

# SHANKLIN TOWN COUNCIL

## Minutes of a Meeting of the Planning and General Purposes Committee held at Falcon Cross Hall, Shanklin, Isle of Wight on Thursday 22<sup>nd</sup> February 2018.

PRESENT: Councillor S. Knight – Chair (Chair)  
Councillors: R. Priest, S. Godden, M. Beston, R. May,  
C. Quirk, S. Sheath, D. Cable, J. Gilbey, D. Larner, E. Knight  
Town Clerk RFO. Also, present 6 members of the public No  
County press.

### **PUBLIC FORUM:**

Points raised: (1) Mrs Welch – Representing Batts Copse Group re planning application Blythe Way. Mrs Welch stated that the Town Council did not discuss the application because they all declared an interest. The following was what actually took place:

*All Members' present declared an interest in this application, as they know the applicant. Members' respectively ask that Officers investigate the site to ensure the land does not encroach on the adjacent nature reserve, which we understand is not to be built on. Also that Officers talk to Island Roads re their concerns over parking and the need to use the pavement to access the second parking space.*

Mrs Welch said the fact is, it is completely on the nature reserve & I would like that recorded.

Councillor Quirk explained the planning department is aware of the nature reserve and the conditions.

Mrs W = The two yellow hatch areas on the map show areas that have been taken over by adverse possession, the nature reserve needs protecting. Councillor Quirk said the core strategy is under review it has been requested that the meadow and yellow areas are included in the nature reserve in the new core strategy.

Mr Adrian Whittaker – on 25<sup>th</sup> January I raised an issue of Local Government Act laws and emailed the Mayor on the 27<sup>th</sup> requesting a response. I was shocked when I bumped into Councillor Paul Brading who told me that there had been dialogue between the Mayor and the Town Clerk, one of the requests I had, was to ask for a response, I have chased it up with the Mayor several times and to date nothing, I am now in a position where my informal complaint, I will now email the Mayor making it a formal complaint and another complaint of failing to respond to a question, there was no trick questions there was what piece of law was applied, what is the piece of law.

Councillor R. Priest = My understanding is that the questions you asked had a full response in the minutes of that meeting, I

understand when you raised it at the meeting a couple of weeks ago the minutes of that meeting have a very clear response to what you asked and Councillor Quirk said he had got guidance from the monitoring officer at County Hall who concurred with the advice given by the Town Clerk.

Adrian Whittaker = I know some of it's in the minutes but speaking to legal services it's not actually correct, this is what I did not want to do have she said, he said.

Town Mayor Councillor Jon Gilbey = Adrian we have had discussions regarding the item and I did say to you that there was legislation which covers Town and Parish Councils as well as Local Authority meetings which Stella quoted which is the section in the minutes, but there is an addition to s.85 which the Town Clerk stated which is that a Councillor cannot fail to attend a meeting where there are no meetings to attend.

Councillor R. Priest = Adrian if you are not happy take up a formal complaint, otherwise and I have said this before we all engage in a meeting where colleagues have loads of issues to discuss at huge costs , if you have a logical complaint then take it to the monitoring officer, if you are saying the monitoring officer has told you something different you need to share the information, Chris has told you he spoke to the monitoring officer who agreed with us, we collectively are satisfied that the minutes of that meeting are correct.

Town Mayor Councillor Jon Gilbey = I have found the law (Cllr Gilbey read the following): "*s.85.4.81 – Attendance as a member at a meeting of any committee or sub-committee, or of a meeting of a joint committee, joint board or other body by which for the time being any of the functions of the authority are being discharged, or that was appointed to advise the authority on any matter relating to the discharge of those functions, and attendance as representative of the authority at a meeting of any body of persons, is deemed to be attendance at a meeting of the authority.*"

Also as Stella pointed out in the meeting there is case law that states: "A Councillor cannot fail to attend meetings if there were none to attend".

Mr Whittaker = s.85 states a waiver within six months; I just wanted a response from the Town Council.

## **1. APOLOGIES FOR ABSENCE**

Councillors' L. Fleming, J. Fleming.

## **2. DECLARATIONS OF INTEREST & DISPENSATIONS**

**2.1 DECLARATIONS OF INTEREST** - Members were invited to voice their declarations and complete the form – a copy of which is appended to the filed copy of these minutes.

**2.2 DISPENSATIONS**

**2.3 TO GRANT ANY REQUESTS FOR DISPENSATIONS AS APPROPRIATE**

Cllrs' C. Quirk & M. Beston dispensation for planning & IWC items stands.

**2.4 TOWN CLERK RFO TO GRANT A DISPENSATION TO ALL COUNCILLOR'S PRESENT WHO REQUIRE A DISPENSATION FOR THE FOLLOWING ITEMS OF BUSINESS: 8. BUDGET 2018/2018 & 9. PRECEPT 2018/2019**

**RESOLVED:** Town Clerk RFO to grant a dispensation and complete the necessary paper work.

**3. GREEN TOWNS UPDATE**

Members' were in receipt of the following written report submitted by Lesley: Our recycled Christmas tree, decorated with items normally thrown away by most households was displayed in the Methodist Church together with others from different local groups. This time we included a notice explaining how to make some of the more elaborate decorations which generated a great deal of interest. Anne Sayer provided us with an account of Green Towns activities taking place over the winter months. This included beach cleans in December, January and February with upwards of 50 volunteers at the January event! It was good to note that some members of STC took part. We do appreciate your continued support. There was also a pub evening on December 7 at the Waterfront Café on the Esplanade. These informal gatherings are useful for generating new ideas and alternative strategies outside the format of a more conventional Steering Group Meeting. Sara Sheath attended a meeting of Amey's Community Forum, representing STC and will try to push forward the idea of 'Litter Education' for the public. She is also keen for Amey to promote the idea of more households using composting as a way of reducing organic waste. Great British Spring Clean: Publicity via Green Towns Facebook page, County Press and STC. Risk assessment to be made clear to all volunteers. We will supply all equipment but it would be helpful if volunteers could bring their own gardening gloves. Pick up of rubbish bags afterwards: Brighstone Landscaping. Timetable of events as follows: Friday 2 March: After school Beach and Esplanade clean. Meet 3pm, Salix

Café, Small Hope Beach Saturday 3 March: Shanklin Town Centre Clean. Meet at 10am, Shanklin Theatre. Sunday 4 March: 10:30 Shanklin Brook clean up. Meet at the British Legion Building, Collingwood Road. Other events include station clearance (Cubs organised by Bridget) and Mothers' Union Beach clean. Some SHAA members will clean up around their businesses over the weekend. Members of the Town Council will be welcome to attend any of the above events. Future Steering Group Meetings will take place bi-monthly as more events will be advertised electronically. (Lesley Hampshire). Lesley informed Members' that people attending litter picks are told of the risks and advised to act responsibly.

#### **4. MINUTES**

**RESOLVED:** That the minutes of the meeting of the Planning and General Purposes Committee held on Thursday 25th January 2018 having been previously circulated, be approved, and signed & to note matters arising, which do not require formal resolution.

**MATTERS ARISING:** Item 9. Town Mayor Councillor Jon Gilbey updated Members he has a meeting with the leader of the IWC regarding the payment of rates on toilets.

#### **5. ACCOUNTS**

##### **5.1 ACCOUNTS FOR PAYMENT 22<sup>nd</sup> FEBRUARY 2018**

Town Mayor Councillor J. Gilbey told Members' that other organisations have had issues with cheques not being cashed as reported at the last meeting.

**RESOLVED:** That the accounts as circulated & stated in the sum of £2146.43 be approved for payment.

##### **5.2 BANK RECONCILIATION JANUARY 2018**

**RESOLVED:** Town Mayor Councillor J. Gilbey confirmed the bank reconciliation as correct.

#### **6. PLANNING/LICENSING/NOTIFICATIONS**

**Councillors' M. Beston & C Quirk declared an interest being IW Councillors & on the IWC Planning Committee.**

**RESOLVED:** The recommendations of the Council on the following applications are as listed below:

**NO COMMENT - P/00166/18** – Proposal: Lawful Development

Certificate for continued use as single dwelling house (use class C3)

**SEAWAYS HOTEL 34 PROSPECT ROAD – SOUTH.** Members' noted TPO's and Road works.

## **7. FINANCE COMMITTEES RECOMMENDATIONS**

Members' were in receipt of the Finance Committees recommendations and the minutes of the finance meeting.

### **7.1 REVIEW OF GRANT APPLICATION FORM/POLICY TO ASSESS REQUESTS FOR GRANTS**

**RESOLVED:** To re-adopt the grant application form and policy to assess requests for grants with no changes.

### **7.2 REVIEW OF FLACON CROSS HALL HIRE FORM**

**RESOLVED:** To re-adopt the Falcon Cross Hall hire form with no changes.

### **7.3 REVIEW OF STANDARD CONDITIONS OF HIRE**

**RESOLVED:** To re-adopt the Falcon Cross Hall standard conditions of hire with no changes.

### **7.4 REVIEW OF FALCON CROSS HALL HIRE CHARGES**

**RESOLVED:** To keep the charges the same at £22 for the first two hours (minimum) each additional hour or part of £11.

### **7.5 REVIEW OF POLICY TO ASSESS REQUESTS FOR FREE HIRE OF FALCON CROSS HALL**

**RESOLVED:** To re-adopt the policy to assess requests for free hire of Falcon Cross Hall with no changes.

### **7.6 HISTORY SOCIETY REQUEST DISCOUNT FOR HIRE OF FALCON CROSS HALL**

Deputy Town Mayor Councillor S. Knight declared an interest in this item being a Member of the history society

**RESOLVED:** To grant the History 10 sessions for the price of 9.

### **7.7 PAY INCREASES**

**RESOLVED:** To delegate to the Town Clerk RFO the implementation of the National agreement pay claim & scale increments as per individual contracts as and when they arise for 2018/2019.

### **7.8 SPECIAL RESPONSIBILITY ALLOWANCE TO COUNCILLOR GILBEY FOR THE EXTRA WORK INVOLVED WITH THE TOILETS**

**Councillor J. Gilbey left the meeting for this item:**

Councillor Chris Quirk – I have a problem with this I don't think we should have Members of the Council taking on levels of work in doing things and

not to do it for nothing, equally if there's a job needs to be done, we should raise enough to do it I don't think this is the right way to approach this, we should have a Town warden or something of that nature, if there is too much work here, I think this is the wrong way round. I don't think we should be paying random Members of the group for the things that they do. It has a whole feeling of jobs for the boys; I am very uncomfortable with this one.

I wasn't able to get to the meeting; I did flag it to the finance committee meeting.

Cllr S. Knight = May I say in response to that, I have no problems with your argument but it would seem that you don't mind somebody working themselves to death for nothing, but you are not very happy if they get some sort of payment.

Cllr C. Quirk = I don't think he should be working himself to death, I think when there are messed up toilets he should be phoning Top Mops to come and sort it out, not him coming down to sort it. We originally agreed that Top Mops would empty the money container (Town Clerk interjected to say that was never agreed, it is not something we would ever agree to) Cllr C. Quirk said it's in one of the documents. Cllr D. Larner said they were contracted to clean and do maintenance but not to collect the money, it's not something she would have agreed to.

Cllr C. Quirk = If someone wants to do that, that's fine, If they don't want to do it, then we pay someone to do it, I don't think we should be paying random Members of the group for the things that we do I think there should be a differentiation just as Members, people employed by the IWC are not allowed to be Cllrs. Should have the same principle.

Cllr R. Priest = Absolutely I put this forward and lets be absolutely clear having checked with auditors and gone through the appropriate procedure If, I can clarify quite a lot of points, I am very mindful about this, its somewhere we don't go without thinking it through, the issue is we are not spending the precept its coming out of the income being generated from the toilets which we never anticipated, so there is a cost attributable to the income generated, it's not out of the precept, its dedicated out of the income being generated a very clear distinction, not that it's a big issue because I think it's exactly the same point, but I'm just saying its coming out of a different thing that generates an income, because we never anticipated because we never knew 12 months on from the process. In terms of special responsibility allowance its clearly something the IWC does and many other authorities, it's not something that's a job for the boys – it's for a special responsibility with due respect the mayor gets it in Shanklin, its happened for the last 30 years in Shanklin it's not something we are introducing that's new, it's something that's tried and tested for most of the Town and Parish Councils on the Island and off of it. It's coming out of a designated income stream not coming out of the precept. Unfortunately at this moment Cllr Gilbey has declared an interest, when I raised the issue it's for the next thirty, forty years of the Town Council

whatever is appropriate. This particular role could be outsourced in due course if that what you want to do, but I think at the moment the issue is what's described. I would say again, if you define a role I'm not clear you would be able to define it in a specific number of hours and the availability very much like the Mayor it isn't a 9-5 job Monday to Friday, when I did it for a couple of weeks I got phone calls on a Sunday I was phoned on Sunday when Rylstone got kicked in, if you had a guy or woman, that was allocated a role and got phoned up on a Sunday, you are talking £50 an hour because that's not part of the contract, you are opening up a whole can of worms, we haven't got a cost alternative if there was a cost alternative that said we are going to employ someone at £30,000 a year, I could understand it but we haven't got that tonight, and that should have been here, if that's what people wanted, it could have been costed we could have raised the precept to pay for a person not a problem, but we are not in that place, we need to be setting a budget tonight, this is the simple way forward, it can be revisited, it's been cleared by the auditor and I think its cost effective, I am also uncomfortable & I've raised that before but given the uncertainty of what the role I, I'd like to see a job description because I don't know what it is, I do know that when I was doing it you are getting phone calls, the Sunday nonsense at Rylstone just highlights how complex it is I remember emails, criminal damage on site, people (Cllrs) chose to phone other Cllrs instead of the police – that was by choice and it will happen again.

The finance committee made the recommendation.

Cllr D. = Cable I think everything Richard you've said make a lot of sense in terms of presentation, it's not jobs for the boys, our problem will be to convey that to everyone in the Town and around. The concern is knowing the full picture, the concern is at the moment what you said I think running out of time is a classic one there's a deadline there wasn't an alternative, we can also commit to saying that on this occasion there is not an alternative in place, that's not to say in future years it won't be reconsidered well in time to consider an alternative.

Cllr C. Quirk = This is not what Richard was saying this isn't what this actually says, it says special responsibility allowance for Cllr Gilbey, I don't have a problem if we are saying there is a special allowance for a particular function and it happens to be Cllr Gilbey. At IWC if someone is an executive member they know what they are doing there is a definition you don't necessarily know how many hours but you will be given an allowance for doing that job, I think this needs to be in writing and I think it needs to be reconsidered in the bigger picture as to whether we do need to employ somebody maybe if we said for 12 months but actually in the meantime review it then there will be a way of acknowledging that someone has to do the job and there's a lot of work there and actually looking at it properly as to how we should do it, in the long term I think we are at the stage now that a Town warden might be someone that we actually need.

Cllr S. Sheath = I think obviously covering all that Cllr Quirk has said I am equally very uncomfortable about this with regard to obviously no one in my personal opinion as a Town Councillor should actually be paid anything from the Town Council obviously the Mayoral Allowance is very specific that is an honoraum but as far as this is concerned I don't believe we should be paying any member of the Town Council whether that is Jon Gilbey or Cllr Priest when Jon is

away, that is my personal view I don't sit comfortably with it, I understand Richards that's his opinion but my personal view is that I would be against this if it went to a vote which I think it should I'd be against it.

Cllr R. Priest = When I raised this about 3 or 4 months ago, that was the reason I raised it to give people the opportunity to do whatever they had to do, I know we had conversations at the time it wasn't for a designated person it was about a role in the Town Council for the future given the situation. I have no interest to be absolutely clear in anything, but I just think I do really appreciate particularly and it came up on the Sunday when Rylstone issue kicked off & everyone got hold of Jon, it just highlighted this is a role, my view, and again picking up Chris's point exactly the same, I don't know how you quantify a job like that, when the toilets are open from 6am – 7pm at night you can get a phone call at any time, it's not within the normal remit of a job, you would have to have zero hours contract, I've looked at all that it's a headache and a half, you have to be very aware before you go down that road, I'm all for us reviewing the situation but it's not as simple as you just employ someone.

Town Clerk = When this came up at the finance committee meeting it didn't come up as `Jon Gilbey` it came up as a person, I think it was Cllr J. Fleming who suggested that because Jon has been doing the job for the past 12 months he should carry on and if he is away Richard does it as he has in the past.

The wording of the proposal was changed to:

To pay a special responsibility allowance (honoraum) to a Councillor for work involved with the toilets.

Cllr D. Lerner Proposed, Cllr E. Knight seconded and a vote ensued votes for the proposal D. Lerner, E. Knight, S. Godden, R. Priest, S. Knight, those voting against the proposal C. Quirk, S. Sheath, R. May, M. Beston, D. Cable, Councillor S. Knight as Chair had a casting vote and the proposal was carried.

**RESOLVED:** To pay a special responsibility allowance (honoraum) to a Councillor for work involved with the toilets.

### **Cllr Gilbey re-joined the meeting.**

## **7.9 REVIEW OF UPDATED FINANCIAL REGULATIONS**

Members' recommend to Full Council that the revised and updated Financial Recommendations be adopted in their entirety.



**RESOLVED:** To adopt the revised and updated Financial Regulations in their entirety.

### **7.10 TRANSPARENCY CODE**

Members' recommend to Full Council **that** the Transparency Code be adopted in its entirety.

**RESOLVED:** To adopt the Transparency Code in its entirety.

### **7.11 2018/2019 TAX BASE AND PRECEPT SETTING IWC**

**RESOLVED:** Members' were in receipt of the reduction in grant from the IWC in the amount of £2818, and noted the loss of the library grant of £4000.

Councillor R. Priest = I am concerned about that with regards to the library, the voluntary sector libraries, Shanklin, Niton, Bembridge etc., if the model for Shanklin was replicated across the Island the potential savings are greater than the IWC, it seems massively inequitable yet again that Shanklin is made to pay for its library, Sandown, Newport, Ryde get treated differently that's massively inequitable. Shanklin's got its theatre Newport has a subsidised theatre, all of those issues concerns me particularly when there a financial opportunity and development opportunity of the library service I think the IWC need to be aware the consequences of this could be shutting Shanklin library one day a week, that could be a consequence of the IWC cutting the grant, IWC need to own that, we've all been in that place, the Town Council can take a different view and open the extra day but it need to be fully clear, like with the toilets, we shut them when the IWC closed them and re-opened them same with the library. We are having to make decisions based on inequity, we are having to bear the whole brunt of providing the service to our community who are already paying council tax, we are going to be paying £11,000 business rates on the toilets that are massively unfair.

Cllr J. Gilbey = The worse thing is the IWC is going to earn £11,000 out of us a year for doing nothing.

Cllr R. Priest = that's really unfair, I'm quite happy they don't want to do it, but we are going to pay £11,000 on top which would pay for a member of staff.

Cllr D. Cable = When you look at the bottom line of what our reserves will drop down to it's a massive change, it maybe probably is a fact of life that we won't be able to commit to doing all these things in the future hopefully not many things will run downhill in our direction over the next year or two, our ability to cope with it will be severely impaled it really is because we haven't got that amount of reserve any more.

Councillor C. Quirk = 2 points: 1. I do totally agree that the inequity of the way it works and that's an ongoing fight that we have picked

up the baton on. 2. It's not just Shanklin being picked on basically all community libraries have lost their funding, there are cuts across the library service, we have to find the £7.5 million from somewhere.

**RESOLVED:** Members' noted the reduction in grant from the IWC in the amount of £2818, and the loss of the library grant of £4000.

#### **7.12 BUDGET 2018-2019**

Members' recommend to Full Council that that budget as presented be adopted in its entirety.

**RESOLVED:** To adopt the budget as presented in its entirety.

#### **7.13 PRECEPT 2018-2019**

Members' thanked the Town Clerk RFO for her work on the budget. Members' recommend to Full Council that the precept request be set at £213296.00 and the grant £5648.

**RESOLVED:** The monies requested from the IWC be set at precept £213296.00 plus grant of £5648.00.

#### **7.14 ANY OTHER MATTER THAT MAY PROPERLY ARISE**

**7.14.1** Councillor C. Quirk had requested an inclusion of £1500 towards a share of the cost of producing a marine report on the effect of dredging in the bay.

Members' recommend to Full Council that £1500 from (Town Improvements) towards the cost of producing a Marine Report on the Effect of Dredging in the Bay once the conditions are met they being: Agreement from all Bay Town & Parish Councils and the IWC that they will contribute to the cost of the Report, and Members' are in receipt of a specification of work on which to make an informed decision.

Councillor C. Quirk = I think we have this back to front, we should be driving this not waiting for Lake to make a decision, I agree you should have a specification, I don't think all the Bay Councils need to contribute – Sandown will come in and we will hopefully come in and the hotel association will put £1,000 towards it, not sure about Lake.

Councillor R. Priest = I recollect a discussion a couple of months ago, it was said that Bembridge was going to chip in and maybe Ventnor, in terms of the message it depends on the specification, if we are taking it somewhere it looks stronger if we are all saying the same thing rather than potentially others saying one thing, like when we talked about the jet ski, it should be a whole bay thing and the IWC need to be a part of it ultimately they are the agency to take it forward, that needs clarity. It is assumed the other Town and Parish Councils have made budgetary provision.

Councillor J. Gilbey = Asked who would be carrying out the survey? Cllr C. Quirk = It is a formal assessment by people qualified and expert.

**RESOLVED:** A budget provision of £1500 towards the cost of producing a Marine Report on the effect of dredging in the Bay, once Members have sight of a specification of works.  
Members' voted on this item & the vote was a unanimous yes.

**8. BUDGET 2018/2019 – LOCAL GOVERNMENT FINANCE ACT 1992**

To agree and adopt the budget as presented

**RESOLVED:** To adopt the budget as presented in its entirety.

**9. PRECEPT 2018/2019 – LOCAL GOVERNMENT FINANCE ACT 1992**

The precept request be set at £213296.00 and the grant £5648.

**RESOLVED:** The monies requested from the IWC be set at precept £213296.00 plus grant of £5648.00.

**10. MINUTES**

**RESOLVED:** That the minutes of the meeting of the Planning and General Purposes Committee held on Thursday 25th January 2018 having been previously circulated, be approved, and signed & to note matters arising, which do not require formal resolution.

**MATTERS ARISING:** There were no matters arising.

**11. MEMBERS' QUESTIONS**

Cllr R. Priest = SSE in bloom meeting in Shanklin. In discussion with the legion re benches at the war memorial, could be match funded with the fire brigade.

Thanks to Lake re budget provision for mugs for school children.

URC Clock work should be underway soon. IW Day met with Robin Courage Shanklin hosting in 2019. This year's theme is the environment. Vectis housing could be interested in developing the library site once vacated. Newport Parish Council has just appointed a facilities officer.

Cllr D. Cable = Press officer.

Cllr J. Gilbey = Asked Cllr Sheath if she could report quarterly on the work she does with Amey.

Jon has got the clock on the Esplanade working, thanks Jon.

**12. ISLE OF WIGHT COUNCILLOR/S' UPDATE**

Cllr M. Beston = Carter Rd on the agenda again, importance of signage and letters out to residents. Green Lane carriage way repaired last year.

Cllr C. Quirk = IWC next week will approve a lawful budget, money coming out of libraries. Proposals for the fire brigade `Day men` wanted the logic is to have `Night men` most call outs are at night. Shanklin has the best call out rate. Wardles in the High Street is looking much better. Plastic windows in the Old Village enforcement issue. Issue with HMO in the Town.

Members' were in receipt of Councillor Paul Brading's written report; Chris picked up on a couple of points:

Christ the King is in a mess, academic side of the school should not suffer.

Term time changes, lots of support. Cuts to SEN services, the IWC are funding what is required.

Thursday 8<sup>th</sup> March 2018 .....