

**MINUTES OF THE EXTRAORDINARY MEETING OF
THE WOODSTOCK TOWN COUNCIL
HELD AT 7.30 PM ON TUESDAY 19th JULY 2016
IN THE MAYOR'S PARLOUR, WOODSTOCK TOWN HALL**

PRESENT:

Cllr E Poskitt (Mayor)
Cllr J Cooper
Cllr S Parnes
Cllr Mrs T Redpath
Cllr B Yoxall

Cllr F Collingwood (Deputy Mayor)
Cllr Mrs A Grant
Cllr P Redpath
Cllr Mrs E Stokes

ALSO IN ATTENDANCE: 7 members of the public.

WTC/99/16 APOLOGIES FOR ABSENCE: Apologies were received from Cllrs P Jay, Mrs S Rasch and M Robertson.

WTC/100/16 DECLARATIONS OF INTEREST: Cllr F Collingwood declared a general interest in Agenda Item 6 New Road Play Area as he is employed by a company that was formally employed by the parties who had threatened legal action against the Town Council.

WTC/101/16 PUBLIC PARTICIPATION: Three residents addressed the Parish Council:

1. Mrs U Parkinson addressed the Council about the Multi User Games Area (MUGA) at the New Road play area and explained why it was a matter of concern to residents living close by. She said that the suggestion that the MUGA might be relocated to the grounds of the Old Woodstock Football Club was of concern to residents living in Glovers Close etc. ignoring the buffer zone guidelines and attracting the wrong sort of people and said that no residents wanted the MUGA near to their homes. Mrs Parkinson noted that the MUGA had caused a lot of bad feeling and concern amongst residents and also cost the Council a lot of money in legal fees. She reminded Cllrs of their responsibilities and that they had a duty of care and asked that they dismantle the MUGA, take away the fence and either put a picnic table or a couple of 'springers' in its place. Mrs Parkinson asked for the Council's permission in writing for residents to take down the MUGA at no cost to the Council or for assurances that WTC will take it down.

2. Mr C Carritt addressed the Council about the MUGA noting that the debate had been coloured by the advice of the Council's solicitors which had been unhelpful and had inhibited open discussion and the threat of legal action made by residents living close to the play area. He considered it unlikely that the Council would commit to the expense of relocating the MUGA or to dismantle it as this may incur significant costs and have a negative effect on the town. As a Youth Club committee member his view was that people need to provide facilities for children but that the concerns of residents who live nearby also need to be addressed. He suggested that the solution might be for WTC to install 'High Ball' fencing between the play area and the neighbouring house, without prejudice, as a matter of good will and that the residents who had complained about the equipment give it 12 months to see if this alleviates the problem.

3. Ms G and Mrs A Matthews addressed the Council about the MUGA. Ms Matthews is a youngster living in Woodstock and she told the Council how much the MUGA had improved the play facilities. She said that she went there quite a lot and that there was almost always someone playing responsibly on the MUGA and having a good time.

Mrs Matthews said that she was alarmed to hear about this ETC to discuss the future of the MUGA. She said that a lot of work had been done to improve the play area and that it was now a wonderful facility. Mrs Matthews noted that the MUGA was used by many children. She reminded Cllrs of the consultations that were undertaken about the equipment beforehand and also the event that was held at the Community Centre where the proposals were presented to the public. She was concerned that the Extraordinary Town Council meeting had been so quickly convened when some Cllrs were unable to attend. Mrs Matthews considered this to be undemocratic and asked why it was not being discussed in a more public way so that a more people could attend? Mrs Matthews said that she could not understand the content of the agenda and expressed her disappointment that there may be a vote that evening to take the MUGA down.

Mrs Matthews was asked how she knew the matter was being discussed and she replied that she had heard by chance from a Cllr not present.

The Mayor explained that if the Council had not been under the threat of legal action it could have made it clear on the agenda that this matter was being discussed.

Cllr P Redpath sked Mrs Mathews if she was aware of the guidelines that the MUGA should be 30m from a residential boundary

WTC/102/16 QUESTIONS: None

WTC/103/16 MOTIONS PRESENTED TO COUNCIL: The Mayor proposed, and the Deputy Mayor seconded a motion that because the nature of the business to be transacted was subject to legal advice the public and press be temporarily excluded from the meeting (Public Bodies (Admission to Meetings) Act 1960 s.1). Discussion followed.

Cllr S Parnes requested a name vote the results of which were:

For: Cllrs E Poskitt, F Collingwood and J Cooper (3)

Against: Cllrs P Redpath, B Yoxall, Mrs E Stokes, S Parnes, Mrs A Grant and Mrs T Redpath. (6)

The motion therefore fell.

WTC/104/16 NEW ROAD PLAY AREA

(i) To continue discussing the motion that was proposed by Cllr P Jay, seconded by the Mayor and deferred from the Town Council meeting held on 12th July 2016.

The Council continued discussing the motion deferred from the Town Council meeting that was held on 12th July 2016, proposed by Cllr P Jay and seconded by the Mayor that Woodstock Town Council resolves to act in accordance with the legal advice received from Freeths as set out on page 3 in the letter of 12th July 2016.

EXCLUSION OF THE PUBLIC AND PRESS: The Mayor proposed, the Deputy Mayor seconded the motion that the Council go into confidential session.

Mr O Parkinson and Mrs A Matthews asked to be advised when the Town Council went back into public session and the Council agreed to do this.

The Council

RESOLVED (unanimous) that because the nature of the business to be transacted was privileged and confidential the public and press be temporarily excluded from the meeting (Public Bodies (Admission to Meetings) Act 1960 s.1).

Discussion continued.

The motion proposed by Cllr P Jay and seconded by the Mayor was then put to a vote. A Cllr called for a named vote the result of which was:

For: Cllrs E Poskitt and J Cooper (2)

Against: Cllrs F Collingwood, Mrs A Grant, S Parnes, P Redpath, Mrs T Redpath, Mrs E Stokes and B Yoxall (7).

The motion fell.

Cllr Cooper wished it to be noted that the Council had voted to go against legal advice

(ii) Motion from Cllr B Yoxall Concerns were raised by some Cllrs that this motion went against the legal advice received from the Council's solicitors. Not all Cllrs agreed with this suggestion.

Cllr B Yoxall proposed Cllr Mrs E Stokes seconded the motion and the Council

RESOLVED (7 votes for and 2 votes against) that Woodstock Town Council regrets the inconvenience and distress caused to the residents living in the vicinity of the New Road Play Area as a result of the introduction of the MUGA, and furthermore resolves, in the light of the abortive attempts to relocate the MUGA to:

a) (i) request WODC to remove as soon as possible the elements that are causing concern to residents,

(ii) store the MUGA and obtain for WTC the best possible price for using the equipment elsewhere

b) in view of a) above, to request Mr. and Mrs. Parkinson to withdraw their threat of legal action, and thereby facilitate WTC itself to refrain from any further legal involvement in this matter

c) to dispose of the formal complaint submitted by residents in an amicable manner

d) to request its solicitors to write to Mr and Mrs Parkinson outlining the terms of this motion and requesting immediate and unconditional agreement to paragraph (b) above.

A Cllr called for a named vote the result of which was:

For: Cllrs F Collingwood, Mrs A Grant, S Parnes, P Redpath, Mrs T Redpath, Mrs E Stokes and B Yoxall (7)

Against: Cllr J Cooper (1)

Abstained: Cllr E Poskitt (1)

ACTION: *The Deputy Mayor and Cllr B Yoxall in consultation with the Chairman of the Environment Committee will agree the content of a letter that the Town Clerk will send to the Council's solicitors that asks them to write a without prejudice letter to Mr and Mrs Parkinson.*

(iii) Motion from Cllr P Redpath

Cllr P Redpath proposed, Cllr B Yoxall seconded the motion and the Council

RESOLVED that WTC enters into talks with WODC to take a shared responsibility in regard to the location, ensuing problems and removal/storage of the elements of the MUGA that cause distress to residents and that the Chairman of the Environment Committee and Cllr P Redpath ask for a meeting with the Head of WODC's Environment and Leisure Services after the Parkinson's have responded to the letter at (i) (d) above.

A Cllr called for a named vote the result of which was:

For: Cllrs Mrs A Grant, S Parnes, P Redpath, Mrs T Redpath, Mrs E Stokes and B Yoxall (6)

Against: Cllrs E Poskitt and J Cooper (2)

Abstained: Cllr F Collingwood (1)

ACTION: *After a response has been received from Mr and Mrs Parkinson to the letter at (ii) (d) above the Town Clerk will write to Ms Diana Shelton at WODC and request a meeting between her Cllrs Parnes and Redpath which the Town Clerk will also attend.*

The Council went back into public session and the Town Clerk telephoned Mr O Parkinson and Mrs A Matthews as previously agreed to notify them of this fact.

The members of the public who returned to the meeting were advised that although WTC believes that progress has been made it has come to the decision that it will have to take further advice from its legal advisors before a final decision is made on the future of the MUGA and also to consider whether alternative arrangements can be made to provide leisure facilities for young people including somewhere to play football and basketball.

The meeting closed at 9.27pm

Signed Date