

On the run up to Christmas, the Police would be checking licensed premises to ensure that they were operating correctly, and this would be carried out on various weekends. An operation against shoplifting in the Town Centre was also being carried out during the festive period.

The Neighbourhood Police Team would also be running a Cycle Safety campaign. Fixed penalties would be given to cyclists riding on pavements or without lights in the dark. They would also offer to mark any bikes to help prevent theft. This would be an on-going regular operation.

Cllr King asked if the police were still running checks against under age purchasing. PC Gamble confirmed that this was still being done, and in fact all stores that had been checked recently had not sold prohibited items to under age people. Cllr King also asked if bicycles were still required to be sold with bells. PC Gamble replied that they were, but there was no requirement to retain them on the bikes after sales.

Cllr Harvey commented that he was pleased to hear of the Cycle Safety campaign and asked if PC Gamble would ensure that a press release on this and the success of it was made available to the local press. PC Gamble replied that he was sure this could be done.

Mr James Mills

Mr Mills explained that he was attending the meeting on behalf of St. Mary's Church. He began by quoting the words from an address that he had made to the Council in February 2013, concerning the question of the Town Council's responsibility for St. Mary's churchyard. Mr Mills said that he understood the financial constraints of the Council, and that he had previously requested that a Working Party be set up to look at the financial situation surrounding the responsibilities of the Town Council for the churchyard.

He stated that the responsibility for St. Mary's churchyard had been with the Town Council since 1972, having been passed on from the Urban District Council. He understood that at the recent meeting of the Leisure and Recreation Committee, members had been surprised that the issue was still under discussion.

In his opinion, the Town Council had failed to maintain the churchyard as was its statutory obligation. The maintenance of both the wall and the monuments were included in this obligation. He offered to speak to any councillor at length on this subject, and stated that he had written a long document on the issues concerned.

The Chairman asked Mr Mills if he would make a copy of his address available to the Council members, and invited him to attend the next meeting of the Leisure and Recreation meeting in January 2014.

Mr Chris Pyne

Mr Pyne wished to address the Council on behalf of Witney Tennis Club and as a member of West Witney Sports Association. He stated that as members were aware, there were longstanding issues with the surface of the tennis courts at West Witney Sports Ground. The courts had been patch repaired in 2008 but were not up to standard. Two active members of the club had reported their intentions to leave the club due to the condition of the courts, and in a recent match with North Oxford Tennis club, the head coach (of North Oxford) had considered walking off court due to two players slipping. The Tennis Club would be running a junior tournament next year and also a countywide tournament on 2nd June 2014. Mr Pyne urged the Council to support the recommendation from the Leisure and Recreation Committee to resurface the courts.

Mr Pyne said that he was also present on behalf of Liam Walsh of West Witney Sports Association. One member, Sue Wilson, had taken legal advice and had sent off forms to register the group as a Community Interest Company (CIC). These initiatives were designed to work for the public good. The CIC's bank account should be open shortly and the registration confirmed in a few weeks. Mr Pyne suggested that the Town Council could then negotiate with the CIC. They were working with the Oxford Playing Fields Association to see what options were open to them. Mr Pyne was keen to report back progress to the Rt. Hon David Cameron MP who had asked to be kept in the loop.

The Chairman thanked Mr Pine for his presentation and asked if it could be made available to members in order that they could consider it more closely.

543 **ANNOUNCEMENTS**

Members received and considered the details of the events attended by the Town Mayor, as circulated with the agenda.

RESOLVED: that the report be noted

544 **MINUTES OF COMMITTEES**

a) Planning and Development Committee of 15 October, 5 November, 26 November 2013

On the Minutes of 15 October 2013, Cllr Morris queried why the Planning Committee had objected to the application no WTC/230/13 – Unit 14, Newland Industrial Estate – Permanent siting of 15 storage containers – partially on the grounds of noise, as in his experience they were not noisy at all. Cllr Beames explained that the Planning Committee had been concerned that opening and closing the containers may be noisy to nearby residents.

RESOLVED: that the minutes of the Planning Committee as detailed be received and any recommendations approved with the addition of "2013" after "5 November" and "26 November" at the head of the page.

b) Leisure and Recreation Committee Minutes of 4 November 2013

Cllr Enright noted the discussion on the changes at Tower Hill Cemetery. He had concerns about people visiting family graves over the Christmas and New Year period, and had been contacted by residents who were disabled and were experiencing difficulties in accessing graves. He asked that the recommendation under minute no.L465 be amended to allow the bollards to be lowered for the festive period.

The Chairman commented that he had visited Tower Hill cemetery and had found that the car parking spaces were in fact too small for cars to park in by at least two feet. The Facilities Manager explained that spaces could not be marked out for the full length of a vehicle as other cars would not in theory be able to get past. She remarked that it was a cemetery and not a car park. She also notified members that one of the bollards had been vandalised during the past week in order to allow vehicles to drive across the cemetery; the bollard had been re-installed by Council staff.

Cllr R Curry queried which Cllr Curry was referred to on page 4, paragraph 7 of the minutes as there were no initials. He was happy to have the comment attributed to him. The Town Clerk said that this would be checked.

Cllr Harvey referred to the recommendations of minute L466 on pages 7 and 8 of the minutes. He felt that the recommendations were contradictory in nature and proposed

that they were amended. He felt that all of the recommendations were the remit of the West Witney Working Party, and that regarding recommendation 4, a better understanding of the lease agreements was needed. He proposed that the Working Party should be tasked with carrying out such work, or the Town Council would be in danger of “putting the cart before the horse”.

Cllr Harvey felt that a greater degree of clarity would come out of the Working Party talking with the West Witney User Group. The SSGB reports formed an essential part of the strategy for the future of West Witney Sports Ground and detailed examination of these was essential before money was spent. He was, however, quite happy to support the resurfacing of the tennis courts if the Tennis Club did not move.

The Chairman understood that the subject of the West Witney Working Party was an item later on the agenda, and said that Cllr Harvey had given members a lot to take in, having delivered his thoughts. Cllr Harvey said that he was not commenting on the West Witney Working Party, but on the work that it should do. Due to the Leisure and Recreation Committee having a heavy workload, he stated that the working party should take on the issues associated with West Witney Sports Ground and then report back to the Committee.

Cllr R Curry proposed that this issue was dealt with under the agenda item relating to West Witney Sports Ground, rather than amending the proposals of minute L466. Cllr Harvey understood the overlap, but he thought that the Council needed to decide what the Working Party should do and how they could best do it. If the Council decided to ratify the recommendations of minute L466, this would take the work away from the Working Party who should be doing it.

Cllr Woodruff stated that he felt that leases were the remit of lawyers. He supported Cllr R Curry’s proposal to deal with the issue of the Working Party under agenda item 11. Cllr Harvey explained that any vote against the recommendations of minute L466 was not a vote against the West Witney Working Party. Cllr R Curry amended his proposal and proposed to defer the debate to agenda item 11.

Cllr M J C Curry agreed with Cllr Harvey and said that if she voted against the recommendations of L466, this should not be seen as a vote against the West Witney Working Party. She felt that the only people the Town Council could speak to about leases were the User Group and they were not a constituted body. She did not want to lead them down a false path when there may be no financial back up. She asked that it was recorded that she was in favour of superb sports facilities in Witney.

Cllr Beames asked that it be noted that he had voted for Cllr Harvey’s amended proposal under minute L466, recommendation 5.

Cllr Enright reminded the Chairman of his proposal to amend the recommendation under minute L465 in relation to Tower Hill Cemetery access. Cllr M J C Curry asked if he meant that the bollards should be removed all day every day or on certain times only. Cllr Enright wanted to see the bollards removed all day. Cllr M J C Curry asked how this would leave the Council in terms of insurance. The Town Clerk replied that there would be no impact unless the Town Council made a claim. Cllr M J C Curry agreed with Cllr Enright’s proposal. But thought it would be better if the Facilities Manager suggested suitable times of the day for disabled people to visit.

Cllr Morris stated that he had previously asked about vandalism in the cemetery and noted that since the bollards had been put in, the only vandalism reported was one of the bollards itself. Cllr Enright proposed that the bollards were removed during the daytime when most people visited. He felt that the vandalism of the bollard was symbolic of what most people thought of it.

The Chairman was sympathetic to Cllr Enright's views, although he didn't think there would be a rush of people at one time causing congestion. He walked around the cemetery most days. He would be happy to support Cllr Enright's proposition but questioned what days this should take place on. The Facilities Manager reported that the vandalism was not actually against stones but it was in the form of people driving over graves. When bollards had been removed for funerals, vans had entered and parked on graves. She said that if the bollards were removed, people would immediately park on graves.

Cllr Churchill also supported Cllr Enright's proposal, but thought the period for which the bollards were to be removed should be defined. Cllr Enright volunteered to speak to any known person who has parked on graves in the past. Cllr Snow agreed that the bollards should be lowered for the Christmas period but thought they should be replaced afterwards.

The Facilities Manager pointed out that staff were not on duty over the Christmas period, so any removal of bollards to allow access would mean also that gates would have to be left open. She suggested that this could be from Christmas Eve until 2 January.

With regard to the minutes of the meeting held on 25 November 2013, Cllr M J C Curry stated that in minute L524, page 5, paragraph 3, she had been incorrectly recorded in saying that she was "appalled at the churches stance". She asked that this be changed to read "saddened at the churches stance".

RESOLVED:

1. to remove the bollards and leave the gates unlocked for access over the Christmas period, this being from Christmas Eve to 2 January, when access will revert back to the terms of the trial period;
2. that the recommendations on page 7/8 (minute no. L466) be deferred until considering the agenda item regarding the future of the West Witney Working Party, later on the agenda;
3. that the minutes of the Leisure and Recreation Committee held on 4 and 25 November 2013 as detailed be received and any recommendations approved, subject to the above.

c) Public Halls Committee Minutes of 11 November 2013

RESOLVED: that the minutes of the Public Halls Committee as detailed be received and any recommendations approved.

d) Finance and General Purposes Committee of 18 November 2013

Cllr Harvey queried the wisdom of recommendation 4 under minute F511 (b). He was concerned that the timescale for setting the Town Council's precept on 16th December was short, particularly as the Chancellor was not making his budget statement until that Thursday. This meant that the District Councils would not know about their finances until that day, and this could have a knock on effect on Town and Parish Councils.

The Town Clerk explained that the District Council had agreed an extension to 31 January to set the precept. She commented that Cllr King had accompanied her to the NALC conference in London the previous week, and despite reassurances from Nick Boles MP and Minister for Planning, as well as Brandon Lewis MP and Parliamentary Under-Secretary of the State at the Department for Communities and Local Government (DCLG) via NALC's CEO John Findlay, she was concerned by information gained during a breakout session she

attended. This was led by a civil servant of DCLG who had said that precept capping and referenda legislation might come into force where Town and Parish Council's Band D precepts were more than the lowest District Council's Band D precept – which currently equates to £70 per annum. However, she advised that this was still uncertain and until Rt. Hon Eric Pickles M.P gave his Autumn statement late December she didn't think that the Council was in any position to consider its final budget.

The Town Clerk cautioned members that if there was any likelihood that the Council's precept level would be capped in 2015/16, it would need to proceed with prudence now in order to cover all the identified projects. She explained that she had sought clarification on whether capping and referenda legislation would only apply just to revenue budgets not capital expenditure which was precepted, but no one at this stage could clarify.

Cllr Enright was alarmed by this news and questioned how central government knew what services were provided by which tier of council. Witney Town Council provided some services which were provided by district councils in other areas. Cllr Harvey agreed with Cllr Enright and felt that district councils could be seeking to pass services onto town and parish councils. He queried whether the Town Council should set its budget on 16 December.

The Town Clerk reminded members that the RFO had been tasked with finding savings and that a Working Party had been set up to deal with this. She stated that it was the Council's decision whether to set the budget in December or to look at the figures again before January. The RFO was currently off sick and she needed to give figures to the Working Party. The Town Clerk felt it was important to have figures for the bigger picture. Cllr Harvey proposed that the meeting on 16 December should be postponed and that the Town Clerk should find a new date in January 2014.

RESOLVED:

1. to defer the Special Finance & General Purposes Committee meeting, and Extra-Ordinary Council meeting scheduled to be held on 16 December 2013 to a date in January 2014 to be set by the Town Clerk;
2. that subject to the above, the minutes of the Finance & General Purposes Committee as detailed, be received and any recommendations approved therein.

545 **WITNEY TOWN CHARITY – TOWN COUNCIL NOMINATED TRUSTEE**

Members received and considered the report of the Town Clerk as circulated prior to the meeting.

A suggestion had been put forward by the Clerk to the Trustees of the Witney Town Charity that Cllr Holliday had expressed an interest in this vacancy. Cllr Churchill commented that it was for the Town Council to nominate a Trustee and not the Charity. The Town Clerk explained that normally there was little or no interest in filling such positions and so a suggestion of Cllr Holliday had been put forward.

RESOLVED: that the report be noted and Cllr Holliday is appointed as the Town Council nominated trustee.

546 **FUTURE OF WEST WITNEY WORKING PARTY AND COUNCIL APPOINTED REPRESENTATIVES TO SPORTS AND SOCIAL CLUB**

Members received and considered the Town Clerk's report as circulated prior to the meeting.

Cllr R Curry thought that it was a good idea to set up a working party to look at all the recreation grounds in Witney. He proposed that the existing representatives were thanked for what they had done and the West Witney Working Party should be wound up. A new Working Party should then be set up with a new name.

The Town Clerk explained that members had previously been unable to decide on a Chairman for the group and the Leisure and Recreation Committee had been debating the future of the working party. If Council chose to refer this subject back to the Leisure and Recreation Committee this would delay progress more. Cllr Woodruff agreed with Cllr R Curry's proposal and would be happy to stand for the working party.

Cllr Harvey suggested that the working party should be called the "Sports Facilities Working Party" and that the remit and constitution should be amended from that of 2008 as follows:

The prime purpose of the WP is to investigate the proposals as presented by SSGB with a view to producing to Council, a concise and critical analysis, with recommendations, as far as possible.

This will be achieved by carrying out a wider consultation with the general public and users of all the Council's sports facilities.

The WP will also need to ensure that if the Council needs to dispose of land, that it does so at the best possible return in order to safeguard Town Council assets.

Cllr Woodruff said that the existing working party had already done a lot of investigations and the Council should be careful not to back track. He felt that any working party should not go over old ground. Cllr Harvey proposed that the deferred recommendations from minute L466 of the Leisure and Recreation Committee of 4 November should be referred to the working party, especially so that a clear understanding of the lease issues could be gained before embarking on issuing new leases.

Cllr Harvey also thought that the working party should be tasked with looking at the business plan and finances. The SSGB reports should form an essential element of the working party's considerations. In addition Cllr Harvey believed that the Council should commit to resurfacing the tennis courts at West Witney, and this should be in the remit of the working party.

The Chairman thought that the working party's constitution could not be decided at the meeting – it needed to be examined to ensure all were happy with it. Cllr Beames thought that the constitution of the working party should be set by the working party itself. He proposed examining the recommendations from minute L466 and voting on these. Cllr Harvey thought that the earlier amendment to the constitution was appropriate. Cllr Woodruff took on board Cllr Harvey's comments but felt that the work under consideration had already been done. He thought that the recommendations from minute L466 should be ratified by Council.

Cllr R Curry proposed that as the CIC was now set up, they could come forward to the working party with proposals. Cllr Beames seconded this.

RESOLVED:

1. that the Town Clerk's report be noted
2. that the West Witney Sports Ground Working Party be wound up and a new working party formed under the name of the "Sports Facilities Working Party". **All agreed.**

3. that the following Councillors would serve on the Working Party:
- | | |
|-------------|----------|
| Beames | King |
| Churchill | Snow |
| M J C Curry | Woodruff |
| Dorward | Woodward |
4. that Cllr Dorward be elected Chairman of the Working Party. (Cllr Harvey counter proposed Cllr King as Chairman.) **8 members voted for Cllr Dorward and 5 members voted in favour of Cllr King.**
5. that the constitution of the Sports Facilities Working Party would be as proposed by Cllr Harvey and seconded by Cllr Morris:

The prime purpose of the WP is to investigate the proposals as presented by SSGB with a view to producing to Council, a concise and critical analysis, with recommendations, as far as possible.

This will be achieved by carrying out a wider consultation with the general public and users of all the Council's sports facilities.

The WP will also need to ensure that if the Council needs to dispose of land, that it does so at the best possible return in order to safeguard Town Council assets.

The Chairman suggested that in light of the formation of the new working party, the recommendations from minute L466 should be deferred to a later date.

Cllr Beames objected to deferring them, as they were definitive recommendations and he felt a deferral was pointless. Cllr Woodruff agreed and emphasised that a decision should be made on the tennis courts that evening. Cllr Harvey stated that he was in favour of the tennis courts being resurfaced, and that the money should be commuted. He thought that the other recommendations were the remit of the new working party which should debate them and bring recommendations back to Council.

Cllr Beames said that in the absence of consultation with the tennis club, Mr Pyne had e-mailed him to say that the Tennis Club wanted to remain where it was, and that therefore the club had been consulted. Cllr Eaglestone stated that funds for the Tennis Courts had not been designated by anyone and it had not been through the Finance and General Purposes Committee. He said that it would be a waste of money resurfacing the tennis courts if the club moved to the Leys.

The Town Clerk explained that the Tennis Club considered that all monies paid in rent since the current 'agreement' was established in 2003 should have gone into an earmarked reserve for works to the court. The Town Clerk had calculated that given the work undertaken in 2007, and the replacement fence in 2009, this resulted in the region of £9,000 being available for this project, which included the outstanding rent for the past two years. Cllr Woodruff said the rent had been withheld due to the condition of the courts, and Cllr R Curry said that nothing should be done to the courts until the rent was paid up to date.

The Chairman thought that the Council needed to be certain about the funding for the tennis court resurfacing, and that the unpaid rent was a distraction. He was in favour of the work being done, if it was not, the Council was denying the use of the tennis courts to the people of Witney. He also felt that the longer the courts were left, the more they would deteriorate. He proposed that members voted on whether the work should be done.

Cllr Baker noted that the Tennis Club were legally obliged to pay rent and they could be evicted if this was not done. However, she noted that all that was currently being asked was that the Council allocate the money for the work to be done – the work itself could not happen until March due to weather conditions.

Cllr R Curry proposed that if a vote was taken, and the work was agreed it should be done so on the proviso that the rent was paid up to date. He also noted that if agreed, the money would have to be factored into any discussions on the precept.

Cllr King was concerned that if the work was to cost £32,000 and there was only £9,000 available, there was another black hole appearing in the Council's finances.

Cllr Enright proposed that members voted on spending the money on the tennis courts. **12 members voted for the work to be done and 1 member abstained.**

The Facilities Manager confirmed that the contractors would need to be awarded the contract at the beginning of March 2014. She would need to retender for this. This would be taken back to the next Leisure and Recreation Committee meeting.

RESOLVED:

6. that the Council approve spending money to resurface the tennis courts at West Witney Sports Ground in principle, on the proviso that the rent is paid up to date by the Tennis Club, and subject to the work that needed to be done on the precept;
7. that the recommendations from the Leisure & Recreation Committee meeting held on 4 November under minute no. L466 be deferred to the Working Party, with the exception to recommendation no. 5 as amended by the above recommendation.

547 **HEALTH AND SAFETY UPDATE**

The Members received and considered the report of the Facilities Manager along with the new Health & Safety Policy document.

In response to Cllr R Curry's question regarding the extent of the councillors' responsibilities, the Facilities Manager advised that the councillors' roles were numerous. They fell into all section 1 items of the health and safety policy, and they needed to ensure that the policy was updated annually.

RESOLVED:

1. that the draft Health & Safety policy be approved and adopted;
2. that the policy be an annual agenda item to agree amendments and provide Councillors with a revised written copy.

The meeting closed at 8.55pm

Chairman