

WESTBURY TOWN COUNCIL

**AT THE MEETING OF THE TOWN COUNCIL HELD AT THE LAVERTON,
BRATTON ROAD, WESTBURY ON MONDAY, 23rd MARCH 2015 AT 7.00 PM.**

PRESENT: Cllr Mrs C Mitchell (Chairman)

**Cllrs D Bradshaw, I Cunningham, Mrs S Ezra, R Hawker, D Jenkins,
G King, F Morland, M Sutton, I Taylor, and W D Tout,
Mr K Harvey, Town Clerk, Mrs B Mantle and Mrs A McCann.**

T.3274 PUBLIC FORM. Nil.

T.3275 ACCEPTANCE OF APOLOGIES AND REASONS FOR ABSENCE:

Cllr D Anderson	-	Business
Cllr S Andrews	-	Personal
Cllr P Wakeman	-	Unwell
Cllr D Windess	-	Business

T.3276 DISPENSATIONS: Nil.

T.3277 DECLARATIONS OF INTEREST:

Cllrs Mrs C Mitchell, M Sutton, and I Taylor (non-pecuniary) – dog owners.

T.3278 Cllr Tout raised a point of order. He understood members had agreed at the previous meeting to defer two items concerning a dog warden to an additional Town Council Meeting and that this should be the only matter to be discussed. He, therefore, objected to item 9., regarding the Westbury Leigh Car Park, being included on this meeting's agenda, and proposed that it be deferred. Cllr King explained it was necessary to discuss this item at this meeting as the Council's decision had to be placed before the Westbury Area Board in two week's time.

This proposal was defeated, but it was resolved to bring item 9. forward on the agenda.

T.3279 Cllrs Morland and Tout objected to the Minutes of the previous meeting on the 2nd March 2015 being brought to this meeting, and proposed that items 4. and 5., regarding acceptance of minutes and matters arising, be deferred to the next meeting. This proposal was defeated.

T.3280 PUBLIC FORUM. Objections were raised against the way the Public Forum was recorded in the Minutes, and it was also questioned whether matters raised in the Public Forum should even be minuted. It was resolved to refer this matter to the Policy & Resources Committee for consideration and recommendation to Town Council.

T.3281 MINUTES. The Minutes of the Town Council Meeting held on the 2nd March 2015 were confirmed and signed by the Chairman.

T.3282 MATTERS ARISING FROM THESE MINUTES:

- a. **Red BT Telephone Box, Market Place (T.3250).** Cllr Tout asked whether there were any plans to protect other red BT telephone boxes in the town.
- b. **Dog Warden and Dog Foul Proposals (T.3251).** Cllr Tout informed that he had not received Cllr Hawker's e-mail regarding this matter due to an incorrect e-mail address.

Members' matters arising from these Minutes: Nil.

T.3283 WESTBURY LEIGH CAR PARK. Cllr King proposed that Westbury Town Council approves the transfer of Westbury Leigh Car Park from Wiltshire Council to Westbury Leigh Community Project Ltd, a Charitable Trust, by asset transfer provided that Wiltshire Council makes good the flooding/drainage and other minor issues already agreed in principle, thus ensuring a transfer of cost neutrality.

APPROVED.

T.3284 DOG WARDEN – Recommendation received from the Joint Dog Warden Working Group (Warminster and Westbury Town Councils): Recommendation dated 2nd February 2015 – deferred from Town Council meeting on 02.03.2015.

It is recommended, on the basis of value for money that should either Council wish to pursue any activity in respect of dog fouling campaigns, this is carried out by trained sub-contractors on an ad hoc basis.

APPROVED.

T.3285 DOG FOUL PROPOSALS – Recommendation of the Delegation of Services Working Group dated 23rd February 2015 in relation to the Council's agenda item concerned with Dog Foul proposals – deferred from Town Council meeting on 02.03.2015:

Introduction:

This Working Group (WG) notes with appreciation the hard work of the Joint Dog Foul Working Group with Warminster Town Council and agrees with its conclusion that there would be insufficient work to justify employing an appropriate person. However, the WG also notes the aspiration of this Town Council to appoint a Town Warden at a future date should this council agree to the transfer of any services and assets from Wiltshire Council. The WG considers that these two things should not be seen as being either exclusive or incompatible.

Recommendation:

The WG therefore recommends that the Town Council should limit the recommendation of the Dog Foul Working Group to a series of 12 month rolling contracts until such time that this council might have accrued sufficient responsibilities through delegation to justify the appointment of a Town Warden, who will then assume responsibility for dealing with dog foul amongst other duties.

Cllr Mrs Ezra proposed the following amendment:

That instead of employing a town warden only to collect dog mess, that we should pursue employing a town warden to take-over the manual tasks currently undertaken by the Clerk in the town, leaving him to concentrate solely on his actual role.

FAILED.

Following a minor amendment to the wording, the recommendation was **APPROVED** as follows:

The WG therefore recommends that the Town Council should limit the recommendation of the Dog Foul Working Group to no more than a 12 month rolling contract until such time that this council might have accrued sufficient responsibilities through delegation to justify the appointment of a Town Warden, who will then assume responsibility for dealing with dog foul amongst other duties.

T.3286

NOTICE of MOTION received from Cllr R Hawker dated 1st March 2015.

- a. To authorise the clerk to obtain appropriate delegated authority from Wiltshire Council for this town council to operate a part dog warden service within Westbury Parish and the White Horse public area maintained by Wiltshire Council, and to negotiate with local specialist firm Prosec suitable terms to supply to this council a fully qualified and appropriately-equipped dog warden service focussed only on picking up dog mess (especially where Wiltshire Council or its contractors are not about to do the same work anyway) and issuing fixed penalty notices and collecting suitable evidence to facilitate prosecutions where the penalty is not paid. Service personnel are to be known as town wardens to avoid confusion with the dog warden service provided by Wiltshire Council which includes dealing with noisy dogs, dangerous dogs and lost dogs. The money burn rate for this service should be at a maximum of £10,000 for the first 12 months or pro rata, which should supply the equivalent of about two and half days of manpower a week. The clerk may consider any length of initial contract from 3 - 12 months and must include a cancellation mechanism if the contract needs to be terminated at any time subject to appropriate notice etc.

- b. To pass to the Policy and Resources Committee the oversight function for the service, which would be focussed on where, when and how the town warden would work.
- c. To leave the work of pursuing any prosecutions with the clerk and Management Team due to the need for absolute confidentiality and sometimes short-notice meetings with potential legal action in mind, though the cost or budget for any action will have to be approved in due course by full council, perhaps when the clerk returns to full council with his final recommendations on how the contract should be set up or later when relevant information becomes clear on the number of prosecutions likely etc.

FAILED.

Cllr King proposed that a task and finish group be set up to look at this matter in more detail.

APPROVED. Cllr Hawker voted against this proposal.

T.3287 NOTICE of MOTION received from Cllr I Taylor dated 16th March 2015.

TRIAL DOG HYGIENE SERVICE/TOWN TRIAL SERVICE.

Cllr Taylor withdrew his motion.

9.35 pm

**Signed on behalf of the Meeting
this fifth day of May 2015**

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Chairman