

MINUTES OF A MEETING OF THE AXMINSTER TOWN COUNCIL

Held at the Guildhall, on Monday 18th February 2019 at 7.30 p.m.

Present: Town Mayor: Cllr. J.W. Walden
Councillors: A.E. Bourner, S. E. Clarke, C. A. Doherty,
P.G. Hayward, Mrs. S.L.N. Leat, D.J. Moore, M. Mynard,
L.A. Rowe, Mrs. S.R. Spiller and B.R. Watson.

The Town Clerk (Miss H. Kirkcaldie) and the Deputy Town Clerk and Responsible Financial Officer (Mrs. Z. Adamson-Drage).

0 Members of the public. 0 representative of the Press. 0 representative of the Devon and Cornwall Police.

2019/0081 APOLOGIES: Cllrs. G. Alderson, D.R.H. Hull, A.J.E. Seward and A.L. Young

2019/0081 DECLARATIONS OF INTERESTS:

CLLRS. BOURNER, DOHERTY, HAYWARD, LEAT AND MOORE EACH DECLARED PERSONAL INTERESTS AS BEING MEMBERS OF THE AXMINSTER GUILDHALL MANAGEMENT COMMITTEE IN RESPECT OF ANY ITEMS RELATING TO THE GUILDHALL.

CLLR. WALDEN DECLARED A PERSONAL INTEREST AS BEING A MEMBER OF AXMINSTER COMMUNITY ENTERPRISE.

CLLR. WALDEN DECLARED A PERSONAL INTEREST AS BEING CHAIRMAN OF THE GOVERNORS OF AXE VALLEY ACADEMY AS A MEMBER OF AXMINSTER SKATEPARK STEERING GROUP, AXMINSTER TWINNING ASSOCIATION AND AS BEING SAFEGUARDING LEAD FOR AXMINSTER YOUTH CLUB.

CLLR. HAYWARD DECLARED A PECUNIARY INTEREST AS CLERK TO ALL SAINTS, CHARDSTOCK AND NEWTON POPLEFORD PARISH COUNCILS AND IN RESPECT OF HAVING A SPOUSE WORKING WITHIN THE NATIONAL HEALTH SERVICE (IN RESPECT OF WHICH LAST HE HAS A DISPENSATION TO SPEAK)

2019/0082 TOWN FORUM: None.

2019/0083 MATTERS OF URGENCY – DRAFT RESPONSE TO APPLICATIONS

RELATING TO LAND EAST OF AXMINSTER: The Town Clerk had drafted a response to applications 19/0108/MOUT and 19/0150/MFUL based on the discussions at the previous weeks meeting. She said that she also intended to submit some general comments common to both.

There was general agreement regarding the importance of the road being constructed up front to secure the awarded funding and an understanding that the District and County

Councils would lead on this. Cllr. Hayward said that it would be helpful to have sight of the agreement with the Housing Infrastructure Fund. He said that an officer at East Devon had said that it would not be possible to force the developers to build the road first.

Further discussion followed, ranging over the background to the Town Council's support for additional housing and a relief road to other settlements which had seen expansion preceded by the provision of a main road. It was suggested that contact be made to find out what strategy had been used to achieve that.

The Town Clerk will send out a further draft of her response to all Councillors and then submit it according to comments received.

Cllr. Mrs. Spiller proposed that under the provisions of the Public Bodies (Admission to Meetings) Act 1960, (as amended by the Local Government Act 1972) the public, (including the press) be excluded from the meeting as publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted. Agreed.

2019/0084 LEGAL ADVICE REGARDING FORWARD OPTIONS FOR THE

GUILDHALL: The Mayor outlined the background history of the Guildhall, which was purchased by public subscription and gifted to the town. The freehold is held by the Town Council but the building is leased to four Holding Trustees and run by the Guildhall Management Trustees as a registered charity. He said that for some decades there had been a lack of maintenance of the building which was highlighted in 2000 by the collapse of one of the steps on a fire escape when it was being used by a member of the public. A referendum was held in 2004 setting out various options for the Guildhall which directed the Town Council to retain and improve the building. Over the last ten years or so, attempts have been made to redress this situation but there is still a great deal of work to be done.

The lease had run out in 1967 and had continued on a roll over basis. He said that there was a desire from the Guildhall Management Committee to get things updated and he was conscious that the shape of the Council was likely to change in May and he felt it to be desirable to get things settled.

The options which could be considered were:

- a) Sale
- b) For the Town Council to take over the running of the building as a venue, which could involve some complex employment issues
- c) To continue as at present but with a modernised, updated lease and constitution
- d) For an independent organisation to run it as a business.

Legal advice had been sought via the Town Council's solicitors. A detailed written response is still awaited though the Town Clerk and Deputy Mayor had had a meeting earlier in the day in the course of which a verbal indication had been given that it would not be possible to consider the second option unless the Guildhall Management Committee so wished.

Members of the Guildhall Management Committee are all elected by the public at the Annual Parish Meeting. The 8 Town Councillors are not nominated by the Town Council.

Following further discussion it was decided that better legal advice was required both in respect of charity and employment aspects.

Cllr. Walden asked for a general indication from those present of the direction it was felt most appropriate for the Town Council to go. There was no support for options a) or d) as set out above.

Cllr. Mrs. Spiller proposed that option b) would be preferable. Cllr. Mrs. Rowe seconded the proposal which was carried by 6 votes to 4.

Cllr. Hayward, seconded by Cllr. Mrs. Spiller, proposed that the Town Clerk and Deputy Town Clerk be authorised to expend up to £5000 on seeking appropriate legal advice.

Signed Date.....