

# WELLESBOURNE PARISH COUNCIL

*Minutes of the Council meeting held on Tuesday 7<sup>th</sup> September 2010 at 7.30 pm at the Methodist Hall, Bridge Street, Wellesbourne*



**Present:** Chairman: Cllr Johnston, Cllrs Mrs Bartlett, Blundall, Copeland, Grantham, Parton, Mrs Rose, Rutherford and Wright Acting Clerk: Mrs Lipman

Members of the public: 13 Members of the press: 1

**1. Apologies :** Cllrs Mrs Bolton and Close

## **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 prejudicial interest in connection with Wellesbourne Conservative Club Ltd and a personal interest in the Football and Social Club 97, and all matters appertaining to Walton Estates.

Personal interest in planning application 10/01852/TREE and a personal interest in item 11.3

Concessionary travel consultation

Cllr Close personal interest as a District Councillor and in connection with St Peters Church as a member of the church

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 and a personal interest in the Football and Social Club 97.

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

**3. Confirmation of Agenda** – It was agreed to move item 6. Open Session to be heard before Matters arising. Item 14.1 was deferred until the next Emergency Committee meeting

## **4 Confirmation of the minutes of the Council Meetings of 3<sup>rd</sup> and 24<sup>th</sup> August 2010**

These were confirmed as a true record and signed by the Chairman

**5. Matters arising** – this item was moved to item 6 on the agenda.

### **5.1 Complaint raised against Cllr Wright by Cllr Rutherford**

Cllr IR declared a prejudicial interest and left the room. This was disputed by Cllr JG saying the interest declared related solely to letters to the External Auditor in relation to complaints submitted.

Cllr RW said Cllr IR was conducting a vexatious prolonged campaign against himself.

Most recently he had made an official complaint to the External Auditor relating to the payment of 7 invoices between April 2008 and January 2009 covering emergency work on Chedham's Yard and the erection and dismantling of the Xmas lights. He said Cllr IR had claimed the payments were illegal.

The only objection to have been upheld related to an overspend of £47.35 by the Clerk under her delegated authority. He said the response from the Auditor cleared him of wrong doing and maladministration.

Cllr IR had also sent a complaint to the Standards Board when he was prevented from viewing tender information. This complaint had been rejected. He had not brought a similar complaint against Cllr RB who had served on the same project group. This showed the vexatious nature of the complaints against himself. Cllr IR then took the matter to the Freedom of Information Commissioner and the Audit Commission who ruled that the denial of tender information was justified. The costs of transferring all the documents and the cost of the Clerk's time had to be borne by WPC.

Cllr RW went on to say that in Dec 2009 Cllr IR made a further complaint to the Standard's Board, The allegation was that he had approved payments to himself without declaring a prejudicial interest. A formal independent enquiry took place where there were witness statements and a 68 page report. The complaint was not upheld and the cost to the District Council taxpayer was £3500, this in addition to £4,000 expended to date by the Parish Council.

Cllr RW spoke of his unblemished record of 26 years as a Parish Councillor and 18 years as a District Councillor. He said during the last election Cllr IR had continued his injurious behaviour, placing an open letter on notice boards during the District Council election in which he gave public notice of the complaints he had made to the Standards Board, to further denigrate my reputation as a Councillor, signing it as Cllr IR. This was not acceptable behaviour from a Parish Councillor, particularly as Cllr

IR did not sit on any committees or support local activities. His only interest on the Council was to send copious emails alleging illegal actions. He said that if Cllr IR felt there was public support for these allegations he should get residents to ask for a by-election. He said WPC had to put a stop to this vexatious campaign and failure to do so would result in him leaving the Council. He said Cllr IR must apologise.

Cllr JG said that Cllr IR had no reason to leave the room as the prejudicial interest he had declared was in connection with letters to the External Auditor and not the letters received. He said Cllr IR had undertaken a long and vexatious campaign against Cllr RW, himself and the Clerk. Cllr DJ endorsed these comments giving Cllr RW his full support. Cllr VB agreed saying that Cllr IR's position was untenable and he should resign. Both Cllrs TC and RP felt that the constant objections were hampering work on important projects for the village such as the Football Club building and the Village Hall and causing the Council to waste money in bringing them to a conclusion.

### 5.2 Response of External Auditor to Objections by Cllr Rutherford

Cllr IR was invited to return to the meeting, but declined.

Cllr DJ explained that on 22<sup>nd</sup> July 2010 WPC received a confidential email from the External Auditor requesting that all correspondence should remain confidential until their investigations were complete. Only one of the objections had been upheld in which the Auditor advised that the Parish Council reviewed the level of delegated authority relating to an overspend by the clerk of £49. He said the cost to the Council so far was approximately £4000. This comprised of £2000 for the Counsel opinion and £2000 for the Auditor's costs. A letter had been sent to the Auditor thanking him for his advice.

### 5.3 Response of Parish Council to letter of 11<sup>th</sup> August from the External Auditor on Chedham's Yard.

A draft response had been circulated to Cllrs in which WPC disputed the opinion of the Counsel but accepted that in the interests of the Chedham's Yard project any further challenge would lead to additional costs and delay. WPC wished to record thanks to the assistance received from the HLF who had been very supportive. No comments regarding the draft were made.

AGREED the Clerk should send the letter previously circulated to Cllrs to External Auditor.

Prop Cllr DJ 2<sup>nd</sup> Cllr JG carried unanimously

Cllr TC said it was important for NALC to make this information known to all members.

Cllr IR returned to the meeting

## 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.

Cllr JG explained that in planning application 10/01852/TREE the Principal Forestry Officer had recommended that both a mature and immature Horse Chestnut tree were diseased and should be felled. In addition he recommended the removal of several dead limbs from a mature Ash tree.

Mr Rose, Grange Gardens said that the footway between Constance Harris Close and Poppywood Cottage was overgrown and needed to be cut back.

Mr Brooks, Newbold Road asked what was causing the delay in the emergency flood works scheduled to take place to safeguard the Newbold Road area. Cllr RW said that the Environment Agency was insisting that a bridge be constructed over the culvert at the fishponds as a drainage pipe had been concreted over by the landowner impeding flow. The Environment Agency was very strict in its requirements but SDC were hoping that work could be started before the end of the calendar year. The current finances were ring fenced and SDC was working diligently to solve the problem.

It was agreed to record the concern of WPC to the Environment Agency and SDC. Mr Brooks asked why the work could not be staged. Cllr RW said that because of the difficulty in bringing heavy equipment onto the site it was necessary to complete all the works at the same time.

## 7. **Finance**

### 7.1 Monthly accounts

An additional item of expenditure – E.ON electricity bill £108.50 was added to the attached cheque list. It was noted that there were 2 invoices for Verdant listed.

Resolution to accept for payment all items having checked that neither Verdant invoice was duplicated. Prop Cllr JG 2<sup>nd</sup> Cllr VB motion was carried. Cllr IR against

## 8. Police

### 8.1 Crime figures - SNT Newsletter was circulated

A letter of thanks had been received from PCSO Anna Samuel with regard to the grant funding given for the Community Day. This was circulated to Cllrs.

## 9. Planning

### 9.1 Decisions

#### 9.1.1 Permission with conditions

1.

10/01337/TREE	T1 cedar fell		
At	12 Church Street	For	R N Spinney

Noted

2. It was noted that application 10/01257/FUL had been approved. It was agreed to refer this to the Emergency Committee because of the flood risk associated with the application.

### 9.2 Applications

1.

10/01374/FUL	Proposed two storey rear extensions, first floor front extension and alterations		
At	8 Gloster Gardens	For	Mr Nelmes
Officer Dealing	Alice Cosnett	By	14 September 2010

No objection in principle but WPC raises a concern that the extension would have an overbearing effect as a 45 degree line taken from the furthest point of the extension does intersect with the neighbouring property

Prop Cllr JG 2<sup>nd</sup> Cllr RW motion carried Cllr IR abstained

2. Cllr JG left the meeting

10/01852/TREE	T1 horse chestnut fell, T2 ash deadwood		
At	10 Church Street	For	Mr John Grantham
Officer Dealing	David Wyatt	By	22 September 2010

No objection

Cllr JG returned to the meeting

9.3 Date of next Area Planning meeting 16<sup>th</sup> September 2010 - Noted

## 10. Amenities Committee – Last meeting 22<sup>nd</sup> June 2010

### 10.1 Chairman's update

Cllr RP reported that the dog information and safety signs for the Dovehouse and Mountford play areas had been received. Cllr RW distributed a newspaper article clearly demonstrating the risk of dog faeces. It was noted that the dog warden had attended the Mountford Sportsfield during the previous week.

10.2 Sports Association – nothing to report

10.3 Youth Club – a mobile Church centre youth club had operated during the summer holidays

10.4 Football club building

Proposal by Councillor Grantham to waive financial regulations relating to contracts to allow emergency security works as per the attached report.

Prop Cllr JG 2<sup>nd</sup> Cllr RP motion carried unanimously

Cllr JG said that once the emergency work had been completed the Council would revert to the normal tendering process

10.5 Correspondence – there was none

10.6 Date of next meeting 19<sup>th</sup> October 2010 – noted

## 11. Highways Committee – Last meeting 25<sup>th</sup> May 2010

### 11.1 Chairman's update – report attached

Cllr TC said that he was in contact with Barteak Homes regarding the maintenance of land adjoining Ettington Road. Concern was raised at the inconsistency of fencing at White Bridge following the removal of some parts of the wire fence.

It was noted that free trees were available from SDC.

11.2 Wellesbourne in Bloom – there was no report

11.3 Correspondence

Concessionary travel consultation – <a href="http://www.warwickshire.gov.uk/concessionarytravel">www.warwickshire.gov.uk/concessionarytravel</a>	WCC
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Noted

Newbold Road Closure	WCC
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Noted

11.4 Date of next meeting 21<sup>st</sup> September 2010

**12. Finance and Administration Committee** – Last meeting 16<sup>th</sup> June 2010

12.1 It was agreed to convene a Finance Committee meeting 12<sup>th</sup> October to look at 6 months expenditure

**12.2 Financial Regulation 4.7** – Cllr Rutherford

To remove the phrase, "unless the correspondence is of a purely administrative matter." as advised by the External Auditor, Alan Robertson, to reduce further any possibility of misinterpretation of the fact that all correspondence from the Internal and External Auditors should be brought to the attention of the Council as soon as is practicable.

Prop Cllr IR there being no 2<sup>nd</sup>der the motion failed.

Cllr RW suggested that it should be deferred to the next Finance Meeting

12.3 Date of next meeting – 12<sup>th</sup> October 2010

**13. Office and Staffing Committee** – last meeting 16<sup>th</sup> June2010

13.1 Chairman's update – there was none

13.2 Date of next meeting - 12<sup>th</sup> October 2010

**14 Emergency Committee** - Last meeting -10<sup>th</sup> February 2009

14.1 Internet connection for emergency computer at the Conservative Club -this item was deferred

14.2 Date of next meeting – 9<sup>th</sup> November 2010

It was agreed to ask Dave Tiley (SDC) to address the next meeting

**15. Chedham's Yard**

15.1 Chairman's report – appended

AGREED to move Christmas lights from Bearley to store temporarily in Football Club building

Prop Cllr JG 2<sup>nd</sup> Cllr RW motion was carried unanimously

15.2 Steering Group Minutes of meeting of 19<sup>th</sup> August 2010 - appended

**16. Burial Grounds**

16.1 To let the contract for the surface works on the extension of the Burial Grounds – tender report appended

Following circulation of the tender report Cllrs agreed to appoint Company B

Prop Cllr RW 2<sup>nd</sup> Cllr JG motion carried unanimously

**17. Xmas Lights** – nothing to report

**18. Consultation Documents**

18.1 Community Right to Build - Noted

**19. Parish Plan**

19.1 Interim report by Cllr Copeland – appended

Cllrs congratulated Cllr TC on the work completed in such a short space of time.

**20. Wellesbourne and Kineton Community Forum**

Next meeting Thursday 9<sup>th</sup> September 2010 – Noted

**21. WALC/NALC**

Council Tax Referendums Consultation – deadline 10 September	NALC
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Noted

Responding to planning applications update seminar	Sat 2 <sup>nd</sup> October, Dunchurch
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Noted

WALC Newsletter July 2010	
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Noted

WALC AGM 27 <sup>th</sup> October 2010 (Shire Hall, Warwick) Invitation for nominations for County Committee	WALC
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Noted

**22. General Correspondence**

Allotments	Ken Wheal, Chairman Wellesbourne Allotment Association
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Cllr JG said he had spoken to David Jones, SDC planning dept., who advised that the earliest date the draft core strategy could be adopted was Dec. 2012. This item was referred to the next Amenities Committee meeting on 19<sup>th</sup> October.

**23. Councillors Exchange of Information**

**24. Date of Next Meeting:** 5<sup>th</sup> October 2010

**Resolution:**

In view of the confidential nature of the business to be discussed, the public and press be excluded from the meeting in accordance with the Public Bodies (Admission to meetings) Act 1960, Section 1

**Confidential**

**1. Salaries**

Motion to approve payment of salaries  
Prop Cllr JG 2<sup>nd</sup> Cllr RW carried unanimously

Chairman: Cllr Johnston

Signed .....

Date .....