

**MINUTES OF THE TOWN COUNCIL MEETING HELD
ON-LINE ON FRIDAY 25th SEPTEMBER 2020**

PRESENT: R TAPLIN (Town Mayor)
Councillors: Mrs S WORTHINGTON (Deputy Mayor); Mrs S CONBOY; J HLADKIWSKYJ; C HYAMS; P IRVING; P MORGAN; C THOMAS; Mrs S WILSON; G WILSON; J YOUNG

Town Clerk: Ms V PRYCE

No members of the public were present

MINUTES

Action

20/145 TO RECEIVE APOLOGIES AND REASONS FOR ABSENCE:

Cllr VANE PERCY– Appointment
Cllr CAMPBELL – Other Commitment
Cllr HOOKER – Other Commitment
Cllr MAHMOOD – None received
Cllr ROUND – None received

20/146 DECLARATIONS OF INTEREST:

Cllr MORGAN – Lives opposite Complainant

20/147 PUBLIC PARTICIPATION SESSION:

None

20/148 JUDITHS FIELD CIRCUS EVENT:

Cllr THOMAS advised that there was initial approval in March with agreement to accept an offer of £700 for the circus to take place at Judith's Field. Council had then noted in August that a smaller scale event was being offered with Covid safe practices in place and surveys be carried out. Cllr S WILSON had been liaising with Brampton Parish Council who are also receiving a visit from the circus. Cllr S WILSON had assessed the proposal in line with Covid and government guidelines to ensure it was as safe as possible for residents. Cllr S WILSON had received a risk assessment from Mr Town and had scrutinised it accordingly. She also advised that the circus had been inspected by an environmental health officer while playing in Ripon, Harrogate. Cllr S WILSON had made contact with the inspector and had been advised that the inspector had been pleasantly surprised and gave the circus a clean bill of health and felt it was safe; the numbers were limited a 100 maximum and tickets were not selling out. The risk assessment provided was acceptable and environmental health officer advise was that it is safe to proceed, Brampton Parish Council were also content that the risk assessment is appropriate.

Cllr HYAMS expressed his concern about additional users of Judith's Field and toilet provision, and the further concern using the example of football matches not being allowed to go ahead in much larger open spaces. Cllr IRVING asked if the event was really necessary in the current climate as markers from the government were that it was not a good idea to meet in large groups unless it was necessary and he did not think that the circus was necessary. He continued that all council buildings were closed for very good reason and Council had decided not hold the outdoor cinema event; hence all markers are we are trying to keep people away from large groups. Cllr CONBOY shared her suspicions that any decision the Council made today could still change as it was only as good as the day the Council make the decision. Cllr G WILSON felt that the circus was well ventilated with the sides pulled up and with people spread out across a large area, it would be feasible and within government guidelines, and felt it was churlish to refuse on the grounds the Council have concerns about the toilets and car parking as this had been known January. Cllr G WILSON felt that based on what the Council knew at the moment the circus should be allowed, but if legislation changes then we pull it. Cllr THOMAS confirmed that toilets were

being provided by the circus in accordance with conditions and regulations which have been approved by officials in Harrogate. Our Covid expert has assured Council that this event meets all the current requirements and, if we are going to refuse, he wanted to know on what grounds. Cllr HLADKIWSKYJ advised he was concerned as it was being considered as an outdoor venue but it has walls, and he voiced his concerns regarding cleaning and airing between three shows a day. Cllr HLADKIWSKYJ advised that Covid was not just spread by coughs and sneezes but that it was also spread by aerosol. Cllr S WORTHINGTON queried the Council's liability if it was cancelled later on and if the circus had sold advanced tickets. Cllr S WILSON reiterated that the environmental health inspector must have examined the cleaning and conditions they applied in-between performances and had given it a clean bill of health. Cllr YOUNG expressed his sympathy with each side of the argument but felt that at the moment Council should be veering on the side of caution and shared Cllr HYAMS misgivings that if there were even one case of Covid as a result of the circus, and somebody was to die the Council would feel that they had been involved with a decision to allow that to happen.

The MAYOR proposed that the event should be allowed to go ahead, the vote was recorded accordingly.

FOR: Cllr G WILSON, Cllr S WILSON, Cllr S CONBOY, Cllr THOMAS;

AGAINST: Cllr HYAMS, Cllr YOUNG, Cllr IRVING, Cllr MORGAN, The MAYOR (casting vote);

ABSTENTIONS: Cllr S WORTHINGTON, Cllr HLADKIWSKYJ

It was therefore **resolved** that the circus would not go ahead and the Town Clerk would write to Mr Town to advise him of the decision.

Town Clerk

20/149 OPT TO TAX:

Cllr THOMAS advised the Council had received a grant of £190k from CCF funding which would be matched from the Council's CIL resources by £100k for the development and enhancements at the Nursery in line with the business plan. The Council would lose £38k to HMRC in VAT, therefore proposed - as we have already done with the QES and Judith's Field - that the Clerk register the Nursery for VAT thus being able recoup VAT on expenditure.

The MAYOR proposed the Council register the Nursery for VAT; all were in favour and it was so **resolved**.

Town Clerk

20/150 FINANCE:

The MAYOR proposed that council approve the payment of to London Hearts for the purchase of defibrillators; all were in favour and it was so **resolved**.

PUBLIC BODIES (ADMISSION TO MEETINGS) ACT 1960 EXCLUSION OF THE PRESS AND PUBLIC: It was resolved that in accordance with Section 1(2) of the Public Bodies (Admission to Meetings) Act 1960 and by reason of the confidential nature of the remainder of the business, the Press and Public be excluded from the meeting.

20/151 VEXATIOUS COMPLAINT:

The MAYOR thanked Cllrs THOMAS and HLADKIWSKYJ for assisting him in the lengthy and complex situation in which the resident had conflated District, County and Town Council enquiries. The MAYOR advised that correspondence had begun on 26th October. The cause for concern was that the Council have tried to deal with his frequent questions fairly and have provided straight-forward responses on the same matters, and had advised him that we have looked to see if his correspondence borders on vexatious. The Clerk advised that the HDC Monitoring Officer was surprised that the Council was recommending that the correspondence was not vexatious. Cllr S WORTHINGTON also advised that she was disappointed with the decision and did not agree with it. Cllr S WILSON firstly thanked the group for the removal of information provided in the interim draft report relating to District and County Cllrs, having read documentation about similar cases where this potentially causes confusion. Cllr CONBOY also thanked the group for removing references to District

Signed:

Dated:

and County Cllrs and asked if the letter regarding vexatious behaviour had been sent out previously. The Clerk advised that she could not recall if her predecessor had sent the letter. Cllr S CONBOY advised that a letter had been drafted previously to the same resident regarding his vexatious behavior, but it had not been sent as the complainant left the town. Cllr HYAMS requested that a vote be taken as to whether it was vexatious.

The MAYOR proposed that the Council should agree that the level of communication did amount to vexatious behaviour; the majority were in favour and it was so **resolved**. The Town Clerk would write to the resident that, under the Council's Vexatious Complaints Policy, his current repeated enquiries and comments had been considered vexatious, and that further similar correspondence would not be actioned.

Town Clerk

PUBLIC BODIES (ADMISSION TO MEETINGS) ACT 1960 RE-ADMITTANCE OF THE PRESS AND PUBLIC.
Council resolved that the confidential business having been concluded, the Press and Public be re-admitted to the meeting.

Meeting finished 11.59

The next Town Council meeting will be held on **Thursday 15th October** online, starting at 7.00pm.

Signed:

Dated: