guarantee, which was dissolved on 29th May 2018.

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Cllrs Hunter and Parry agreed to ask CEC if any follow up work was done to see if the grant was spent wisely.

b) The Town Clerk advised that JDH Auditors would not be instructed to extend their audit to cover the Middlewich Community Trust as it was a separate legal entity.

2.2a) The Town Clerk advised that following discussions with the Councillors was in the process of producing a Resolutions Log for all Committees for which the aim was to go back and review the last 12 months of decisions. The Town Clerk indicated that she did not think it would be possible to go back any further due to time constraints.

b) Cllr Hunter advised that a former Councillor did raise 27 items that had not been completed and was the subject of disciplinary action. The outstanding issues were not then ultimately progressed.

c) The Town Clerk advised that all actions taken with respect to a particular resolution will be contained in the Resolutions Log, which will then become a regular agenda item. A copy of any relevant letter can then be added to the website or minutes if the Councillors consider this is necessary.

Additional questions raised at the meeting by members of the public were as follows:

3. A resident asked as to why the original consultation email with respect to the changes to gritting routes, provided by CEC to the Council was not responded to. Cllrs Hunter and Latham indicated that they had no recollection of receiving the email and were aware it had not been added to a Council agenda for proper consideration. Cllr Hunter advised that CEC were now due to re consult on the new gritting proposals with stakeholders, such as the Council and schools.

4. A resident asked as to whether the allegations they had sent to Judith Bernstein Chief Executive of the Institute of Cemetery and Cremation Management, regarding Middlewich Cemetery would be followed up by the Council. Cllr Hunter advised that there was no intention to write to Judith Bernstein. An opportunity had been provided for complaints to be out forward about the Cemetery and the resident had chosen not to participate in that process and proceed directly instead.

5. To receive and adopt the Minutes of the Five Hundred and Seventeenth Meeting of Middlewich Town Council held on Monday 16th March 2020

Resolved 8317

It was **RESOLVED** that the minutes of the meeting held on 16th March 2020 be received and confirmed as a true record.

6. To note the minutes of committees which have been published since the previous ordinary meeting

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The minutes were noted.

7. To consider and approve the Council's Asset Register

Resolved 8318

It was **RESOLVED** that the updated Asset Register be approved subject to the addition of one additional Speed Indication Device and one CCTV camera located at Fountain Fields.

8. To consider and approve a Risk Assessment with respect to COVID19 and its potential effect on business continuity

Resolved 8319

It was **RESOLVED**;

- (i) To approve the Risk Assessment.
- (ii) To ratify the purchase of infection control supplies by the Town Clerk under Financial Regulation 4.6 and that all purchase in connection with the COVID19 outbreak for health and safety be accounted for in a new budget code and money taken from reserves. (Full list of purchases to follow).
- (iii) That implementation of Working from Home will be the decision of the Town Clerk and reflect the risk to staff/Councillors of community spread once the first cases are confirmed in the Middlewich Area.
- (iv) To adopt the NALC recommended resolution (as detailed in the Risk Assessment) to delegate powers to the Town Clerk on an emergency basis.
- (v) To consider a leaflet campaign and/or support campaign to help residents being required to self-isolate.

9. To consider the adoption of a Social Media Policy

Resolved 8320

It was **RESOLVED** that the draft Social Media Policy be approved and adopted.

10. To consider the adoption of a policy with respect to Public Questions

Resolved 8321

It was **RESOLVED** that the draft Public Questions Policy be approved and adopted.

11. To consider actions required with respect to Part 2 of the GDPR Audit including the adoption of;

Data Protection and Document Retention Policy
Freedom of Information Publication Scheme

Resolved 8322

Part 2 of the GDPR Audit was reviewed and it was **RESOLVED** that the Data Protection and Document Retention Policy and the Freedom of Information Publication Scheme be approved and adopted.

12. To consider entering into a contract for Waste and Recycling collection for Victoria Hall and Buildings

Resolved 8323

It was **RESOLVED** to initially approach ANSA, to see if in light of the blight their site had brought to Middlewich, they would collect the Council’s waste free of charge as “good neighbours”. If this was unsuccessful, then the Town Clerk be authorised to enter into a contract with provider A.

13. To consider entering into a contract for Town Centre Floriculture

Resolved 8324

It was **RESOLVED** to pay the long overdue invoice and enter into a contract for the provision of Floriculture for Summer 2020 using the Council budget to fund the same.

14. To consider any Members’ Items previously submitted in writing;
None

15. To receive verbal reports from Members of Cheshire East Council

Cllr Bulman advised that she had been focused on projects relating to social isolation and the offer available for young people. It was noted that via the Connected Communities scheme 500 hours of community use was available for Victoria Hall for these and similar projects. Cllr Bulman had also been working with Children’s Services, Mental Health Services and Social Services.

Cllr Parry advised that he had been pressing CEC to lead from the front on the Coronavirus planning and shared the Clerk’s disappointment that they aren’t doing enough. He noted that the Environment and Regeneration meeting today had made no mention of it.

16. Member questions to the Clerk

- Cllr Latham asked if any formal approach had been made to Mr Bailey with respect to making his building safe on Lewin Street.

The Town Clerk advised that she was aware of the issue as the office had been contacted by the family off the lady whom the memorial bench had been put in place for, but had not yet got to the bottom of the issue. Cllr Hunter suggested the Town Clerk write to Mr Bailey and to CEC regarding the hordings. It may be that

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CEC has required them to be but in place for public safety or put them in place themselves. We then needed to establish what works were required to make the building safe and if the fencing location could be amended to allow the memorial garden to remain accessible.

- Cllr Orme noted that there had been a number of issues with the Wheelock St development which had caused damage to the wall and corrugated sheet on Southway as well as a lack of proper safety precautions. Cllr Orme asked what responsibility CEC had in relation to these issues once Planning Permission had been granted?

Cllr Hunter asked Cllr Orme to forward the emails regarding the issues raised to him and he would speak to CEC. It may be that the issues highlighted needed reporting to HSE.

FINANCE

17. To consider the most recent Income and Expenditure Reports

Members reviewed and noted the reports.

18. To consider and approve items due for payment

Resolution 8325

It was **RESOLVED** to approve the items due for payment.

19. To note payments made

Members reviewed and noted the payments.

20. To consider and approve the Council's Corporate Risk Register Assessment

Resolution 8326

Members reviewed and **RESOLVED** to approve the Corporate Risk Register.

21. To consider amendments to the Financial Regulations

Resolution 8327

Members reviewed and **RESOLVED** to approve the amendments to the Financial Regulations.

22. To approve refunds for Folk and Boat tickets where residents purchased Early Bird tickets before the Residents Tickets were available

Resolution 8328

It was **RESOLVED** to approve refunds for residents in these circumstances. Members noted that Officers should ensure that enough residents' tickets were available for those affected.

HIGHWAYS AND TRANSPORTATION

23. To consider the Pollarding of Lime Trees on Kitfield Avenue, St Ann's Avenue and Sutton Lane¹

It was **RESOLVED** to award the contract to Contractor A. The Town Clerk was authorised to send a Purchase Order to the Contractor and invoice CEC for 50% of the cost as had been agreed with them.

PLANNING

24. To consider the following Planning Applications:

20/0767C

The Council raises no objections to the proposal but has the following concerns that require addressing in advance of any decision being made;

- a. Is additional earthing going to be provided due to the potential static electricity produced?
- b. What is the planned preventative maintenance scheme? It is considered that there should be a daily assessment and risk assessment.
- c. A copy of the Emergency Plan should be required.
- d. A copy of the Information, Instruction and Training Plan should also be required.

Cllrs noted that if the answers to these questions were not received Cllr Orme should attend the Committee Meeting to raise them.

20/0876T

The Council raises no objections to the application subject to neighbours' comments.

20/0881S

The Council supports the application as it provides screening which would be beneficial.

25. To note the Applications that have been DECIDED since the last meeting

Members noted the decided applications, and that the movement of the British Salt Pipeline had opened up more land for potential development.

¹ Cllr Hickey abstained from voting on this item as a resident of Kitfield Avenue.

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ENVIRONMENT

None

PART 2

To make a resolution to move into Part 2 session and exclude the public and press from the meeting on the grounds that the matters to be discussed contain confidential information relating to staffing and financial matters and commercially sensitive information.

26. To consider staffing items arising

The Town Clerk noted that she had wanted to discuss the increased Caretaker/Bar staffing needed for the increased hall bookings. It was noted that looking at this issue was now better put on hold given the required closure of the Hall due to the Covid19 Pandemic.

FUTURE MEETING DATES

27. To note dates of forthcoming meetings

Members noted the dates.

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