

# WESTHOUGHTON TOWN COUNCIL

## TOWN COUNCIL MEETING

29<sup>TH</sup> APRIL 2019

**PRESENT:** Town Mayor Cllr A Price, Deputy Town Mayor Cllr K S Jones and Councillors R A Battersby, D A Chadwick, Mrs A B Eckersley-Fallon, Miss R S M Fairhurst, D J Gradwell, Miss D McGeown, Mrs J Peploe, J Speight, D A Wilkinson, Mrs G F Williams and Mrs L J Winrow-Baker. Town Clerk.

**ALSO PRESENT:** Member of the Public.

### **TC52/2019 FIRE SAFETY INFORMATION**

The Chairman, Cllr A Price, explained the Fire Safety procedure.

### **TC53/2019 TO SUBMIT APOLOGIES FOR ABSENCE AND TO ACCEPT REASONS**

Resolved that the following apology for absence and reason be accepted by the Town Council: Cllr Mrs C J Harkin – Personal Commitment (via e-mail).

### **TC54/2019 TO READ THE NOTICE CONVENING THE MEETING**

The Chairman read the notice convening the meeting.

The Town Council Meeting was the last meeting of the current Town Council.

Cllr Wilkinson thanked the retiring Town Mayor and Town Mayoress, Cllr A Price and Mrs Lynne Price for the way that they had upheld the office and for their hard work on behalf of the town. He also thanked the retiring Town Councillors J R Ainscough, R A Battersby, D A Chadwick, Ms A Graham, Mrs J A Peploe, Miss S Watkin and Mrs L J Winrow-Baker for their work on the Town Council over the past years, and conveyed best wishes to the Town Councillors who are standing again.

### **TC55/2019 TO RECORD DECLARATIONS OF INTEREST IN ANY ITEM TO BE DISCUSSED**

Cllr D A Chadwick declared an interest in Agenda item No. 6 – To Discuss Planning and Development Matters and to approve any action because he is a member of the Bolton Council Planning Committee and he will not participate in the discussions.

Cllr D A Wilkinson declared an interest in Agenda item No. 6 – To Discuss Planning and Development Matters and to approve any action because he is a member of the Bolton Council Planning Committee and reserved the right to speak and vote, and to re-consider his decision at a Bolton Council Planning Committee, if additional information is presented

The Town Clerk declared an interest in Agenda item No.20 – Discussion on the false statements made about the Town Clerk by Cllr Speight in the Bolton News on 27<sup>th</sup> March, 2019, and Cllr Speight breaching the Code of Conduct, and Cllr Speight bringing the Town Council into disrepute, and to approve any action:

**TC56/2019 ADJOURNMENT TO ALLOW PUBLIC QUESTION TIME RELATING TO TOWN COUNCIL ACTIVITIES AND ITEMS WITHIN ITS POWERS**

Cllr Speight raised the following matter as a member of the public: He referred to the Planning and Finance & General Purposes Committee Meeting, held on Monday, 8<sup>th</sup> April, 2019 when he was present as a member of the public and the Town Clerk was allowed to read a statement out about the false statements which he had made about her in the Bolton News. Cllr Speight did not believe that the Chairman, Cllr Jones, should have allowed this and he was not given a right of reply. He also asked for a transcript of the Town Clerk's statement. Cllr Jones pointed out that he had taken a vote and Town Councillors wished the statement read out and Cllr Speight was asked to comment but declined. The Chairman of the Town Council Meeting, Cllr Price, told Cllr Speight to tone down his attitude when speaking to the Town Clerk. The Town Clerk will forward a copy of the transcript.

Resolved that Agenda items 20 and 21 are discussed excluding press and public in accordance with Schedule 12A of the Local Government Act 1972.

Cllr Speight left the meeting.

**TC57/2019 TO DISCUSS PLANNING & DEVELOPMENT MATTERS AND TO APPROVE ANY ACTION**

**(a) TOWN COUNCIL'S COMMENTS ON PLANNING APPLICATIONS**

The Town Council requested that its comments on the following Planning Applications are placed before the Bolton Council Planning Committee:

05817/19 The Town Council raised no objections

05830/19 The Town Council raised no objection provided that the air conditioning units are switched off at 10.00 p.m.

05623/19 The Town Council raised objection because the retention of the willow tree is a permanent part of the plan and it is a protected tree

05818/19 The Town Council raised no objections

05883/19 The Town Council raised no objections

**(b) DISCUSSION ON PLANNING APPEALS**

Nil

**(c) TO NOTE PLANNING DECISIONS**

Resolved that the Planning Decisions, as circulated, be received and noted.

**TC58/2019 TO ACCEPT THE MINUTES OF THE TOWN COUNCIL MEETING, HELD ON MONDAY, 25<sup>TH</sup> MARCH, 2019.**

Resolved that the minutes of the Town Council Meeting, held on Monday, 25<sup>th</sup> March, 2019 as circulated, be approved by the Town Council.

**TC59/2019 TO NOTE THE MINUTES OF THE PLANNING AND FINANCE & GENERAL PURPOSES COMMITTEE MEETING, HELD ON MONDAY, 8<sup>TH</sup> APRIL, 2019**

Resolved that the minutes of the Planning and Finance & General Purposes Committee Meeting, held on Monday, 8<sup>th</sup> April, 2019 as circulated, be noted by the Town Council.

**TC60/2019 TO ACCEPT THE MINUTES OF THE DAISY HILL IN BLOOM COMMITTEE MEETING, HELD ON TUESDAY, 9<sup>TH</sup> APRIL, 2019**

Resolved that the minutes of the Daisy Hill in Bloom Committee Meeting, held on Tuesday, 9<sup>th</sup> April, 2019, as circulated, be approved.

**TC61/2019 DISCUSSION ON THE APPROVAL OF THE SPRING NEWSLETTER AND TO APPROVE ANY ACTION**

Resolved that the Spring Newsletter be approved with the following amendment: The number of occasions when Cllr Speight left the Town Council Meetings early in the past year will be added to the Town Councillors' Attendance List. The Town Clerk will circulate the Newsletter throughout Westhoughton.

**TC62/2019 TO APPROVE THE BANK RECONCILIATION FOR 1.3.19 – 31.3.19**

Resolved that the Bank Reconciliation for 1.3.19 – 31.3.19, as circulated, be approved.

**TC63/2019 DISCUSSION ON THE INTERNAL AUDIT REPORT FOR THE AUDIT OF THE ANNUAL ACCOUNTS 2018- 2019 AND TO APPROVE ANY ACTION**

The Town Council noted that there were no matters requiring attention and Cllrs Wilkinson and Chadwick thanked and congratulated the Town Clerk for keeping the accounts so well throughout the year.

**TC64/2019 TO APPROVE THE ANNUAL ACCOUNTS AND THE BUDGETED INCOME AND EXPENDITURE FOR THE YEAR ENDED 31<sup>ST</sup> MARCH, 2019**

Resolved that the Annual Accounts and the Budgeted Income and Expenditure for the year ended 31<sup>st</sup> March, 2019, as circulated, be approved.

**TC65/2019 TO APPROVE SECTION 1 (ANNUAL GOVERNANCE STATEMENT 2018/19) OF THE ANNUAL RETURN FOR THE YEAR ENDED 31<sup>ST</sup> MARCH, 2019**

Resolved that Section 1 (Annual Governance Statement 2018/19) of the Annual Return for the year ended 31<sup>st</sup> March, 2019, as circulated, be approved.

**TC66/2019 TO APPROVE SECTION 2 (ACCOUNTING STATEMENT 2018/19) OF THE ANNUAL RETURN FOR THE YEAR ENDED 31<sup>ST</sup> MARCH, 2019**

Resolved that Section 2 (Accounting Statement 2018/19) of the Annual Return for the year ended 31<sup>st</sup> March, 2019, as circulated, be approved.

**TC67/2019 TO APPROVE THE TOWN COUNCIL CHARITIES ANNUAL ACCCOUNTS FOR THE YEAR ENDED 31<sup>ST</sup> MARCH, 2019**

Resolved that the Town Council Charities Annual Accounts for the year ended 31<sup>st</sup> March, 2019, as circulated, be approved.

## TC68/2019 TO APPROVE ACCOUNTS FOR PAYMENT

Resolved that approval be given to the signing by two members and the Town Clerk of an authorisation for payment of accounts totalling £35,322.42.

		£
Salaries & H.M.R.C. Payment		2,348.48
AP4 PCC for Greater Manchester	Hire Car Fee	5,000.00
AP4 B T Redcare	CCTV Line Rental	7,881.98
AP5 Lads & Girls Club	Outreach Project	3,710.00
AP6 Brookfield Hall	Town Mayor's Charity Ball	2,643.20 *
AP7 Bolton Council	Bedding Plants	4,075.14
DD TalkTalk	Telephone & Internet	23.95
Bank Charges		10.75
061 Cash	Postage	100.00
062 Bolton Council	Get Active Youth Project	7,325.00
063 The Hub	Part payment of Grant	69.36
064 L.A.L.C.	Subscription	2,134.56
TOTAL:		35,322.42

- Transferred from Charity Instant Access Account to Town Council Current Account

The payment for bedding plants is in accordance with Section 144 of the Local Government Act 1972. The payments to PCC for Greater Manchester and B.T. Redcare are in accordance with Section 31 of the Local Government Rating Act 1997. The payments to The Hub, the Lads and Girls Club and Bolton Council (Get Active Youth Project) are in accordance with Section 19 (d) of the Miscellaneous Provisions Act 1976.

## TC69/2019 TO RECEIVE A REPORT FROM THE TOWN CLERK

The following correspondence was noted by the Town Council:

1. Premises Licences (2)

## TC70/2019 DATE OF NEXT TOWN COUNCIL MEETING

Monday, 20<sup>th</sup> May, 2019.

The next two Agenda Items were discussed excluding press and public in accordance with Schedule 12A of the Local Government Act 1972.

## TC71/2019 DISCUSSION ON THE FALSE STATEMENTS MADE ABOUT THE TOWN CLERK BY CLLR SPEIGHT IN THE BOLTON NEWS ON 27<sup>TH</sup> MARCH, 2019, AND CLLR SPEIGHT BREACHING THE CODE OF CONDUCT, AND CLLR SPEIGHT BRINGING THE TOWN COUNCIL INTO DISREPUTE, AND TO APPROVE ANY ACTION

The Town Clerk pointed out that Cllr Speight has also breached the Town Council's Anti-Harassment Policy, the Health & Safety Policy and had disregarded the Risk Assessment. Also, the Town Council has a duty of care to employees the same as any employer.

**(a) OPPORTUNITY FOR CLLR SPEIGHT TO APOLOGISE TO THE TOWN CLERK FOR MAKING THE FALSE STATEMENTS**

Cllr Speight had left the meeting and did not apologise.

Resolved that if Cllr Speight is re-elected on 2<sup>nd</sup> May, 2019, there will be an Agenda Item at every meeting giving Cllr Speight an opportunity to apologise, until he does so.

**(b) OPPORTUNITY FOR CLLR SPEIGHT TO APOLOGISE TO THE TOWN COUNCIL FOR MAKING THE FALSE STATEMENTS ABOUT THE TOWN CLERK, BREACHING THE CODE OF CONDUCT AND BRINGING THE TOWN COUNCIL INTO DISREPUTE**

Cllr Speight had left the meeting and did not apologise.

Resolved that if Cllr Speight is re-elected on 2<sup>nd</sup> May, 2019, there will be an Agenda Item at every meeting giving Cllr Speight an opportunity to apologise, until he does so.

**(c) VOTE OF NO CONFIDENCE IN CLLR SPEIGHT**

Resolved that the Town Council unanimously approves a vote of no confidence in Cllr Speight for harassing the Town Clerk and permanently attacking the Town Clerk over several years by persistently abstaining and voting against items which she has prepared and for making false statements in the Bolton News about her work.

**(d) DISCUSSION ON POSSIBLE LEGAL SANCTIONS**

The Town Clerk explained the possible legal sanctions which the Town Council could impose.

- i. Resolved that if Cllr Speight is re-elected at any time, he will not be eligible to be appointed to any Town Council Committees or Sub-Committees in the lifetime of the next Town Council (until May, 2023)
- ii. Resolved that if Cllr Speight is re-elected at any time, he will not be eligible to represent the Town Council on any outside bodies, Committees or Sub-Committees in the lifetime of the next Town Council (until May, 2023).

**(e) INFORM THE MONITORING OFFICER IN THE BREACH IN THE CODE OF CONDUCT STO 31**

Resolved that the Town Clerk inform the Monitoring Officer of Cllr Speight's breach in the Code of Conduct and explain that the Town Council has dealt with the matter and imposed the above legal sanctions

**TC72/2019 DISCUSSION ON CLLR SPEIGHT CONSISTENTLY ABSTAINING OR VOTING AGAINST ITEMS OF BUSINESS DURING THE PAST 4 YEARS AND TO APPROVE ANY ACTION**

The Town Council also discussed Cllr Speight abstaining or voting against important items of business over several years, which is not working for the community of Westhoughton and its residents.

Resolved that the Town Council deplores this action.

Cllr Speight attends meetings but regularly abstains or votes against items, and quite often leaves early, which is not the expected action of a Town Councillor.

The meeting closed at 7.55 p.m.

