

WESTBURY TOWN COUNCIL

AT THE EXTRAORDINARY MEETING OF THE TOWN COUNCIL HELD AT THE LAVERTON, BRATTON ROAD, WESTBURY ON MONDAY, 15th AUGUST 2011 AT 6.15 PM.

PRESENT: Cllr D Windess (Chairman)

Cllrs S Andrews, W Braid, M Cuthbert-Murray, Mrs S Ezra, R Hawker, D Jones, Mrs C Mitchell, Mrs D O'Hara, C Pope, Mrs M Pope and W D Tout.

Mr K Harvey and Mrs B Mantle

T.2521 PUBLIC FORUM. Nil.

T.2522 ACCEPTANCE OF APOLOGIES AND REASONS FOR ABSENCE.
Cllr D Jenkins – Personal
Cllr S Miles – Business commitment
Cllr F Morland

T.2523 RESIGNATION OF CLLR M HAWKINS. Members noted with regret Cllr Hawkins' resignation with immediate effect. The Town Clerk was instructed to write to Cllr Hawkins expressing Members' sadness and regret, and to thank him for his valued service to Westbury and the Town Council, both as a councillor and as Town Mayor.

T.2524 DECLARATIONS OF INTEREST AND REASONS.
Cllr S Andrews – Agenda item 3. (Personal & Prejudicial)
Cllr M Cuthbert-Murray – Agenda item 3. (Personal & Prejudicial)
Cllr Mrs D O'Hara – Agenda item 3. (Personal & Prejudicial)

The reasons for these declarations relate to a confidential matter.

T.2525 NOTICE OF MOTION received from Cllrs M Cuthbert-Murray, R Hawker, Mrs S Ezra, D Jenkins, S Miles, Mrs C Mitchell, Mrs D O'Hara, W D Tout and D Windess on 26th July 2011.

a. To rescind the decision taken at the full town council meeting held on 4th July 2011 to adopt the Minutes of the full town council meeting held on 4th May 2011 because they contain an inaccuracy that went un-noticed at the time of the very long meeting held on 4th July 2011 and this needs to be corrected.

b. To amend draft Minute T.2456 "Report by the Laverton Institute Trust Management Committee (LITMC)" to read as follows:

Cllr Andrews made a personal statement in response to recent claims made in by-election campaign literature, which had referred to who had contributed to achieving the strategic direction of the Town Council's refurbishment project for The Laverton. Cllr Windess, as Mayor and chair of the meeting, asked

Cllr Andrews to cease his personal attack on an election candidate and several other councillors also requested that he cease his statement. Cllr Hawker requested that Cllr Andrews be permitted to continue on the basis that Cllr Andrews would say it anyway at some point soon and may as well get it all off his chest now. Cllr Windess allowed Cllr Andrews to continue and councillors Cuthbert-Murray and Miles left the room in protest. Cllr Hawker pointed out that he had written the relevant parts of the election leaflet referred to and believed the statements to be accurate but also agreed that Cllr Andrews had worked hard as chair of LITMC and deserved full credit for his part in the success of the project.

c. To adopt the newly amended Minutes for the full town council held on 4th May 2011 as true and correct.

The Clerk reported on advice he had received from the Society of Local Council Clerks' legal advisors, Nicholas Hancox Solicitors, who specialise in local government law. The Clerk was advised that Minute T.2456 (Annual Town Council 4th May 2011), which was approved and signed off by the Chairman, cannot be changed. However, the Council may produce a subsequent minute, which says that although the Council decided 'X' in 'Minute A', on review it can confirm that it really intended 'Y'. The end result being that the first minute is still there in the record, but there is a later minute too.

Cllr Andrews queried 3.a. and the reason stated for correcting the Minute that 'they contain an inaccuracy that went un-noticed at the time of the very long meeting' as Minutes are approved near the beginning of meetings. He referred to the statement he made on the 4th May in which he did not mention any names, and only took issue with what was written in an election campaign leaflet and in some e-mails circulated to members.

Cllr Braid and Jones did not consider this motion to be relevant or in the interests of the people of Westbury.

Cllr Tout expressed the hope that the two councillors involved in this matter can settle their differences.

It was RESOLVED to delete 3.a. and 3.c. of the motion.

It was further RESOLVED that although the Town Council approved Minute T.2456 at the Town Council meeting held on the 4th July 2011, on review the following is a more accurate record:

Cllr Andrews made a personal statement in response to recent claims made in by-election campaign literature, which had referred to who had contributed to achieving the strategic direction of the Town Council's refurbishment project for The Laverton. Cllr Windess, as Mayor and chair of the meeting, asked Cllr Andrews to cease his personal attack on an election candidate and several other councillors also requested that he cease his statement. Cllr Hawker requested that Cllr Andrews be permitted to continue on the basis that

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6.58 pm

**Signed on behalf of the Meeting
this fifth day of September 2011**

Chairman