



WELLESBOURNE PARISH COUNCIL

*Minutes of the Council meeting of Tuesday 4th January 2011 at 7.30 pm
held at the Methodist Hall, Bridge Street, Wellesbourne*

Present: Chairman Cllr Johnston, Cllrs Mrs Bartlett, Mrs Bolton, Close, Copeland, Grantham, Johnston, Parton, Mrs Rose, Rutherford and Wright Acting Clerk: Mrs Lipman
Members of the public: 7 Members of the press: 1

1. Approval of Apologies for Absence

Apologies were received and approved for Cllrs Blundall and Parton

2. Declarations of Interest

Declarations of interest (personal or prejudicial) under the provisions of the LGA 2000, Parish Councils (Model Code of Conduct) Order 2001.

Cllr Mrs Bolton personal interest in the Village Hall as Buildings Trustee for the Village Hall

Cllr Grantham personal interest in planning application 10/02681/TREE as a neighbour, and a prejudicial interest in connection with Wellesbourne Conservative Club Ltd and all matters appertaining to Walton Estates.

Cllr Close personal interest as a District Councillor and in connection with St Peters Church as a member of the church and a prejudicial interest in Chedham's Yard as a prospective Trustee

Cllr Wright personal interest as a District Councillor and in connection with the CAB and the Methodist Hall

Cllr Mrs Rose prejudicial interest in connection with the Conservative Club Ltd.

Cllr Rutherford personal interest in parking matters in relation to Chedham's Yard and a prejudicial interest in letters to the External Auditor in relation to complaints submitted.

Cllr Johnston personal interest as a County Councillor in all matters regarding WCC

Cllr Copeland prejudicial interest in Chedham's Yard as a prospective Trustee

3. Confirmation of the Order of the Agenda and identification of any items that might be resolved for confidential session

It was agreed to move item 14 to the end of the meeting as item 14.2 might be resolved for confidential discussion.

4 Confirmation of the minutes of the Council Meetings of 7th December 2010

The date November 2010 had been omitted from the revised budget at item 7.2. This was recorded.

Cllr IR said that resolutions had been made at items 14.2 and 15 in the minutes which were not included in the agenda for that meeting. Cllr Johnston ruled that this should not be raised under confirmation of minutes but at an appropriate point in the meeting. The minutes were then signed by the Chairman as a true record. Prop Cllr DJ 2nd Cllr JG all in favour. Motion carried.

5. Matters arising

5.1 Proposal by Cllr David Johnston - Wellesbourne Parish Council resolves:

- 1 To note Cllr Rutherford's vexatious intention, stated to two members of the Council to 'destroy' the Council, by making Council proceedings so frustrating to members of the Council, that they decide to resign or not stand for re-election.**
- 2 To ignore Cllr Rutherford's disruptive efforts and to draw the attention of all those who have dealings with the Council of his stated intention.**
- 3 To provide leadership to promote the well being of the people of Wellesbourne, and tackle the important challenges which the village faces.**
- 4 To continue to follow Standing Orders, abide by the relevant codes of Conduct, and to seek the guidance of WALC/NALC/Acting Clerk where relevant.**

Cllr RW asked for clarification of the events at nos. 1 and 2 above. Cllr DC said that at the end of the last meeting he had asked Cllr IR why he was adhering to procedures in such a way that it was driving the Council into the ground and making Cllrs consider whether they wished to continue in office. Cllr IR stated that this was what he intended to do. Cllr TC said that he spoke to Cllr IR the following day and reiterated his comments from the previous night that the large amount of time spent on procedure meant that important issues were being neglected. Cllr IR's reply was that he wished to destroy the

Council. Cllr IR said that he could not remember the details of the conversation with Cllr DC but he confirmed the exchange with Cllr TC. He said the Council wasted considerable time on discussing his behaviour and the allegations were gossip and tittle tattle.

Cllr DJ explained the proposal by saying that at a time where there were so many important issues such as the core strategy, Parish Plan, Sports and Community Centre and Chedham's Yard there are bound to be discussions in Council which are time consuming and Cllrs do not always agree on objectives. However, the constant complaints by Cllr IR were designed to be disruptive and made it hard for the Council to pursue objectives. He said it was important to state the primary role of the Council.

Resolution Prop Cllr DJ 2nd Cllr JG all in favour. Motion carried unanimously.

5.2 Proposal by Councillor John Grantham

In view of the statement made by Councillor Rutherford during " Councillors Exchange of Information "at the Council meeting on 7th December 2010, that "a colleague had introduced him to Councillor Bill Lowe, Chairman of WALC a while ago, that Councillor Lowe was well aware of what was going on in Wellesbourne Parish Council, he was a WALC trouble shooter, and he had been keeping a large file on Wellesbourne Parish Council for some time," I propose that the Council write to Councillor Bill Lowe and ask him -

Is Councillor Rutherford's statement that he is keeping a file on Wellesbourne Parish Council correct, if so why is he keeping that file, what is on that file, and will he let the Parish Council have copies of the documents on that file ?

Cllr IR said that at a meeting held between Cllr DJ, Cllr RW, Cllr JG and Ian Prosser (President WALC) and Cllr Bill Lowe (Chair of WALC) Cllr BL referred to 140 files he had kept on WPC. The other Cllrs at the meeting had no recollection of this statement. Cllr DJ said that he had circulated his notes from the meeting. He said he would ask Mr Prosser to provide his notes from the meeting and he invited Cllr IR to do the same, since his recollection clearly differed from others present.

Resolution Prop Cllr JG 2nd Cllr RB eight in favour, Cllr IR abstained. Motion carried.

6. Open session for members of the public to raise any matters of relevance to the Parish and for any Cllr with a prejudicial interest in an item on the agenda to speak on that item.

Mr Davis, Gloster Gardens asked when the new Index of Shops and Amenities would be published. He was told an updated version would become available during the next financial year, but an exact date could not be given. He also asked about construction of a new dropped kerb in Canberra Close and was told the work was scheduled but an exact date could not be given. WPC would check from WCC the position on the list.

7. Finance and Administration Committee – last meeting 23rd November 2010

7.1 Approval of monthly accounts including staff salaries as per attached sheet
Cllr RW queried the Eon bill for the Sports and Social Centre. He thought that the standing charge was too high. It was agreed that the acting Clerk should ask for a variation from Eon.

Resolution to pay the monthly accounts including staff salaries and the Chedham's Yard accounts. Prop Cllr RW 2nd Cllr TC eight in favour Cllr IR abstained. Motion carried.

7.2 Date of next meeting – 18th January 2011 - noted

8. Police

8.1 Crime figures - Noted

8.2 Correspondence

Warwickshire policing – email 22 nd December

Inspector Patrick Devereux

Noted. It was agreed to ask Inspector Devereux to attend the APM on March 15th 2011

9. Planning

9.1 Decisions

9.1.1 Permission with conditions

10/01847/FUL	Single story side extension and proposed front lounge extension with bow window under existing canopy roof		
At	25 Pembroke Gardens	For	Mr Abbott

Noted

10/02131/TREE	- T1 oak : prune off 1st large lower limb over hanging parking area. Reduce spread of 2no. further limbs by 2-3m. Prune out major deadwood. - T2 oak : reduce crown spread over parking area by 1-2m. Prune out major deadwood. - T3 sycamore : prune out deadwood and hung-up limbs in the crown. - T4 yew : prune off 4 lowest limbs over path to raise lower crown to 2.8-3m for clearance.		
At	St Peters Church, Church Street	For	Mr Nightingale
Officer Dealing	David Wyatt	By	3 rd November 2010

Noted

10/02279/FUL	Insertion of no.1 dormer window to north westerly elevation and no 2 windows to south easterly gable end.		
At	20 Church Street	For	Mr Colley

Noted

10/02280/FUL	Bedroom 6 - new ensuite and dressing area, with insertion of no.2 windows to gable end. Bedroom 2 - new ensuite and airing cupboard, with insertion of no.1 dormer window. Bedroom 4 - new ensuite with new doorway opening into it and enlargement of window in shower. Bedroom 3 - reposition existing cupboard joinery, and make new doorway opening to family bathroom. New plumbing and heating system, boiler to be repositioned in ground floor utility, with insertion of flue to easterly elevation.		
At	20 Church Street	For	Mr Richard Colley

Noted

10/02368/ADV	Replacement of no 2 fascia signs and no 2 totem signs		
At	Co-op Store Loxley Road	For	Heart of England Co-op

9.1.2 Refusal of certificate of lawful proposed use or development

10/02434/LDP	Single storey rear extension		
At	The Birches, 78 Mountford Close	For	Mrs Reid

Cllrs asked the acting Clerk to contact SDC planning department for clarification

9.2 Applications

1.

10/02570/FUL	Single storey rear extension with the insertion of a glazed lantern roof light, erection of a timber boarded fence and erection of vehicular entrance gates		
At	11 Chestnut Square	For	Mr Nicholas Troth
Officer dealing	Alice Cosnett	Due date	29 December 2010

The Council raised no objection

2.

10/022573/LBC	Single storey rear extension with the insertion of a glazed lantern roof light, erection of a timber boarded fence and erection of vehicular entrance gates		
At	11 Chestnut Square	For	Mr Nicholas Troth
Officer dealing	Alice Cosnett	Due date	29 December 2010

The Council raised no objection

3.

10/02681/TREE	2 no holly fell		
At	Holly Cottage, 9 Church Street	For	Mrs Constantinou
Officer dealing	David Wyatt	Due date	5 January 2011

The Council objected to the application to fell the holly trees as they form an important part of the street scene in this conservation area. However, they considered it very important to put in place a programme of effective tree management which would avoid the need to fell the trees.

Prop Cllr DC 2nd Cllr RB motion carried

9.2 Date of next Area Planning meeting 12 January 2011 - noted

10. Amenities Committee – Last meeting 22nd June 2010

10.1 Chairman's update – Cllr Mrs Rose – report appended

Resolution to instruct Limebridge Rural Services to cut back the overgrown hedge at the entrance to the Sports and Community Centre at a cost not exceeding £100 plus VAT and to add the work to the existing grounds maintenance contract at a cost of £30 per annum. Prop Cllr RR 2nd Cllr JG all in favour. Motion carried.

Cllrs were asked to approve the felling of three trees in the shelter belt at Farrington Court as deferred from the meeting of 2nd November 2010. This was again deferred as some Cllrs had yet to visit the site. Cllr TC raised no objection.

The Council noted the death of Ray Thomas and sent condolences to his widow.

10.2 Sports Association – next meeting 17th January 2011 – Cllrs RR and JG to attend

10.3 Youth Club

Cllrs were asked to promote the on line petition to save the county youth service. If more than 5,000 signatories were obtained WCC would be obliged to hold a 30 min discussion at the Cabinet meeting of the Council

10.4 Wellesbourne Sports and Community building update – as per Amenities report attached

10.5 Correspondence – there was none

10.6 Date of next meeting – 23 February 2011

11. Highways Committee – Last meeting 21st September 2010

11.1 Chairman's update – report appended - noted

The Chairman commended the gritting programme which kept the major roads safe during the recent bad weather. He said there had been an accident at Walton involving two cars written off and a request from a resident for a grit bin. He would see if the bin could be purchased from the revised budget and if not it would be ordered in the new financial year. The resident had offered to spread the grit. Cllrs agreed to continue to press for Walton to be gritted as a matter of course and would raise the issue at the next Community Forum meeting. The acting Clerk was asked to find out the results of a gritting review. Cllr RR commended the JCB digger driver who cleared the snow from road junctions on Dovehouse Drive.

ACTION: To obtain a copy of the results of the Winter Service Review	BY: Clerk
--	-----------

Cllr RB expressed concerns regarding the proposed WCC cuts and the suggestion that the Countryside Access team should be scaled back or possibly removed.

ACTION: To write to Alan Cockburn (Strategic Director WCC)	BY: Clerk
--	-----------

Resolution to engage Limebridge Rural Services to replace the damaged fencing at the White Bridge at a cost of £645.00 plus VAT as a variation on the existing grounds maintenance contract authorised February 2009.

Cllr DJ suggested that a contribution should be sought from WCC.

Prop Cllr TC 2nd Cllr JG eight in favour Cllr RW against. Motion carried.

11.2 Wellesbourne in Bloom

Cllr RW thought the advice contained in item 5 on the Highways report was not acceptable and WCC should clear a lot of ivy and old roots. It was agreed to make a site visit and to add the item to the Highways meeting agenda.

Cllr TC reported the new notice board at the Co-op was due to be installed and the leaning bus stop sign opposite the fish and chip shop.

11.3 Correspondence – there was none

11.4 Date of next meeting - 25th January 2011 - noted

12. Office and Staffing Committee – Last meeting 12th October 2010

12.1 Chairman's update

The Clerk had a sick note until 17th March 2011

12.2 Date of next meeting 18th January 2011 - noted

13 Emergency Committee – Last meeting 9th November 2010

13.1 Date of next meeting to be agreed – noted

Peter Bones (Flood Risk Manager WCC) was in the process of collating information regarding flooding issues in Wellesbourne. The Clerk was to co-ordinate the response.

Cllr VB reported that the sewer at Walton smelt. It had not been cleaned for two years.

ACTION: To contact SDC to ask for an initial water sample to be taken	BY: Clerk
---	-----------

Cllr DJ reported Jeremy Wright MP was to visit Chedham's Yard on 18th March and would be available for a further hour to discuss other issues.

14. Chedham's Yard

This item was discussed after item 22. Cllrs TC and DC left the meeting

14.1 Chairman's update – Cllr Close

(Steering Group minutes, Heritage Project Officer's report, monthly financial statement attached)

On Wednesday 22nd December, the Directors and staff of Chedham's Yard had their regular team meeting at which they discussed staff contracts, VAT on admission charges, recruitment of more trustees and inviting membership of the Trust.

14.2 **Resolution to approve the attached lease and novation agreement – Cllr Grantham Resolution to approve the terms of the novation agreement between the Trustees of the National Heritage Memorial Fund, Wellesbourne Parish Council and Chedham's Yard Trust. The agreement to be signed by the Chairman and witnessed by the Clerk. Prop Cllr JG 2nd Cllr RB all in favour. Motion carried.**

Cllr RW raised concerns regarding the composition of the future Trust Board. He said that as the Yard was a public asset, the Council should not proceed with the lease until it was in possession of full details of the membership of the Trust Board and the relevant expertise of individual Trustees. It was stated that the lease document had been scrutinised by the Working Party and agreed by the directors, the Trust's solicitor, and WPC solicitor and until it was signed the novation agreement could not go ahead.

**Resolution to approve the form of the lease as it is drafted. Prop Cllr JG 2nd Cllr RB
(In favour Cllrs IR, RR and DJ against Cllr RW and VB.) Motion carried.**

Resolution to give the Chairman the authority to sign the lease forthwith. Prop Cllr RB no seconder – motion failed.

14.3 Correspondence

Letter of thanks for the provision of accommodation	John Mckenzie, Chairman Chedham's Yard Trust
---	--

Noted

15. Burial Grounds – Cllr Wright

A meeting was scheduled for Thursday 6th January 2011

16. Parish Plan – Cllr Copeland – report appended

Cllrs RB and IR asked that the issues surrounding shops, employment, care for the elderly, communications and allotments should be represented in the final draft

17. Wellesbourne and Kineton Community Forum

17.1 Date of next meeting Thursday 3rd March at Wellesbourne Primary School (provisional venue)

Noted

18. WALC/NALC

Future of Standards Framework for Members of Local Authorities in England	NALC
---	------

Noted

19. Council Correspondence – Cllr Rutherford

A letter from the Auditor on 17th June was delayed coming to Council for two months by Councillors Johnston and Grantham. An email from Meera Tharmarajah, Head of Legal Services at NALC, sent on 28th July via Alison Hodge of WALC, and relating to her advice and her ability to provide further advice on the Chedham's Yard Project has been not passed onto the Council. The draft letter to the Auditor, prepared and sent by email to Councillors by Councillor Johnston on 29th August, not recorded or approved in the minutes, made claims not substantiated by the email from Meera Tharmarajah, and the information, indicating the opposite to the draft letter, was not forwarded to the Auditor as requested by Meera Tharmarajah. Other Cllrs did not agree with Cllr IR's understanding of

events.

To discuss the contents of the email from Meera Tharmarajah and the question of correspondence to and from the Council.

Cllr IR contended that, in an email to the Council dated 28th July 2010, Meera Tharmarajah (NALC) refused to advise WPC, because of the professional rules governing the conduct of solicitors prevented her from continuing unless the consent of the Council solicitor was obtained in writing . He said that this meant that all advice obtained from NALC was therefore null and void. This was rejected as totally untrue by other Cllrs. Cllr DJ said it was in the national interest that Counsel Opinion should be questioned as other Councils could find themselves in a similar position. Cllr RW suggested the issue should go forward to the WALC AGM for clarification.

- 20. General Correspondence** – there was none
- 21. Councillors Exchange of Information** – there was none
- 22. Date of next meeting:** 2nd February 2011 – Noted

Meeting ended at 10.30pm

Chairman: Cllr Johnston

Signed

Date