

Minutes of the Annual Council Meeting
held on Monday 16 May 2022 at 7.00pm

Present: Cllr Olivia Campbell, Cllr Sarah Ellwood, Cllr John Irven, Cllr Cosmo Johnson, Cllr Peter Murphy, Cllr Nigel Moss, Cllr Sean Terrett, Cllr Dave Westcott, Cllr Amy Ward and Cllr Loretta Whetlor

In attendance: Sarah Reed, Town Clerk, Jo Grellier, Deputy Clerk, District Cllr Aldridge

Before the first item of business was transacted, Cllr Irven made the following statement to returning Cllrs and new Cllrs. Congratulations to all, with gladness at the inputs to come from everyone, but sadness at the loss of Martin Brake, who had been giving invaluable service on both Community Centre and Planning committees from his expertise as a skilled tradesperson and carpenter as his input will be missed.

All 12 members of this Council are all equal irrespective of prior service on council or number of votes cast for us and all opinions are equal in debate. We are therefore a group of PEERS. It is full council as a corporate body or its delegated committees who take decisions on behalf of the electorate, not officers, but it is then officers who execute those decisions

No member can represent views of the Town Council externally or publicise them – this is via the Clerk unless specifically delegated. All press statements and social media posts are submitted via the Clerk.

The Chair is not an executive role. Its function is to chair the full council meeting, control proceedings according to standing orders and code of conduct. Speaking at meetings is by invitation of and through the Chair, not by interrupting. The Chair rules on the conduct at a meeting, and the only distinction is by having the casting vote in the event of a tied vote at full council. When the Chair sits on other committees it is as an ex-officio member only, and the control of the meeting falls to the Chair of that committee who has the same status as all other members. Chairs of a Committee cannot take decisions on behalf of council unless delegated.

In addition, the Town Council conferred the title of Mayor onto the Chair for when they represent the Town Council at external civic functions, the first Mayor was Cllr Whetlor, second was Cllr Murphy, and Cllr Irven is the third to date.

Some speculation why the Mayor is not elected by popular vote, or why not necessarily the Councillor with most votes at an election.

The response from SALC was conveyed by the Clerk - the answer to this one is fairly straightforward – a Town Council cannot have a directly elected Mayor, this is an executive function reserved for principal authorities and replaces the role of the leader of the council in such areas that decide to have a directly elected Mayor. The legislation that enables this does not extend to the Parish/Town Council sector.

Cllr Irven continued:

It has been my privilege to serve you all as chair for the last 4 years, extended because of COVID. I wish to thank all of you and the staff for your support, particularly Sarah Reed for support as Clerk and Proper Officer, Cllr Campbell for her support as Vice Chair, and to all the Chairs of Committees, together with the other Council staff.

The Town Council must elect a Chair at the beginning of each year at the Annual Council Meeting, and historically the Chair has served for a period before rotating to others, although there is no limit in legislation. Previous holders often come back for further terms, as can be seen on the Chairman Board.

I have been asked whether I would accept nomination for a further term, but believe it is time to stand aside for others to have an opportunity, particularly where they have not had an opportunity to serve before.

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1. **Election of Chairman:**

Cllr Irven as the existing Chair of Council asked for nominations for the post of Chair

Cllr Irven proposed Cllr Campbell. Seconded by Cllr Ellwood

As this was uncontested, Cllr Campbell was elected Chair of Watchet Town Council and Mayor of Watchet for the 2022-23 period. Cllr Campbell thanked members for their confidence in her as Chair and she would try her very best to serve the Council and the community well.

2. **To receive the Chairman's declaration of acceptance of office:**

The Chairman's declaration of acceptance of office was signed and witnessed by the Proper Officer.

3. **To receive Apologies for Absence:** members agreed to note the apologies from County Cllr Davies.

4. **Election of Vice Chairman:**

Cllr Campbell asked for nominations for the post of Vice Chair of Council.

Cllr Ward proposed Cllr Johnson. Seconded by Cllr Irven

Cllr Terrett proposed Cllr Whetlor. Seconded by Cllr Westcott

With a tied vote, the Chairs casting vote came into operation. Cllr Campbell voted for Cllr Whetlor who was elected as the Vice Chair of Watchet Town Council and Deputy Mayor of Watchet for the 2022-23 period.

5. **To appoint Committees**

The following Committees were appointed:

a. Environment & Planning

1. Cllr John Irven
2. Cllr Cosmo Johnson
3. Cllr Peter Murphy
4. Cllr Nigel Moss
5. Cllr Dave Westcott
6. Cllr Olivia Campbell – *ex-officio*
7. Cllr Loretta Whetlor – *ex-officio*

b. Finance & General Purposes & Cemetery

1. Cllr Sarah Ellwood
2. Cllr John Irven
3. Cllr Peter Murphy
4. Cllr Dave Westcott
5. Vacancy
6. Cllr Olivia Campbell – *ex-officio*
7. Cllr Loretta Whetlor – *ex-officio*

c. Tourism & Leisure

1. Cllr Cosmo Johnson
2. Cllr John Richards
3. Cllr Sara Summers
4. Cllr Sean Terrett
5. Cllr Amy Ward
6. Cllr Olivia Campbell – *ex-officio*
7. Cllr Loretta Whetlor – *ex-officio*

d. Grievance Panel – 3 members

Cllr Murphy proposed that *'the following members are appointed'*.

1. **Cllr Olivia Campbell**
2. **Cllr Peter Murphy**
3. **Cllr Dave Westcott**

Seconded by Cllr Whetlor. Carried

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e. Appeals Panel – 3 members

Cllr Campbell proposed that *'the following members are re-appointed'*.

1. **Cllr Cosmo Johnson**
2. **Cllr John Richards**
3. **Cllr Loretta Whetlor**

Seconded by Cllr Johnson. Carried

6. Appointment of Representatives to other bodies

The following Councillors were appointed as representatives from this Council on Outside Bodies:

- a. **Memorial Ground Management Committee - 1 member**
Cllr John Irvén
- b. **Museum Committee - 2 members**
Cllr Cosmo Johnson and Cllr Loretta Whetlor
- c. **Twinning Society – 1 member**
Cllr Loretta Whetlor
- d. **WACET organisation – 1 member**
Cllr Peter Murphy
- e. **Friends of the Flatner – 1 member**
Cllr Sara Summers
- f. **St Decumans Charity – 1 member for a 4 year term (until 2023)**
Cllr Dave Westcott
- g. **Harbour Advisory Committee/ Harbour Board – 1 member**
Cllr Peter Murphy
- h. **WS Citizens Advice Bureau – 1 member**
Cllr Cosmo Johnson
- i. **Minehead and Watchet CCTV Group – 1 member**
Cllr Dave Westcott
- j. **Carnival Committee – 1 member**
Cllr Sean Terrett
- k. **Somerset Association of Local Councils – 1 member**
Cllr Loretta Whetlor
- l. **Watchet Conservation Society – 1 member**
Cllr Amy Ward
- m. **Coastal Communities Team – 1 member**
Cllr Peter Murphy
- n. **Dementia Alliance Committee – 1 member**
Cllr Amy Ward
- o. **Quantock Foodbank – 1 member for a 4 year term (until 2023)**
Cllr John Irvén
- p. **Watchet Plastic Free Steering Group**
Cllr Sarah Ellwood
- q. **Bickwatch EV Pilot Project 2021-22**
Cllr Cosmo Johnson

7. Subscriptions to be paid annually:

The Clerk informed members that the affiliation fee for 2022-23 from the Somerset Association of Local Councils (SALC) had not yet been received but was due for payment. Duly noted.

8. Inspection of the deeds in the custody of the Council:

It was agreed that the Chair of Council and the Clerk would schedule an appointment with the solicitor to inspect the Council's deeds in due course.

9. To agree to a review of the following:

- **Financial Regulations** – The Clerk informed members that the regulations would be reviewed, and any relevant changes brought to a future Council meeting.
- **Standing Orders** - The Clerk informed members that the regulations would be reviewed, and any relevant changes brought to a future Council meeting.
- **Cheque Signatories:** The Clerk informed members that a review of Cheque signatories would be undertaken, and an update reported at a future council meeting.
- **Scheme of Delegation** – *circulated prior to the meetings via Appendix 1a* – Cllr Johnson proposed that *'the revised policy document as presented is approved'*. Seconded by Cllr Whetlor. Carried

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- **New Model Code of Conduct** – circulated prior to the meeting via **Appendix 1b**- Cllr Johnson proposed that '**the new Model Code of Conduct is adopted**'. Seconded by Cllr Whetlor. Carried.
- **Health & Safety Policies and Documentation** – Update from the EH&S Designated Officer – Cllr Irven reported the following:

EH&S is a challenging area. Under the HASAWA employers like WTC with 5 employees must have a written EH&S policy and undertake appropriate risk assessments. Failures or breaches of law can lead to enforcement action or criminal prosecution by the HSE for negligence. WTC does have written EH&S policy and procedure, the templates for these were originally drafted by a consultant in 2010. Updated version produced Dec 2020-Jan 2021, but council may not have formally adopted these due to COVID suspending meetings.

As designated EH&S Officer it is my role to advise WTC on requirements for both employees but also public liability, approve risk assessments but NOT necessarily produce all the risk assessments for the council, BUT those not currently defined within the policy.

Often a thankless task, the role of a good safety officer is not to stop you doing something that is unsafe, rather I am here to help you do things safely. However, in cases where breaches occur, then the role is to help enforce requirements.

I have been doing this role mainly because others have been reluctant to, and because I have a level 3 ROSPA recognised qualification in managing health and safety in the workplace.

The last few years have been very challenging due to COVID. Understanding COVID rules and regulations, ensuring WTC meets them, as well as putting in place risk assessments and procedures that allowed us to still operate safely during COVID.

We closed what we had to and kept open what we needed – grounds staff working outdoors, office staff working from home. With great help from Cllr Campbell, who we then designated as Hygiene and Wellbeing Officer, on the health and hygiene requirements, I created and put in place approved risk assessments for operating at home, in the office, toilets, community centre, Henry Davey, Playgrounds and Market operation.

Reopened in safe manner hybrid working in the office/home supported by personnel committee.

- Full set of COSHH forms and log for chemicals
- Full, RA for market, gazebos and adverse weather provisions
- Building fire risk assessments
- Library assessment joint SCC/WTC passed HSE assessment of compliance to COVID
- I am asked to approve risk assessments for use of WTC facilities.

Most recently faced the challenge of major subsidence at West Street allotments, and after an inspection they were closed. Facilitated study by Geckoella FOC to assess scale. Recommended to E&P Committee to permanently close 4 allotments due to safety, staff negotiating with tenants about closures. Keep open fifth allotment and car park. Obtaining scope for ongoing assessment of stability and long-term safety of car park and allotment.

Input on this to objection to Cleeve Hill due to geological instability in addition to external consultant view on car and pedestrian safety to SW&T planning.

We invited SW&T planning committee to visit our allotment to view problem when they visited Cleeve Hill, if it was under EH&S supervision due to the risks at site. Unfortunately, we received no confirmation of acceptance, no advance notice of their visit, only becoming aware of it after it had been set up. At the last minute we arranged for appropriate representation at site to host and supervise the visit. I had to clarify to SW&T that WTC EH&S requirements need to be met, because we should not have had to remind those involved in organising the visit that stipulations of the EH&S Officer should not be ignored.

Ongoing -Due to COVID prior agreed actions still to be completed

I have previously produced RAs for mowing and grounds maintenance etc including mechanised equipment, but

- Cllr Terrett agreed to review and update operational risk assessments for grounds staff

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- Cllr Campbell agreed to review and update office RAs as these date from old office and relate to wellbeing. Also need agreed updated joint RAs with VC for use of shared facilities.
- Need to finalise updated and agree and adopt EH&S policy from the Deputy clerk including delegation of roles.
- As I cannot find hard copies or locate where electronic copies are stored on the original cd disc or office computers – probably due to changes in pc and working at home/office, we need to locate these still.

Cllr Irven concluded his report and asked the question of whether the council wish him to continue as designated EH&S Officer for the foreseeable future- Cllr Campbell proposed that **'Cllr Irven continues in the role of designated EH&S Officer and a working group comprising of Cllrs Campbell, Irven and Terrett is set up to undertake a Health & Safety Review under a standard agenda item at Full Council meetings'**. Seconded by Cllr Whetlor. Carried.

The Chair thanked Cllr Irven for his hard work in fulfilling this role especially through the challenging times of the pandemic.

10. **Acceptance of Office** – Local Government Act 1972 (LGA 1972) s.83
1.1 If you are elected and do not make a declaration of acceptance of office at or before the first meeting after the election (or a later meeting if that is permitted by the parish council) your seat will become vacant, and a further notice of casual vacancy will need to be published.

Cllr Whetlor proposed that **'Councillors Richards and Summers who are absent from this meeting are given permission to sign their acceptance of office papers before or at the June meeting of Full Council'**. Seconded by Cllr Terrett. Carried with 9 votes for, and 1 vote against.

11. **Declarations of Interest:** Watchet Town Council's Code of Conduct (adopted on 9 July 2012) Issued in accordance with the Localism Act 2011, and the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 SI No: 1464

Name	Minute No:	Description of Interest	Personal / Prejudicial	Action Taken
Cllr Whetlor	All items	As District Ward member for Watchet	Personal	Cllr remained in the room and participated in the discussions and voting
Cllrs Irven and Murphy	18 (i)	As members of Friends of Somerset Libraries (FOSL) and Watchet Library Friends (WLF)	Personal	Cllr remained in the room and participated in the discussions and voting

12. **Town Council Minutes - To confirm and sign the Minutes of the Council meeting held on 4 April 2022** (LGA 1972, Sch 12 Para 41 (1))
Cllr Campbell proposed that **the minutes of the Town Council meeting held on 4 April 2022 are adopted as a true and correct record**. Seconded by Cllr Johnson. Carried

13. **Update Reports– verbal**

(i) **Chairs report** - Cllr Campbell invited former Chair, Cllr Irven to report on any events he had attended on behalf of Watchet Town Council - Due to the pre-election period, Cllr Irven did not attend or represent WTC formally at many events, except for when attending with other councillors and staff the funeral of David Banks a prior chair of this council, and similarly the Annual Town Meeting in April.

(ii) **Clerks report-** several councillors have raised concerns with the Clerk relating to the way in which some social media sites were used as publicity platforms during the recent Watchet Town Council election. The Clerk drew attention to the Councils adopted social media Policy- section 8 (i) *be respectful and 8(v) make it clear your opinions are your own- unless you are authorised by the Town Council or the Proper Officer of the Council, you cannot speak on behalf of the Council, so don't portray yourself as spokesperson even in an unofficial capacity on any issue relating to Watchet Town Council'*

14. **Reports from Principal Authority Members:**

1. In the absence of County Cllr Davies, the Clerk circulated a report prior to the meeting for members information.

2. Cllr Aldridge made comment on the recent site visit by the Planning Committee to the proposed Cleeve Hill development site and the options appraisal assessment report for the realigning of the

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B3191. He also commented on the recent temporary 7.5 weight restriction on the B3191. The order refers to work being carried out, so he emailed County to find out what work was planned.

District Cllr Aldridge thinks the reply will be of interest to the Town Council (attached) as the reasons behind the order as on its official documentation do not appear to be correct. Contrary to what is given as the reason, no work is planned in the next 21 days and the weight restriction is not temporary, but permanent. District Cllr Aldridge asked that this matter is considered by the Environment & Planning Committee at their next meeting.

District Cllr Aldridge concluded that in his opinion it seems likely that the Cleeve Hill application will be up for consideration in the near future. It seems a little more than coincidence that the "temporary" weight restriction is being made now and is destined to become permanent.

3. Cllr Whetlor – nothing to report

Questions from the floor:

Cllr Westcott asked 'who is responsible for enforcing the weight restriction, as the Police do not enforce it and lorries are still using the route?

District Cllr Aldridge responded 'a lorry attending a recent site visit was witnessed using the route and it was over the weight limit.

District Cllr Whetlor commented 'that the weight restriction has affected both the HPC bus and recycling lorry which are over the weight limit, some further clarification on the category of this notice needs to be sought.

The Chair thanked District Cllr Aldridge for his report.

15. Reports from Representatives of outside organisations

Cllr Irven as representative on the '**Quantock Foodbank**' reported that the trustees met and reviewed and approved policies, procedures, and an approach to risk management as required to meet Charity Commission guidelines. We agreed to place a purchase order as a deposit for the chassis of the electric van aiming to become our mobile pantry vehicle. This will be subject to a long lead time during which we will build further stakeholder support and establish remaining funding mechanisms.

Cllr Terrett as representative on the '**Carnival Committee**' reported that owners of the former mill site has given permission for parking to assist events such as the wheelbarrow race and the street fayres.

Cllr Ellwood as representative on the '**Watchet Plastic Free Steering Group**' reported that the new community leads Ruth and Andy Levett had taken up their positions, and a huge thank you was given to Mark Ward who is standing down as community lead and who has done an amazing job.

16. To receive and sign the minutes of the following committees and to adopt the Resolutions and recommendations contained therein (LGA 1972, Sch 12 Para 41(1))

• **Tourism & Leisure Committee (7 April 2022)**

Cllr Whetlor as Chair of the Committee proposed that ***the Minutes of the meeting held on 7 April 2022 are adopted as a true and correct record***'. Seconded by Cllr Irven. Carried.

• **Finance & General Purposes Committee (11 April 2022)**

Cllr Murphy as Chair of the Committee proposed that ***the Minutes of the meeting held on 11 April 2022 are adopted as a true and correct record***'. Seconded by Cllr Westcott. Carried.

• **Environment & Planning Committee (14 April 2022)**

Cllr Westcott as Chair of the Committee proposed that ***the Minutes of the meeting held on 14 April 2022 are adopted as a true and correct record***'. Seconded by Cllr Irven. Carried.

Matters of report – District Cllr Whetlor informed members that a bin had been re-installed in Anchor Street Car Park, but not a new recycling bin.

17. Verbal reports from sub-committees, working groups, and other outside organisations where Watchet Town Council does not have representation:

(Notification to the Clerk prior to the meeting) – none received

18. Reports from Working Groups:

a. **Library:** no report

b. **Climate Change** - no report, but a reminder was given that as this matter is now under the remit of the Environment & Planning Committee this working group would either be reappointed under this Committee or disband, a decision to be made by the Environment & Planning Committee at the appropriate meeting.

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Former Taxi Office:

Update and recommendations- **report by the Clerk as follows:** As members are aware negotiations are ongoing with Onion Collective to agree an acceptable rental figure for the office space, formerly known as the 'Taxi Office'. Since the lease expired with the former tenant, Watchet Town Council has acted in good faith to secure the space which has been evidenced as being beneficial to both parties. Onion Collective CIC has offered based on a commercial valuation the rental charge of £2,000 per annum, equating to £21.85 per square ft. The Town Council believed that this is an overinflated and unrealistic charge for a Watchet property and produced a research report outlining comparable rentals which were significantly lower than £21 per sqft. The Town Council agreed the following:

AGREED at the March meeting - *It is advisable that the Town Council request that evidence is sought from the Onion Collective's valuer on how the figure of £21 per sqft is substantiated and calibrated, as it is stated in the valuation that he was 'unable to find any direct comparable sales of small freehold offices'. If the Town Council wish to demonstrate best value in spending taxpayers' money, then they should seek further negotiations with regard to the rental charge, with the aim to seek a compromise that is beneficial to both parties.*

To offer to pay a rental charge of £1,000 per annum = £10.92 pe sqft, and £83.33 per month rather than the proposed £166.66. This is slightly above average but demonstrates that the Council wish to work amicably in securing the space.

If this is not accepted by Onion Collective, then possibly review in 3 months' time, or if additional information comes to light, then this can be reviewed in the interests of both parties. If the space is rented out to a third party, then the Council can revert to a new receptionist in the Visitor Centre, if the space is not rented out, then further negotiations maybe forthcoming with Onion Collective CIC on the Town Council not only seeking an independent valuation, but also come to an agreement on an acceptable rental charge.

Since the offer was submitted, Onion Collective has declined the offer and state that they will not move on the proposed rental charge of £21 per sqft. They also offered examples of comparable rentals in the area which were on a par with £21 per sqft and £2,000 per annum.

On seeking advice, it is evident that the examples provided to justify the valuation of £21.85 per sq foot are most or all referenced as 'Serviced Offices' which according to advice sought, can mean various different things but usually involves rents inclusive of electricity, heating, business rates etc. It is the Councils understanding that the rent of £21 per sq ft is based upon a standard commercial lease with the Town Council being liable for utilities, shared facilities, furniture and equipment, as the office as it stands is an empty shell, which the Town Council will have to decorate and furnish before it can be used. The Town Council through its shared service agreement with Onion Collective CIC already pay their share of electricity, alarm maintenance etc. for both the kitchen area and toilet facility. This information has been conveyed to Onion Collective, together with the fact that the Council are interested in the rental of the space and do want to work amicably with them. With this in mind, and the fact that this matter is to be updated at the Full Council meeting this evening, would it be beneficial to agree to an option to meet in the middle as follows:

- A rental offer of £1,000 per annum equating to £10.92 per sq foot – **declined**
- A rental offer of £1500 per annum equating to £16.39 per sq foot – **final offer**

A long discussion ensued whereby Cllr Johnson proposed that **'the Council are in agreement that there remains some value in renting the space as an additional area for staff working and would like to progress this matter with Onion Collective CIC. It confirmed that the Town Council is in favour of a 12-month rental agreement option, but not under the current terms offered by Onion Collective whereby the Council would be liable for a full repairing lease and to cover costs for fittings, furniture and payment of shared services and utilities charges. The Council agree that these are already covered under the existing shared services agreement. The Council will increase its offer to £1500 per annum but requires this to be a non-repairing lease. After 12 months has elapsed and if the rental is beneficial to both parties, then the Town Council would like to explore an option of extending the lease, with the aim of an option of freehold purchase. The Town Council understand that this will be subject to future negotiation. This is the final offer from the Town Council made in good faith and the hope that it can be looked upon favourably as a good financial compromise'**. Seconded by Cllr Whetlor. Carried with 9 votes for and 1 abstention.

LAW

21. Matters of correspondence for Report

The Councillors were informed that correspondence is addressed daily and filed. The Clerk referred to:

1. *Watchet LIVE CIC* – thank you to the Council for awarding the grant of £3,500 to help support the Watchet Carnival day

2. *Watchet LIVE CIC* – notification of a road closure on Saturday 30 July 2022 for the Watchet Carnival scheduled to start at 2pm at the junction of Swain Street, anticipate that the road closure will be in place until 8pm.

22. Accounts for payment – Acceptance of April Accounts for payment in May, see accompanying schedule

Cllr Johnson proposed that the April accounts for payment (due for payment in May) are approved and duly paid. Seconded by Cllr Campbell. Carried.

23. Matters for the next meeting

- Approve Annual Financial Statement

The meeting ended at 8.45pm

Signed: *L. A. Whetlor*

Dated: *15th June 2022*