

WELLESBOURNE PARISH COUNCIL

The minutes of the Council meeting on Tuesday 2nd August 2011 at 7.30 pm at the Methodist Hall, Bridge Street, Wellesbourne



Present:

Chairman: Cllr Johnston Clerk: Mrs Scriven Members of Public:10 Press:1
Councillors: Mrs Bartlett, Blundall, Close, Grantham, Kendall, Parton, Mrs Rose, Wright

1. Approval of Apologies for Absence – Apologies accepted for Cllr Mrs Bolton

Cllr DJ addressed all present announcing the untimely death of Cllr Tony Copeland giving personal testimony to the work that Cllr Copeland had achieved during his time on the Parish Council. It was said that he had been enthusiastic for all things appertaining to Wellesbourne, and his involvement in the Parish Plan which would be his legacy to the village well into the future. Other Councillors also spoke about the commitment given by Cllr Copeland, which included his involvement in Chedham's Yard of which he later became one of the Trustees, and noted that his way with dealing with the problems facing local authorities was "consider, consult, and direction". Members of the Council and its staff would miss his enthusiasm greatly. Cllrs DC, JG, RW all spoke about what Cllr Copeland had achieved for the community since joining the Council.

A minutes silence was held in respect and memory of Tony Copeland.

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

Cllr Grantham prejudicial interest in connection with Wellesbourne Conservative Club Ltd and a personal interest in all matters appertaining to Walton Estates.

Cllr Johnston personal interest as a County Councillor, in all matters regarding WCC, Hampton Lucy Grammar School Foundation as a member of the Board and Chedham's Yard as the husband of a Trustee.

Cllr Kendall personal interest as a District Councillor and as a member of Vision 4 Wellesbourne

Cllr Mrs Rose prejudicial interest in connection with the Conservative Club Ltd and the Heart of England Co-operative Society as an employee

Cllr Wright personal interest as a District Councillor and in connection with the CAB and the Methodist Hall, prejudicial interest in item 11.2.1 as submitted a tender for the contract.

3. Confirmation of the Order of the Agenda and identification of any items that might be resolved for confidential session – The Clerk asked that Item 16, Wayleave agreement for Chedham's Yard to be removed from the agenda – agenda as amended agreed

4 Confirmation of the minutes of the Council Meetings of 5th and 19th July 2011

The Clerk asked Cllrs to consider Cllr Mrs Bolton's amendment (by email) in her absence to item 7, 7.3. Mrs Bolton said it had not been her intention to imply the NALC advice received by the Council was a minor issue – reworded to:

"The only points raised by the auditors included the advice given to the Council by NALC and minor items including the overspend by the Clerk of £47 caused by a quote that was of higher cost when the invoice arrived, and a late submission of the accounts due to the long term sick leave of the Clerk, all without action"

Pg 18 item 16 Cllr DC asked for the action point to request a WCC Officer attend a WPC meeting in Aug/Sept to discuss the Household waste management changes be included, as this had not been arranged as it had not appeared in the minutes.

Action: Invite WCC Officer to WPC meeting – re Household waste management changes	By: Cllr DC
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Minutes of 5th July accepted as amended and signed as true record.

Minutes of 19th July accepted and signed as true record.

5. Matters arising

Clerk advised Councillors that the money held in the HSBC account had now been transferred and the account closed.

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 Davies, Gloster Gardens said the minutes on the website were not fully up to date and asked if they could be updated soon. The hedge on the Loxley Road between the two Dovehouse Drive entrances was obscuring the view on the blind bend and with the speed of traffic entering the village needed cutting back. Cllr DJ said he had reported this in May.

Mr Podbury, Kineton Road, said he had sent an email to WCC regarding the road resurfacing and the chippings on the footway and missing 30mph painted signs. The response from WCC was they would not be replacing the painted 30mph signs as they were not legal, something to do with street lighting. The hedge by Toll House Cottage was hanging over the footway and needed cutting back.

Action: notify WCC of the hedge problems	By: Office
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7. Objections to the External Auditor by Mr Rutherford

7.1 Correspondence from Clement Keyes regarding decisions on the following objections:

Objection regarding possible purchase of lease of WSCC	cost to Council £415(net)
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7.2 Correspondence from Freedom of Information Commissioner

Objection regarding declined request under FOIA by Mr Rutherford	Update Clerk
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The Clerk had circulated the correspondence from the FOIC to all Cllrs and was already in dialogue with the FOIC.

Cllr RW asked why the list of Complaints had not been circulated and asked if it was being done. The Clerk said that the workload created by so many complaints to various external bodies was not only onerous but also time sensitive with deadlines issued for response. She said the document to which Cllr RW referred had been ¾ completed but the responses to the official bodies had to take priority at this time.

Cllr JG said the Clerk's entire workload was currently dealing with complaints from Mr Rutherford which had been escalated to many differing complaint avenues. He said it was a complete waste of the Clerks time and was proving extremely costly.

Cllr DC said he fully understood the amount of work generated by Mr Rutherford's complaints as some of the issues he had complained about Chedham's Yard refer to things three years ago and the response involved a large amount of duplication

The Clerk had been instructed to seek legal advice regarding this matter and she confirmed she had been in touch with NALC and other bodies seeking the best advisor.

Cllr DC said Mr Rutherford had written to the external auditor which had generated advice by their QC who had intimated that the ultra vires were incorrect and this set the restoration process back by 6 months. The Parish Council disputed this as the Council had always sought legal advice, but were advised that to challenge this opinion would be at considerable cost and a lengthy protracted procedure. As a result of this advice, WPC moved to a Trust sooner than originally planned and whilst honouring any existing contracts did not engage in any further expenditure.

Cllr DJ said WPC had never been advised that it's actions were unlawful as it has always sought legal advice prior to taking any action regarding this matter, but as Mr Rutherford had raised this with the auditor they had sought the opinion of a QC. He said it was clear that Mr Rutherford's total aim and intention was to wear the Councillors down by saying they are not operating correctly when the inspection of the accounts and documents show otherwise. His aim to destroy the Council had however made Councillors persistent in continuation of their work to conclusion.

8. Finance and Administration Committee

8.1 Approval of monthly accounts as per attached cheque list

Cllr RW queried the broadband and the Council tax payment on the list of expenditure.

Cllr JG said enquiries into the reduction of this payment as the building is unoccupied were being made

These were approved for payment – prop DK, 2 nd Cllr JG	Motion carried Abstained: RW,VB RP
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8.2 Approval of staff salaries

These were approved for payment – prop JG 2 nd RR	Motion carried
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8.3 Date of next meeting – 20th September 2011 - Noted

9. Police

9.1 SNT Newsletter – circulated to Cllrs by email

9.2 Correspondence - letter from Oliver Winters re Police Stn planning application

Cllr DJ said he would write directly to Mr Winters for clarification of the arrangements made for the police staff once the police station had been removed. He said at a meeting with the police and Chair of Kineton Parish Council, it was agreed that Shipston was too far away as a base for the SNT which was moved to Stratford instead. Local service facilities were mentioned such as the fire station and WPC. Cllr RW said it was disgraceful treatment of the employees by the Police Force and the lack of local policing would leave the community very vulnerable.

Action: Letter to Mr Winters seeking clarification of arrangements for staff following closure of the station and acknowledgement of WPC offer to provide space for police.	By: DJ
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9.2.1 Response from PC Cuthbertson re-disengagement of police from Wellesbourne

Whilst Councillors appreciated the response from PC Cuthbertson it was felt the response should have come from a higher level. Concerns were raised as to where the employees would take comfort breaks, the Clerk said PC Cuthbertson had been told to foster good relations with local businesses in order to use their facilities.

Action: Letter to the District Commander asking him to consider the Councils concerns.	BY: Office
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10. Planning

10.1 Decisions

10.1.1 Approvals

1. Noted

11/00399/FUL	Change of use from domestic garage to hairdressing salon (1 of the 2 garages)
At	16 Kineton Road For Mr Smedley

2. Noted

11/00977/FUL	Proposed pitched roof over existing flat roof garage to side and erection of porch to side
At	4 Mountford Close For Ms Evered

3. Noted

11/00973/FUL	Proposed single storey front and side extensions
At	40 Gloster Gardens For Mr Steven Ball

4. Noted

11/00927/FUL	Erection of conservatory to rear
At	51 Hammond Green For Mr Ferguson

5. Noted

11/01357/TREE	T2 holly fell, G1 yews, crown lift over footpath to give 2.5m head clearance above footpath level
At	The Old Vicarage, Church Street For Marston Rathbone Taylor

6. Noted

11/01193/FUL	Construction of new path giving access to churchyard extension and construction of buttresses
At	St Peter's Church For Marston Rathbone Taylor

10.1.2 Applications

1. For information only

Amended plan showing the removal of one of the containers and alterations to the fencing - Noted

11/00258/FUL	Retrospective application for the retention of the hotel waste compound located at the southeast corner of the site, including 2m high close boarded fence, cardboard compactor, general waste compactor, two steel containers, general waste skip and glass/metal recycling skip
At	Walton Hall For Mr Peter Montague

10.2 Correspondence – Letter from Warwickshire Police regarding the change of use of the Police station to C3 Domestic dwelling (SEE Item 9 POLICE above)

10.3 Date of next Area Planning meeting 3rd and 24th August 2011 – noted

11. Amenities and Highways Committee

11.1 Chairman's update – Cllr Parton (report appended)

A very productive meeting had taken place with representatives of Hammond Green regarding the shelter belt.

The Environmental Agency had carried out a CCTV inspection of the pipe dispensing effluent into the

River Dene, they were not able to extend the whole length of the pipe due to a brick in the way of the camera but they would also put a camera down the drain from Chestnut Square.

11.2 Wellesbourne Sports and Community building

Cllr DK said he, Cllr Grantham and the Clerk had met with Orbit – Heart of England representatives who had offered some free assistance with maintenance work on the building. He said the feedback from the manager and colleagues had been very positive and he looked forward to working with them.

Cllr RW left the meeting

11.2.1 Quotation for repair of roof – Vandalism

Due to the extensive damage caused to the roof of the building by vandalism, a further quote accounting for the additional damage had been sought from the contractor who had been awarded the work.

Resolution: to suspend Standing Orders & Financial Regulations in order to consider further more extensive work of the same nature than the contract let	Prop JG 2 nd RP motion carried
Resolution to reinstate SO & FR	Prop JG 2 nd RP carried

Resolution: to approve new quote No. 767 for additional works	Prop JG 2 nd VB Carried
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Cllr RW returned to the meeting

11.2.2 Theft of lead from roof update – The Clerk said the Police had now provided an incident and crime number for the removal of the roof lead. The CCTV camera had recorded images of the offenders in action, these had been passed on to PC Cuthbertson for his attention.

11.3 Parish Poll – Request for Poll update – The Clerk confirmed that all ten signatories had been invited to a meeting at WPC offices to discuss the request for a Parish Poll, it was noted that some apologies had been received. **Meeting arranged for August 3rd, at 7.30pm WPC office.**

11.4 Sports Association – nothing to discuss

11.5 Dog Fouling in play areas – The Clerk noted an improvement in the amount of fouling reports, however an incident had been reported where a dog owner had released several boisterous dogs onto the play area without leads. After almost getting bowled over, the lady challenged the dog owner who was allegedly very unpleasant in front of small children using the park equipment and continued to allow her dogs to run between the children. This incident was reported to the dog warden who was able to identify the dog owner and issue her a warning regarding her behaviour. It was made clear to the offender that any further reports of this nature would result in prosecution.

11.6 Youth Club

Cllr GB said he intended to contact Mr Faulkner (acting on behalf Walton Est) regarding the attitude to the youth club, and confirmed that clarity on staffing issues at WCC was still awaited. Cllr DK was asked to join the Youth Club committee, Cllr DK accepted.

Action: Add Cllr DK to the Youth Club Management Committee WPC representative list (currently only Cllr VB)	By : Office
Action: Contact Mr Faulkner requesting clarification of future use of the club	By: GB

11.7 Wellesbourne in Bloom

This year, new judges attended who were impressed with the overall results achieved by such a small group. The results of the judging would be given in September.

11.8 Date of next meeting 9th August 2011 - noted

12. Office and Staffing Committee

12.1 Date of next meeting – 20th September 2011 - noted

13. Emergency Committee – Last meeting 9th November 2010

13.1 Date of next meeting to be agreed - noted

14. Parish Plan/Village Design Statement- Cllr DK said the Parish Plan had been formally adopted by SDC and had now gone for printing. The Village Design Statement was being updated from the original document and a meeting with SDC was planned to discuss the amendments required.

15. Burial Grounds - Cllr Wright said quotes had been requested for work on the second phase work of new footpath and 3 support pillars for the boundary wall, a deadline for receiving these had been given, and would be considered prior to the meeting of Council on 9th August. He said it had been arranged that the Bishop of Coventry would head the opening ceremony on 18th Sept 2011.

16. Chedham's Yard

16.1 Wayleave agreement to establish a new electrical connection – It was agreed this item would be removed from the agenda at this time.

Cllr DC said Cllrs had been invited to attend a yard visit, 17th or 19th August. For Cllrs who could not make these dates, Emma Banks would make individual arrangements to suit if required. He urged all Cllrs to attend if possible to view the work carried out to date.

17. Wellesbourne and Kineton Community Forum – next meeting 8th September 2011 –noted
Cllr DC asked Cllrs to notify him of any items for discussion in order for them to be added to the agenda.

18. WALC/NALC

18.1 Correspondence

Newsletter ADH/95 July 11	WALC – circulated to cllrs by email - Noted
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19. Consultation Documents

Review of Polling Districts	SDC – circulated to cllrs by email
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Cllrs agreed that the polling station would remain as the Village Hall and not the school.

Action: Respond saying Council opposed to use of anything but the Village Hall	By: Office
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20. General Correspondence

It was noted there had been no response to WPC's letter regarding Cllr Bill Lowe as Mrs Hodge (WALC) was on leave and would respond upon her return.

21. Cllr Exchange of Information

Cllr RW said the walkway between Garden Terrace & Ettington Close was overgrown with stinging nettles and impossible to pass.

Cllr Mrs VB said there were a number of Mink in the river and they had been taking fish from domestic ponds visiting regularly at night. Coaches continued to be a problem on Walton Road, and it was noted that allegedly, staff had routed coaches out via Walton village to avoid the speed humps on Jubilee Drive.

Cllrs asked that WCC provide details of dates when drains would be cleaned in order that WPC might alert car owners to move their vehicles the evening before cleaning takes place.

22. Date of next meeting 6th September 2011 - noted

There being no further business to discuss the meeting closed at 9.15pm

Chairman...Cllr Johnston...

Signed.....

Date.....