

**Town Council Meeting
2 December 2021**

Present: Councillors Dodson, G Eccles, J Eccles, Foletti, Hardacre, Hird, Hirst, Kenyon, Middleton, Mitchell, Pringle, A Westmorland, G Westmorland, Wilson, the town clerk and Mr Paul Stookes of Richard Buxton Solicitors (the latter for agenda item 28 [Kirkby Road Sport Complex] only).

Nine members of the public were in attendance.

This meeting was livestreamed via Zoom.

306 APOLOGIES FOR ABSENCE

All members were present.

307 DECLARATIONS OF INTEREST

There were no declarations other than those already stated in members' respective register of interests.

308 PUBLIC QUESTION TIME

Members of the public raised the following matters:

- Whether Hemsworth Water Park is held in trust and whether the park would be harder to sell if it was in trust.
- Gates at Hemsworth Water Park.
- Possible asbestos at Hemsworth Water Park.

309 RECORDED VOTES

Cllr Middleton requested recorded votes on agenda items 9, 13, 14, 15, 16, 17, 18, 21, 22, 24, 27 and 28.

310 TOWN COUNCIL MEETINGS

Resolved that the respective minutes of the council meeting held on 14 October and the extraordinary council meeting held on 18 November 2021 be approved.

311 COMMITTEE AND SUB-COMMITTEE MEETINGS

Resolved that the minutes of the following meetings and their respective sub-committees be adopted:

Committee	Date
Leisure and Recreation	4 November 2021
Finance	11 November 2021
Policy and Planning	18 November 2021

312 ACCOUNTS FOR PAYMENT

Resolved that the payment of accounts as approved at the Finance Committee meeting held on 11 November 2021 be approved.

313 CORRESPONDENCE

The town clerk reported on correspondence in respect of the following:

- a) Email from the Hemsworth branch of the Royal British Legion thanking the council for its assistance with Remembrance Sunday.
- b) Letter of thanks for waiving the room hire fees for the older persons' keep fit classes.
- c) Email from a parishioner thanking the council for a visit from the chairman and vice-chairman for a 90th birthday.
- d) Letter from Unison notifying the council of an official industrial action ballot.
- e) Email from a parishioner regarding the results of a survey conducted on Hemsworth Summer Festival.
- f) Email from a parishioner asking why the council did not conduct a public survey about holding Hemsworth Summer Festival.
- g) Email from the Rural Market Town Group regarding possible membership from 1 December 2021.
Resolved that the offer of membership be declined.

314 COMMUNITY GRANTS AND/OR ASSISTANCE

- a) **A request from the 'Friends of Ashfield House' for Christmas vouchers**
Resolved that the request for £250 worth of Christmas (Tesco) vouchers be approved (unanimous).
- b) **A request from 'Little Legs Play Group' to waive the room hire fees at Hemsworth Community Centre**
Resolved that the request to waive the room hire fees be approved (unanimous).
- c) **Christmas donations to local schools**
Resolved that all primary schools and nurseries within the parish be awarded respectively £100 and £50 (unanimous).

315 MID-YEAR INTERNAL AUDIT 2021-22

The town clerk confirmed that the council's internal auditor had conducted the mid-year audit with no issues raised.

Resolved that the town clerk's report be noted and approved.

316 CASUAL VACANCY – BY-ELECTION

The town clerk confirmed that the by-election to fill the casual vacancy in the Hemsworth west ward will be held on 9 December 2021.

Resolved that the town clerk's report be noted and approved.

317 COUNCIL/COMMITTEE MEETINGS

Resolved that with immediate effect, meetings of the Finance Committee and the Policy and Planning Committee be held on the same evenings.

318 RECORDING LIVESTREAMED MEETINGS

Resolved that livestreamed town council meetings be recorded and published online (unanimous).

319 DEPUTY TOWN CLERK

Resolved that this item be deferred (unanimous).

320 CAPITAL EXPENDITURE – PUBLIC CONSULTATION

Resolved that this item be deferred (unanimous).

321 VOLUNTEER FAIR

Resolved that a volunteer fair be held in Hemsworth Community Centre (unanimous).

322 COUNCILLORS' CONDUCT – STANDING ORDERS

Resolved that this item be deferred (unanimous).

323 COUNCILLORS' CONDUCT – SOCIAL MEDIA

Resolved that this item be deferred (unanimous).

324 COUNCILLORS' CONDUCT – RECOMMENDATIONS FROM THE MONITORING OFFICER

The town clerk confirmed that Wakefield Council's monitoring officer has written to the council in respect of the following:

- To remind members of their duty to promote and maintain high standards of behaviour.
- To remind members that the code of conduct applies whenever members conduct the business of the council.
- To remind members that the code of conduct applies when acting as a representative of the council and/or giving the impression of acting as a representative of the council, including the use of any social media platforms.
- Five complaints have been upheld regarding the conduct of four members - Cllrs Hardacre, Hird, Kenyon (two complaints) and Mitchell – but to date, none of those members has complied with the monitoring officer's recommendations.

Resolved that the town clerk's report be noted and approved.

325 INFORMATION COMMISSIONER'S OFFICE - RECOMMENDATIONS

The town clerk reported on recommendations received from the Information Commissioner's Office including (inter alia) data protection training and a review of data protection policies.

Resolved that the town clerk's report be noted and approved.

326 PLANNING MATTERS – HEMSWORTH WATER PARK

Resolved that:

- The road/pathway on the upper field be filled in / reinstated (unanimous).
- A planning consultant be procured in order to submit a retrospective planning application for the storage unit (unanimous).

327 SANDYGATE FOOTBALL FACILITY - STAFFING

Resolved that the town clerk be authorized to internally recruit a permanent member of full-time staff to be based at the Sandygate football facility (unanimous).

328 FREEDOM OF INFORMATION REQUESTS

The town clerk reported on the (anonymized) freedom of information requests received.

Resolved that the town clerk be authorized to respond accordingly to the freedom of information requests (unanimous).

329 WRITTEN QUERIES DERIVING FROM THE EXTRAORDINARY COUNCIL MEETING HELD ON 12 OCTOBUER 2021

Resolved that written queries will only be responded to if the requester's details are provided, in accordance with the provisions of the Freedom of Information Act.

330 EXCLUSION OF PRESS & PUBLIC

Resolved that in view of the confidential nature of business to be transacted, it is advisable, in the public interest, that the public and press be excluded and they are instructed to withdraw.

331 STAFFING MATTERS

a) Probationary period for a member of staff

Resolved that the three months' probationary period for the member of staff concerned be approved.

b) Grievance

The town clerk left the room for this item.

Resolved that the grievance panel consist of Cllrs Dodson, J Eccles and Pringle.

332 ABUSE OF STAFF BY A MEMBER OF THE PUBLIC

Resolved that:

- The abuse of staff is not acceptable (unanimous).
- The member of the public be asked to apologise and that if no apology is forthcoming, specified council services will be withdrawn for a period of six months (unanimous).
- If no apology is forthcoming during/after six months then further council services could be withdrawn (unanimous).

333 KIRKBY ROAD SPORTS COMPLEX

Dr Paul Stookes of Richard Buxton Solicitors attended for this item only and he fed back on the mediation held with SCL.

Cllr Middleton proposed that the legal advice be accepted and the mediation outcome be accepted and approved. This was seconded by Cllr Hird.

For:

Cllrs Dodson, G Eccles, Folletti, Hardacre, Hird, Hirst, Kenyon, Middleton, Pringle, A Westmorland, G Westmorland and Wilson.

Against:

Cllrs J Eccles and Mitchell.

Abstentions:
None.

Resolved that:

- The legal advice be accepted and approved and that the mediation outcome be approved and the contract be completed.
- Dr Paul Stookes be authorised to sign the court papers on behalf of the council.
- The town clerk, chairman and vice-chairman be authorised to sign all other legal documents on behalf of the council.
- Malcom C Foy Solicitors be appointed to conduct the conveyancing.

The meeting closed at 21:15.