



ATTLEBOROUGH TOWN COUNCIL

Town Hall, Queens Square, Attleborough, Norfolk, NR17 2AF
Tel: 01953 456194 - email:enquiries@attleboroughtc.org.uk

**You are summoned to the Meeting of
Attleborough Town Council
To be held on Monday, 1 March 2021 at 7.00pm**

THIS MEETING WILL BE HELD VIRTUALLY AND WILL BE STREAMED LIVE FOR THE PUBLIC TO VIEW VIA A LINK WHICH WILL BE AVAILABLE ON THE COUNCIL'S WEBSITE. THE LINK WILL BE ACTIVATED PRIOR TO THE START OF THE MEETING.

THIS MEETING IS IN LINE WITH THE LOCAL AUTHORITIES AND POLICE AND CRIME PANELS (CORONAVIRUS) (FLEXIBILITY OF LOCAL AUTHORITY AND POLICE AND CRIME PANEL MEETINGS) (ENGLAND AND WALES) REGULATIONS 2020

<http://www.legislation.gov.uk/ukxi/2020/392/contents/made>

Clr Philip Leslie

24 February 2021

Attleborough Town Mayor

AGENDA

To transact the undermentioned business; to receive the following reports and to make such orders or give such directions as necessary: -

1) Mayor's Welcome

2) Apologies for absence

To receive and accept apologies for absence.

3) Councillor Co-Option – for consideration and resolution

30 Mins

4) Declarations of Interest

a) To receive and consider declarations of interest in items below

(Members are no longer required to declare personal or prejudicial interests but are to declare any new Disclosable Pecuniary Interests that are not currently included in the Register of Interests. Members are reminded that under the Code of Conduct they are not to participate and must leave the room for the whole of an agenda item to which they have a Disclosable Pecuniary Interest. Members may disclose any other interests they may have in the interests of transparency)

b) To receive and consider dispensations in respect of Disclosable Pecuniary Interests.

5) Public Participation

10 Mins

Members of the public may now participate in the meeting and speak in this item. The registration details will be available on the website. <https://attleboroughtc.org.uk/>

6a) Minutes of the Town Council meeting held on 1 February 2021

5 Mins

– for acceptance and approval

7) Planning Matters

5 Mins

- a) Planning Applications** – Applications agreed and responses made – for confirmation by members.

8) Financial Matters

15 Mins

- a) To authorise payments** – for acceptance and approval
b) To agree direct debits – for acceptance and approval
c) To receive Income – for acceptance and approval
d) Petty Cash payments – for information
e) Income & Expenditure Report January 2021 – for information
f) Appointment of Internal Auditor - for resolution
g) ATTCARE Grant Application – for consideration and resolution

9) Budget 2021/22

- a) Draft budget 2021/22** – for consideration and resolution

5 Mins

10a) Taylor Wimpey Transfer of Allotment / Public Open Space Area
for information –

15 Mins

- 10b) Allotments** – Queens Road & Grosvenor Park, London Rd -
for consideration and resolution

11) Proposal to ATC from AHG concerning Town Archive Building-
for consideration and resolution

5 Mins

12) Any other items which the Chairman decides are urgent

Any items for discussion only –

10 Mins

13) Public Participation

10 Mins

Members of the public may now participate in the meeting and speak in this item. The registration details will be available on the website. <https://attleboroughtc.org.uk/>

14) Exclusion of Press and Public

To pass a resolution excluding the press and public from the meeting under Section 1 of the Public Bodies (Admission to Meetings) Act 1960 given the sensitive nature of the business to be discussed

15) Update from Investigation Committee

10 Mins

- a) Investigation Report**
b) Judicial Review

MAXIMUM MEETING TIME TWO HOURS

Dear Sirs,

I am writing to express an interest in the above vacancy.

I have lived in Attleborough for the last 33 years and both my grown up children went to school in Attleborough. I have seen the town change and expand over the years, not always for the good of the residents. I would like to be involved as I love the town and would like to give something back.

My background is in finance and I ran the financial services side of a large Norwich accountancy practice for 10 years. In 2008 I took a leap of faith and became an NHS GP practice manager and have managed various practices since then. The COVID pandemic has made primary care change its way of working overnight, so I am used to dealing with stressful situations. I am also lead practice manager for the primary care network in Mid-Norfolk.

I hope I could bring my experience of dealing with people, finance, working under extreme pressure and sense of humour to the council. I have never worked in this arena before, but I am a director of South Norfolk Healthcare which is a community interest company supporting the local health economy, so have dealt with difficult situations before.

I look forward to hearing from you in due course.

Regards

Sue Marsh

Good morning,

And thank you in advance for consideration of my application to become a Councillor for Attleborough Town Council.

Reason for myself wanting to become a Town Councillor.

I am 30 years old and have been a resident in Attleborough from the age of 10 and really enjoy being part of this Town, and the local community. I feel that the Council is at the heart of our Town and is a place where positive change can take place, and I really want to be a part of this change. I absolutely love our Town, and watching the previous Council meetings, can see where the steps forward can be made. I've worked within the Town at one of the local supermarkets, and have a Brother at one of the local primary Schools, and also know a wide range of people within the community, so feel a place on the council is somewhere I can join and help fellow Councillors bring this Town forward, unite the community and keep Attleborough a great place to live, work and thrive in.

Previous community, council, educational, work or vocational experience.

For the last ten years I've worked in a Business-to-Business Audio Visual sales company called Midwich which is based in Diss, My roles have included Sales Account manager, and Sales Specialist. Alongside this I have been part of our Charity Council helping to raise money for local charities, that are changed bi-yearly. I've organised events mainly based around Sport, helping to raise money whilst bringing groups of people together to play football as a team and get to know other colleagues within the business. I am also a volunteer with St John Ambulance as an event first aider, and help out within the SOS Bus in Norwich (although the past year has been difficult to attend any events due to obvious reasons). I'm also part of a local Am Dram group, and Tennis Club, serving on the Committee for both organisations, most recently the tennis club.

Other skills I can bring to the council.

My sense of wanting to support, and help other people within a community. I really have enjoyed my voluntary commitments on previous committees, and continue to enjoy being part of St John Ambulance, and this will continue moving forward. I honestly care about our community, and as mentioned, I love being a part of this Town. I will also stand up for what I believe is right, and I feel this is a positive attribute. Working within a corporate business environment as well, I believe could be a benefit, as I feel I can liaise and interact with other businesses well and help bring local and national businesses closer to the council. I am also confident with speaking, and presenting to a group of people, and also listening to the views of local people and being able to interpret them and bring issues forward when needed. I am also competent on Outlook, Word, Excel and PowerPoint, and can adapt to new systems well.

Kind regards,

Joshua Francis

Hi Phil

Further to your comments at yesterday's council meeting, I would like to express my interest in standing as a councillor. I am not sure if you will be co-opting or holding an election, and I am unsure on the current procedure for replacing a councillor. Hopefully, you are able to provide some guidance.

I am an Attleborough resident and have been so for 20 years. I work as Assistant Principal in a large primary school in Suffolk and have previously been a governor at Attleborough infant and junior schools (as they used to be) when my children attended them.

Many thanks
Andy Smith

COUNCILLOR CO-OPTION PROCEDURE

Town councils are permitted to co-opt a qualifying person on to the Council to fill a vacancy when the requirements to hold an election have not been met. To ensure the open and transparent co-option of Councillors the following procedure will be followed.

1. Attleborough Town Council will advertise councillor vacancies on its website and social media. The Mayor of the Council, or Chair of the meeting if the Mayor of the Council is unavailable, will announce vacancies in a Full Town Council meeting.
2. Interested candidates who are eligible to stand as a Councillor are invited to send an email to enquiries@attleboroughtc.org.uk by a specified date of no less than 3 weeks from the announcement. This email should include:
 - a. The reason for them wishing to be a Councillor.
 - b. Previous community, council, educational, work, or vocational experience;
 - c. Other skills they can bring to the Council; and
 - d. Contact information (Please note councillors are required to have a means of contact by telephone and/or email publicly listed, and these emails will form part of a meeting pack prior to the meeting at which a Town Councillor is to be co-opted).
3. At the following Full Town Council meeting (after the deadline noted in point 2) candidates are invited to publicly say something about themselves. Each candidate will be allocated a maximum of 5 minutes. Councillors will be given an opportunity to ask the candidates questions before voting takes place. If there are a significant number of candidates, the Town Council may call an Extraordinary Full Council meeting to allow time for this process.
4. The Chair of the meeting will request the Councillors present to nominate any of the candidates. Candidates will require a proposer and seconder to progress to the voting stage. If there is only one vacancy, a Councillor may only nominate or second one candidate. One candidate needs to receive an absolute majority of votes to become a Councillor.
5. The Chair of the meeting will then place the names of those nominated into alphabetical order and proceed to vote. Councillors will have one vote per vacancy to be filled. Voting will be by a show of hands and will continue until one candidate has received an absolute majority of those Councillor's present. At this stage, the successful candidate will be declared co-opted. Should no single candidate receive a majority on the first vote, the candidate with the lowest number of votes is eliminated. Voting will then take place for the remaining candidates until one person receives an absolute majority.
6. The successful candidate is then declared co-opted to the Town Council and will be asked to join the meeting as a Councillor. The successful candidate is a Councillor in their own right and is no different to any other member; co-option is a legitimate form of election as part of the election process.



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**Minutes of the Virtual meeting of the Attleborough Town Council
Held on Monday, 1 February 2021 at 7.00 pm**

Present:

Cllr P Leslie - presiding
Cllr K Montague Cllr B Bulmer Cllr J Ellis Cllr V Dale
Cllr T Taylor Cllr E Tyrer Cllr A Westby Cllr Grave
Cllr W Loades Cllr J Roper Cllr A Busk (arr. 19.20pm)
Cllr B Cousins

In attendance – Anne Willett – CEO's Assistant (minute taker)

117.21) Mayor's Welcome - Cllr Leslie thanked all those involved with the Coronavirus Help Line and confirmed the good news from Wednesday vaccinations would be administered at Connaught Hall. Staff were also thanked and a reminder was given for the Councillor vacancy.

118.21) Apologies for absence -
Cllr Crouch – prior appointment

119.21) Declarations of Interest

- a) To receive and consider declarations of interest in items below – None received
b) To receive and consider dispensations in respect of Disclosable Pecuniary Interests –
Cllr Taylor declared a pecuniary interest in Agenda Item 14b Judicial Review

Cllr Leslie read out Dist. Cllr Ashby's report

- Several areas of flooding have been highlighted, Mill Lane, Norwich Road, Besthorpe Road, Silver Street and White house Lane. While Breckland are not directly responsible for highways it is important that local Cllrs apply pressure on those responsible to put measures in place to resolve the problems. Cllr R Oliver is aware and is taking action to rectify the problem but progress has been slow.
- Some residents have experienced delay in the emptying of their bins due to some members of the recycling team needing to self-isolate, we wish all the crews a safe return to work.
- Great news concerning Connaught Hall, staff and volunteers have been truly remarkable and thank them for their commitment.

120.21) Resident's Questions

RESOLVED that the meeting be adjourned to allow the Mayor to address questions submitted from various residents. (See Resident's Questions Notes attached.)

121.21a) Minutes of the Town Council meeting held on 11 January 2021

On the motion of Cllr Dale, seconded by Cllr Roper, it was **RESOLVED** to accept the minutes of the meeting of the Town Council meeting held on 11 January 2021.

ACTION: CEO

122.21) Planning Matters –

122.21a) Planning Applications –

On the motion of Cllr Leslie, seconded by Cllr Cousins, it was **RESOLVED** to approve and accept the following recommendations already agreed and submitted prior to meeting: -

123.21) Financial Matters

a) To authorise payments –

On the motion of Cllr Loades, seconded by Cllr Montague, it was **RESOLVED** to accept and approve the following payment list dated 1 February 2021 Total £14,625.97

b) To agree direct debits –

On the motion of Cllr Westby, seconded by Cllr Roper, it was **RESOLVED** to approve and accept the direct debit list dated February 2021 Total £ 24,743.70

c) To receive Income –

On the motion of Cllr Montague, seconded by Cllr Loades, it was **RESOLVED** to approve and accept the income list for January 2021 Total £1,439.95

d) Petty Cash payments – Noted for information

e) Income & Expenditure Report December 2020 – Noted for information

f) Appointment of Internal Auditor -

It was proposed to look at potential auditors for the Town Council to make ready in good time for the appointment of an internal auditor

124.21) Correspondence

a) Norfolk Citizens Advice, financial contribution –

After a short discussion it was agreed to potentially support a charity as long as it operated on a local level and benefits Attleborough residents. A grant application form to be sent for completion and once received to be considered at the next available Council meeting.

b) Queens Rd/Church Street war memorial island – planters-

On the motion of Cllr Leslie, seconded by Cllr Grave, it was **RESOLVED** – to relocate so not to present a visual obstruction to drivers but to still remain a feature in the area.

ACTION: CEO

125.21a) Virtual Meeting Protocol –

On the motion of Cllr Leslie, seconded by Cllr Westby, it was, **RESOLVED** to accept the spell corrected version of the Virtual Meeting Protocol & Guidance

125.21b) Code of Conduct: confidentially requirements

On the motion of Cllr Dale, seconded by Cllr Taylor, it was, **RESOLVED** to accept the Code of Conduct: confidentially requirements

ACTION: CEO

126.21 Project-Website & Social Media –

The document is a completed list of recommendations which are aimed at making our website more user friendly. We can improve our social media presence by introducing a face book page for our Mayor and install Instagram for the Town Council.

On the motion of Cllr Leslie, seconded by Cllr Busk, it was,

RESOLVED to get this materialised and priced with a target date of May 2021 latest

ACTION: PL/LG/TT

127.21) Any other items which the Chairman decides are urgent

- We have a Councillor vacancy however one concern is briefing any prospective Councillor on potential issues, we may have to extend the deadline beyond 12th February 2021 but we will have further discussions.
ACTION:
- A query was raised concerning the pathway in St Mary's churchyard, it was confirmed that a contractor has been appointed but the work had been delayed due to bad weather and would commence in March once weather improved.
ACTION:
- Cllr Westby went to inspect Decoy Common and found it to be water logged and muddy. The legal position will be explored as to what we can do and report back next month.
ACTION:
- When the copper beech was felled in car park it was stated it would be replaced with 3 mature trees in the town, also a similar promise was made for trees on corner of Cyprus Road. To date no trees have been replaced, Breckland Council will be contacted for an update.
ACTION:

128.21) Public Participation

Members of the public may now participate in the meeting and speak in this item. The registration details will be available on the website.

<https://attleboroughtc.org.uk/>

129.21) Exclusion of Press and Public

On the motion of Cllr Leslie, seconded by Cllr Grave, it was

RESOLVED to exclude the press and public from the meeting under Section 1 of the Public Bodies (Admission to Meetings) Act 1960 given the sensitive nature of the business to be discussed.

Member of staff left meeting

130.21) Update from Investigation Committee

a) Investigation Report

Cllr Leslie gave an update

Cllr Taylor declared her pecuniary interest in the Judicial Review Item 14b and left the meeting.

b) Judicial Review

Cllr Leslie gave an update

Meeting closed at 8.45pm

Notes of Residents' Questions

The Chairman read out questions, previously submitted and responded as below: -

It was agreed in the 2nd Public Participation to provide to list the full questions sent to the council as some had only been particularly raised in the meeting. See below:

Question 1

I am particularly concerned about what I read / see regarding the judicial review the Town Council is facing. Of course, what we read and see can be very different to the reality, especially in legal cases where it is hard to be open.

When I first heard that the Town Council were taking action against two Councillors without any decision of the District that they had breached the Code of Conduct, I was quite bemused; after all, the case law (Honiton, Ledbury) has established the dubious nature of doing so.

Then it was suggested that the Town Council was being JR'd; therefore, surely, at pre-action stage, the Town Council would have realised the potential issue and conflict with case law and may have then backed down.

It seems to be the case that the Town Council are being advised by Anthony Collins solicitors. This particularly surprised me given Anthony Collins are pretty clear about the position; their own bulletin posted after Ledbury stated:

"Any local authority will be acting unlawfully if it tries to bypass the Code of Conduct procedure under the Localism Act 2011 when addressing alleged misconduct by councillors."

I appreciate all cases are different and have to be looked at in a fact sensitive way. It's also not unhelpful for such challenges to proceed as they can help to provide further clarity on the existing legal framework, which still leaves some unanswered questions. However, I must admit I am still left confused why the Town Council has continued to defend itself if it was the case that it wrongly removed Councillors?

A) The Judicial Review is still ongoing, the case has been conceded at the High Court, the Council conceded that it acted unlawfully, we are waiting for the ruling on costs.

Question 2

What are the chances of the community cars being restarted?

A) At the moment with the lockdown situation it isn't going to happen mostly because insurance purposes and the age of those volunteers raises health and safety issues, in the meantime through the Coronavirus Helpline 01953 686538 we have found another way of facilitating travel during this period at subsidised rates. For all involved in this you have done an amazing job coordinating everything.

Question 3

Question 1: With the recent termination of the Clerk/CEO's employment, did she receive any pay-off/financial settlement?

A) There was no financial settlement. Just to clarify it was not for financial irregularities, it was not to do with anything in that regard and no criminal action has been found.

Question 2: When is the Judicial review expected to come to an end?

A) We hope soon; however, we are waiting for a report.

When will the residents of Attleborough be briefed on the outcome and any subsequent next steps?

A) Finalising reports that will detail the circumstances relating to the Judicial Review, it will be released to the public as soon as we are legally able to do so but it has taken longer than anticipated.

With it being a Judicial Review, is it likely that there will be a final court hearing and will the residents of Attleborough be permitted to attend?

A) It isn't a public high court case it was conceded fairly early on

To date how much have ATC spent on the Judicial review?

A) Almost £50,000 before costs have been determined. As Chair of the Council, we owe the community a tremendous apology as well as the two councillors who has action taken against them. An official apology will be coming at the conclusion of the case.

Question 4

Is the vacancy for our Town Clerk being advertised as a Chief Executive Officer (CEO) role, which by definition gives the holder high level decision making authority? The Town Clerk role is one of support and advice to our elected Councillors. I know some other councils have done this but in view of our recent history it appears the residents of Attleborough are not happy with this. As a council now aspiring to be 'community led' this might be a good starting point.

A) We are seeking a new Town Clerk; it is a matter for the Personnel Committee to discuss at the conclusion of all matters necessary for us to advertise for a new Clerk

Question 5

1) Please could you explain the process for the annual election of the New Mayor as laid down in the Town Council's Terms of Reference.

A) Standing orders are available but are being continually looked at. Following my election, it has been raised that Cllrs would like me to continue to see the transition of the Council through. I have agreed to stand but it will be a decision for Cllrs to elect and it is their right to elect who they want to.

2) Following on re procedure some people may view an 'abstain' vote as a form of protest or a show of no confidence so please could you explain the use of 'abstain' in your motion votes and if an explanation as to the reason for an 'abstain' vote is required.

A) You can legally abstain for if you took no part in original meeting or a general feeling of neutrality and can't make a decision on how to vote. If you really object to something, then you should really vote that way and should not abstain.

Planning Applications received to-date.

3PL/2021/0034/HOU - ATTLEBOROUGH: 4 Holly Road Attleborough - Proposed Single Storey Front & Side Elevations – No objections

3PL/2021/0039/F - ATTLEBOROUGH: AND GREAT ELLINGHAM Portwood Farm, Packing Building, Bush Lane - Change of use of part of agricultural building to light industrial (Use Class E(g)(iii)) or storage use (Use Class B8), and construction of parking area – No objections.

3PL/2021/0104/HOU - ATTLEBOROUGH: Bromleigh 120 Besthorpe Road – Rear Two Storey Pitched Roof Extension – No objections

3PL/2021/0113/HOU - ATTLEBOROUGH: Victoria Cottage 20 Dodds Road, Attleborough - Proposed single storey rear extension – No objections.

3PL/2021/0108/F – ATTLEBOROUGH: The Mulberry Tree Station Road, Attleborough – Oak framed pergola for outdoor dining – No objections.

3PL/2021/0145/HOU - ATTLEBOROUGH: 48 New North Road Attleborough – New Dormer Windows to front & rear roof – No objections.

3PL/2021/0165/D - ATTLEBOROUGH: Hargham Road Attleborough - Reserved Matters application for residential development of 48 dwellings following outline permission 3PL/2017/1171/O – The Town Council are disappointed by the uninspiring nature of the proposed development. As a Town Council we wish to make efforts to improve the standards of developments locally and endeavour to improve standards of design particularly with the prospect of so many new homes in the SUE.

3PL/2021/0178/HOU – Attleborough: The Cherries West Carr Road Attleborough – Proposed rear single storey extension, conversion of existing garage to form downstairs shower room & utility room and internal alterations to first floor layout – No Objections.

3PL/2021/0219/HOU – ATTLEBOROUGH: Fairlands Foundry Corner, Attleborough – Single-storey front extension to include new dining area and extending single garage to a double bay garage – No objections

3PL/2021/0214/HOU - ATTLEBOROUGH: 10 Holly Road Attleborough – Proposed Single Storey Rear Extension – No objections

3PL/2021/0225/VAR - ATTLEBOROUGH: 31-33 Maurice Gaymer Road Attleborough - Variation of Condition No 7 on 3PL/2015/0010/F- Extension of Opening Hours (24 Hour) – No objections