

VIRTUAL TOWN COUNCIL MEETING

26 MAY, 2020

TOWN CLERK'S OPEN REPORT

1) Aims and Objectives

- **To note the report**

At the close of the Aims & Objectives Meeting on 10 March, 2020 the Town Clerk advised that she would compile the full list of agreed Aims and Objectives which would be submitted for approval at the April Meeting of Town Council. However, many of these initiatives have already received Council approval having been presented piecemeal due to timing.

It was anticipated that all the projects would be instigated during the 2020/2021 administration, but it may well be necessary to postpone some of the projects in line with government legislation and in light of the difficult circumstances under which everyone is now operating.

Aims and Objectives	Progress
Working towards becoming accredited as a Dementia Friendly town	Council is already a key stakeholder and the Town Hall was used to stage the Raise Awareness Event earlier in the year. Council pledged full support for the Dementia Lunches to be held once a month at the Town Hall
Review of Council's Committee Structure and Decision Making Process	Item 2 on the Town Council Meeting agenda 26.5.2020 – Councillor How
Instigation of a Youth Council	Proposed and researched but yet to receive Town Council approval – Councillor Cleeve
Wildlife Sanctuary Project in St Peter's Churchyard	Grant funding obtained, management of churchyard by volunteers, the Avenue Assist Group up and running and

	ongoing – Councillor Warren-Howles
Ping Stratford-upon-Avon	Grants obtained, successfully implemented and ongoing – Councillor Taylor
'Not a Taboo Subject' Fair	A specific Fair at the Town Hall covering all aspects of bereavement and 'what you need to know/do when someone dies. Yet to receive approval – Councillor Cleeve
NDP Project – Setting up a Town Centre Strategic Partnership	Ready to go but currently in abeyance
NDP Project – Promoting new Strategic Green Open Spaces	Work in progress - Climate Change Emergency Panel
Biodiversity Tree Planting Project	Work in progress – Climate Change Emergency Panel
NDP Project Improving the Balance Between Vehicles, Pedestrians and Cyclists	Work in progress with, in particular, the Town Transport Group. Particularly relevant now with the emphasis is changing nationally to prioritise cycling and walking
Training CPR Defibrillators	Planned and ready but postponed. To be re-scheduled as soon as possible – Councillor Cleeve
Training Dementia Awareness	Planned and ready but postponed. To be re-scheduled as soon as possible - outsourced
Training Public Speaking	Planned and ready but postponed. To be re-scheduled as soon as possible - outsourced

2) Appointment of Members to Standing Committees/Decision Making Process

- **To appoint members to standing committees having first considered:**
 - i **Retaining the status-quo**

- ii Appoint to the existing committee structure but undertake an in-depth review this year in readiness for 2021/2022**
- iii Take account of the recommendations put forward by Councillor How and establish a revised or new committee structure and appoint accordingly at the Town Council Meeting on 26 May**
- iv Changing the timing of standing committee meetings from the evening to earlier in the day/afternoon**

With the exception of an election year, it has been previously agreed that members would be appointed to standing committees at the Town Council Meeting prior to the Annual Meeting and Mayor Making, so there is a seamless transition from one administration to the next with no business interruption.

The COVID-19 pandemic has made a mockery of the 'best laid plans' and instead, Council temporarily suspended all its standing committee meetings in accordance with government guidelines in late March, 2020.

On 4 April, 2020 the government enacted legislation under the Local Authorities and Police Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020. Section 78 of this act enables Council Meetings to be held remotely, providing the press and public can access/view the meeting or attend virtually if they wish to speak in Public Participation.

To some, the new and unfamiliar technology was daunting, but very quickly all members of the Town Council and officers adapted, and meetings using the zoom platform have become the new norm and are no longer unnerving.

As a result, many Council members wanted to return to the established committee structure, and it was agreed that Council would consider lifting the temporary suspension and appoint members to its standing committees at the Town Council Meeting on 26 May.

Council currently operates within a structure of five standing committees: Finance & Scrutiny; Mayoral, Civic Ceremonial &

Events; General Purposes; Human Resources and Planning Consultative.

There is often the temptation to refer matters straight to Town Council. However, Town Council meetings are very structured and formal. Additionally, with eighteen members, debate can be protracted and, as has happened on many occasions in the past, Town Council defers the issue back to a committee for further review. It is at the committee stage that the real 'digging' should take place. All the pros, cons, sustainability impact and risk analysis of every issue should be really scrutinised in depth. Town Council should just 'rubber stamp' standing committee decisions and recommendations, safe in the knowledge that they have been fully considered.

However, the Aims & Objectives T&F Group identified the need for a thorough review of the Town Council's committees before appointing members.

It is understood that Councillor How has undertaken a review of the existing committee structure, on behalf of the Aims & Objectives Task & Finish Group, by comparing it with other comparable council's structures, and considering whether, in light of the ever changing circumstances in which we now find ourselves, it remains totally ideal and fit for purpose. His proposal is attached as **Appendix 'C'** and he will report further at the Town Council Meeting on 26 May and present his proposal.

Depending on the outcome, and being mindful that the Council operates more proactively and successfully when there are meetings in place to fully scrutinise issues at the committee stage, members may wish to:

- i Retain the status-quo;
- ii Appoint to the existing committee structure but undertake a further in-depth review this year in readiness for 2021/2022;
- iii Take account of the recommendations put forward by Councillor How and establish a revised or new committee structure and appoint accordingly at the Town Council Meeting on 26 May.

As it has been requested that Town Council also reviews the timing of its virtual standing committees to encourage interaction

and generate a higher virtual audience, Council is also requested to consider:

- iv Changing the timing of standing committee meetings from the evening to earlier in the day/afternoon.

If Council resolves to undertake a further in-depth review of the existing committee structure, the Terms of Reference of each standing committee should also be scrutinised for as it stands, standing committees have little delegated responsibility, which is quite difficult to put in perspective when, with the exception of the HR Committee and now the Planning Consultative Committee, over half the Council serves on each standing committee as the Mayor is an ex-officio voting member of every committee. In terms of timely execution, it would be helpful if these standing committees could resolve and implement rather than have to wait for their recommendations to be approved and adopted by the Town Council, which may not be convened for two months.

The key to empowering standing committees is to ensure that the Committee's Terms of Reference administer its remit and responsibilities under Delegated Powers, or Delegated Powers within Budget rather than the Terms of Reference predominantly stipulating that the committee only has Advisory Powers. At one time it seemed that most committees only had advisory powers, but this has or is changing as Terms of Reference are reviewed and amended.

The existing, albeit temporarily suspended five standing committee structure operates as follows:

- 1.1 The **Planning Consultative Committee** is of paramount importance and the number and frequency of meetings corresponds with that of the Planning Authority, the District Council. There are sixteen scheduled meetings planned. Council did not temporarily suspend this committee and appointments were made at the Town Council Meeting on 28 April. Membership of the Committee comprises Councillors Cleeve, Dowling, Dyer, I Fradgley, J Fradgley, Lee and Taylor.
- 1.2 The **Finance & Scrutiny Committee** is also essential to ensure adequate control and scrutiny of Council's financial systems, budgetary control, risk management, and the

setting of the precept for recommendation to Council. There are five scheduled meetings planned.

- 1.3 The **General Purposes Committee** retains its rather eclectic remit. There is often over-lap with issues that require much research or scrutiny by another committee, usually Finance & Scrutiny or by a sub-group reporting to GP, such as the Town Hall Income, Facilities & Wellbeing Panel. Four scheduled meetings are planned.
- 1.4 In a town such as Stratford-upon-Avon where events and festivals were so prevalent and hopefully will remain so, the **Mayoral, Civic Ceremonial and Events Committee** continues to play a very important role within the committee meeting structure. There are six scheduled meetings planned.
- 1.5 The **Human Resources Committee** will ensure adequate control and scrutiny of Council's staffing structure and, being mindful of the wellbeing of the staff, will make recommendations on all staffing matters. The Committee meets on three occasions throughout the year.

In line with the Terms of Reference of each standing committee, membership of each committee shall comprise no more than nine members, plus the Mayor, with the exception of HR which has been determined as a minimum of five and a maximum of seven, and does not include the Mayor.

It would be helpful if members could give consideration on which committees they wish to serve prior to the Town Council Meeting on 26 May, taking into consideration that committees cannot accommodate more than nine members, although, as demonstrated by the recent appointment of members to Planning, it can be made up of less. As there are five existing standing committees, if this structure is to be maintained, some members may have to serve on three committees.

F&S (9)	GP (9)	HR (7)	MCC&E (9)	Planning (7)
				Cleeve
				Dowling
				Dyer
				I Fradgley
				J Fradgley
				Lee
				Taylor

Underpinning the resolutions passed at standing committees is the work undertaken by all the sub-groups: Aims & Objectives; Asset Register; Cemetery Working; Climate Change Emergency; Emergency Plan; Governance & Policy; Market Forum; Town Hall Income, Facilities & Wellbeing; Town Hall Victorian Christmas Fair; VE Day & Heritage Open Day Planning and Website, Social Media & Newsletter.

These sub-groups were not suspended as a result of the pandemic, and with the exception of Aims and Objectives and Cemetery Working which were disbanded and the Governance & Policies Panel which was temporarily suspended, Council re-appointed members to the remaining sub-groups at the Town Council Meeting on 28 April, 2020. There were no changes in membership, with the exception of the Emergency Plan which added Councillors J Fradgley and Rolfe to their number.

Similarly to the Town Council overseeing its standing committees, it is important that the sub-groups understand that their decision making process has to be overseen by their standing committee. It is also important to note Standing Orders C10 and C11:

C10 Every standing committee may appoint sub-committees, forums, panels or working parties for purposes to be specified by the standing committee.

C11 The Chairman and Deputy Chairman of the standing committee shall be members of every sub-committee, forum,

panel or working party appointed by it, unless they signify they do not wish to serve.

3) Calendar of Meetings

- **To agree to revert to the Council's Calendar of Meetings**

If Council continues to operate under five standing committees, irrespective of whether the committee's name or remit is amended, it is recommended, at least for the time being, that Council reverts to the calendar of meetings which was approved and adopted in January of this year.

If the committee structure were to change, the new structure would be fitted in to the scheduled committee meeting dates.

The calendar is attached as **Appendix 'D'**.

4) Town Council Representation on Board of Trustees – Municipal Charities of Stratford-upon-Avon & St Joseph's Homestead

- **To consider and agree the proposals**

Although appointments to outside bodies does not usually take place until the July Town Council Meeting, the Chairman of the Municipal Charities/St Joseph's Homestead (MCSoA and SJH) has contacted the Town Council requesting that Council considers the charity's proposals to change the number of nominative Council Trustees in readiness for their AGM in June.

Currently, the Mayor serves as an ex-officio trustee and there are two nominative trustees appointed by the Town Council and a further thirteen co-optative trustees. When the MC was set up in July 1977 there was one ex-officio, six nominative trustees and eight co-optative trustees. At some point, the number of nominative was reduced to four and co-optative increased to ten – the date of that change is unknown but it would appear to be prior to 2003. At a Trustees meeting in November 2015, the number of nominative was reduced to two and the co-optative increased to twelve and then at a Special Trustees meeting in April 2018, the number of co-optative was increased from twelve to thirteen.

MC would like to reduce the size of their Board but at the same time, ensure that it has the right skill set to meet the challenges

they face. When vacancies occur the charity tries to ensure that it appoints someone that can bring particular skills to the Board where there is currently a gap. As a result, although MC would like to reduce Council representation from two to one (not counting the Mayor), if a vacancy does occur, any councillor wishing to become a Trustee would obviously be able to apply and would be welcomed on the Board if they had the specific skills that were required.

1. Proposal to Change Mayor's role from that of an ex-officio trustee to a "civic" supporter of MC and SJH

- The Trustees of MCS recognise and greatly appreciate the support provided to our charities and specifically our residents by the Mayors of Stratford-upon-Avon over many years; participating in resident visits, attending events such as garden parties and our residents' Christmas dinner and attending Board meetings.
- The title "ex-officio" implies that the trusteeship is as a result of their status or another position that they hold. From a legal perspective, however, the Mayor has the same responsibility as a trustee of our unincorporated trusts, as do all other trustees.
- Given the range of civic duties and organisations that the Mayor is involved with during their term of office, it appears to be an unreasonable burden on the Mayor to deliver their support to MC and SJH as a trustee.

2. Proposal to reduce the number of nominative Trustees from two to one, at the end of their current terms

- MC and SJH are greatly appreciative of the support and valuable input provided by nominative trustees over many years.
- The current representatives are Ms Lezley Bott (term expires 31.01.22) and Cllr Elizabeth Coles (term expires 03.08.23).
- Given the onerous duties of acting as trustee and the time commitment involved, would the Town Council accept that having a single nominative trustee in the future would adequately satisfy the Council's role in monitoring the charities' delivery of its key aims and objectives and act as the conduit between the two organisations?

Overriding Comment Applicable to both the above proposals

The Town Clerk, in her open report for the Town Council meeting scheduled to take place on 28 April 2020, makes the following comment in the context of Town Council's representatives on another charitable entity:

"It is no mean feat being a Trustee and requires a great deal of training and commitment and the time involved should not be underestimated".

Having discussed the proposals with the Mayor, he commented as follows:

'In my view a twelve month stint of being a Trustee on any Board is insufficient to get a full understanding of what is involved and/or make a meaningful contribution. As such, I agree with what is being proposed regarding the Mayor's role'.

If Council agrees with the proposals, the Town Clerk will work with MC to try and align the term of office so that Councillor Coles, if she is willing, remains a Trustee until May 2024, giving time for a new Council to nominate its representative effectively.

5) Government's Financial Support to the Parish Sector during COVID-19 pandemic

- **To respond to the opposing juxtaposition**

Members are aware that the Rt Hon Robert Jenrick MP, Secretary of State for Housing, Communities and Local Government, wrote to those who serve on Parish and Town Councils in late February, 2020. His letter is attached as **Appendix 'E'**.

Considering the not insubstantial loss of income that the Council has suffered as a result of the COVID-19 pandemic, and the costs encountered to enable the Council and its staff to continue to function effectively during the crisis, plus the additional cost of providing support for the community, which is very much ongoing, the content of the MP's letter was most heartening.

Within minutes of receiving the letter, the Town Clerk contacted the Chief Executive of the District Council as a result of the

directive in the MP's letter – *If you have any questions regarding funding I would encourage you to speak with your principal council.*

The Chief Executive received, with stunned disbelief, the news that the latest £1.6 billion tranche of additional funding to authorities included a share for lower tier councils. He was totally unaware of this government directive and was genuinely and seriously concerned that the District Council simply could not afford it.

On Thursday 7 May, the Leader of the District Council wrote to all Parish Clerks throughout the district in response to the Minister's edict. It would appear from his letter, attached as **'Appendix F'** that the Town Council, together with the majority of other parish councils throughout the district, has totally misinterpreted the Minister's intention:

'As Local Government Secretary I want you to know that I am behind you and will support the vital work that you are doing in your communities. That is why I have made £3.2 billion of additional funding available to councils, with the latest tranche of £1.6 billion including a larger share for lower tier councils. It is vital that you are able to continue the incredible work you are doing, and on behalf of the communities across the country I thank you all.'

Apparently, Councils in the lower tier should have interpreted the message to mean:

'...it turns out that what was really meant was that this applied to only those Councils in financial distress. Far be it from me to point out that Parish Councils have no restrictions on the precept they can raise so why should any be in "financial distress.'

Stratford-upon-Avon Town Council continuously strives to retain the precept at as low a level as possible, and despite being the largest community, has one of the lowest precepts in the district.

Stratford-upon-Avon Town Council, collaborating with Stratford Town Trust, is committed to supporting the community throughout this pandemic for as long as it takes, and a share of government money, intended for that very purpose, lessens the burden on the

Stratford-upon-Avon tax payer and enables the Town Trust to continue giving vital grant support to the many organisations within the town that rely on their financial aid.

As a consequence, the Town Clerk has written to the Secretary of State for Housing, Communities and Local Government, attached as **Appendix 'G'** asking that he clarifies the position so that no one can be left in any doubt exactly what financial support is being bestowed on the town and parish sector.

Additionally, the Town Clerk has asked that this matter is put on the agenda for the next branch meeting of the Society of Local Council Clerks which takes place on 22 May, in order to ascertain the thoughts of other councils in the vicinity with a view to opening negotiations with the District Council collectively and constructively. If a response from the Secretary of State for Housing, Communities and Local Government is unforthcoming, the Town Clerk will write to Stratford-upon-Avon's MP, Mr Nadhim Zahawi, to make him aware of the situation and to request that he enters into a dialogue with the Secretary, who may be too busy at this time to respond quickly.

The Town Clerk will be in a position to verbally update members on 26 May on the outcome of the forthcoming SLCC meeting.

6) Re-opening Stratford-upon-Avon

- **To respond to the Town Transport Group's letter**
- **To instigate a Task & Finish Group**

On Sunday 10 May, the Prime Minister announced that the very stringent lock-down restrictions were being partially lifted. Various construction and manufacturing industries as well as sectors of the business community were encouraged to return to work, and some retail and leisure facilities were re-opened.

The Town Clerk has continued to work from the Town Hall throughout the lockdown where she has been the sole occupant. Arriving early and leaving late she rarely saw people on her to and fro journey from home to work and looking out of the first floor windows of the Town Hall, the town was deserted.

Little by little, things slowly began to change, but in the week commencing Monday 11 May, the town almost appeared

'business as usual' in terms of the amount of people out and about and there was hardly a parking space to be had on Bridge Street or High Street.

Talks on tackling how the town is to safely and successfully re-open are ongoing, and the Town Clerk has a meeting on Thursday 21 May which has been convened by the RSC and will comprise officers from the Shakespeare Birthplace Trust, The Town Trust, Stratford-on-Avon District Council and BID. The Town Clerk will give a verbal update on the outcome of this first meeting at the Town Council Meeting on 26 May, 2020.

However, Stratford-on-Avon District Council has been meeting with Warwickshire County Council for some time and is in close consultation with the BID here in Stratford-upon-Avon and with other BIDs nationally, particularly those involved with tourist towns.

The Town Transport Group also considered the re-opening of Stratford-upon-Avon at their meeting on Wednesday 13 May. As a consequence, the letter, attached as **Appendix 'H'** was sent to the Leader of Warwickshire County Council, with various others copied in including MPs Grant Shapps and Nadhim Zahawi, Mark Ryder from WWC, Deputy Chief Executive of SDC, Tony Perks, and the Deputy Leader of SDC, Daren Pemberton.

The letter was also copied to former Mayor, Councillor Rolfe, and the Town Clerk, with a request that the Town Council considers the proposal and responds accordingly.

In light of the increase in vehicular use, the significant increase in numbers of populace on the streets and being mindful of the new directive that people can travel great distance to enjoy recreation, it is likely that footfall is rapidly going to increase still further especially as we approach warmer weather.

It is recommended that the Town Council instigates a Task & Finish Group to review proposals that are coming forward from various organisations and be in a position to feed in to the planning process as a workable plan for the re-opening the town is developed by the higher authorities/BID. Although we have to react to the here and now, it is important to be mindful of the long term.

The Town Clerk of Sevenoaks, Linda Larter MBE, who also happens to be the President of the SLCC this year, has produced a draft plan for the re-opening of her town. So many of the proposals are pertinent to us all, and the Town Clerk has shared Linda's report with SDC, and NALC has published the plan on their website. The proposal is attached as **Appendix 'I'**.

Proposals and feedback from the BID are attached as **Appendix 'J'** and the reports from LSD Promotions regarding proposals for re-opening the town's markets are attached as **Appendices 'L'** and **'K'**. To date, no one from the District Council has contacted the Town Clerk to discuss the proposal.

Town Clerk
26.5.2020