

LEDBURY TOWN COUNCIL

**Minutes of Full Council Meeting held
On Thursday 21st June 2018
In The Community Hall – Ledbury**

PRESENT:

Chair of the Council: N. Shields

Deputy Mayor: J. Roberts

Councillors: M. Eakin; K Francis; J. Hopkins; P Howells;
A. Manns; N. Morris; A. Warmington

In Attendance: G. Rippon Acting as Clerk for the meeting

10 members of the public

C.82 – 6.18 Apologies

Apologies were received from Cllrs Baker, Bradford, Harrison and Harvey

C.83 – 6.18 Interests

There were no interests declared

C.84 – 6.18 Public Participation

Members of the Public raised points in connection with recent posts on "Voice of Ledbury" concerning the Judicial Review

- i) In connection with missing records, does the Council have a back up copy of the relevant computer hard drive.
- ii) Can the relevant solicitors be trusted to supply accurate information.

The Chair responded that this would be dealt with under the Agenda Item on the Judicial Review

There was also a request that the Public Participation should be taken at the beginning of discussions on the relevant Agenda Item, rather than the beginning of the meeting.

The Chair responded that this could be done if the Draft Minutes and Agenda were available to members of the public prior to the meeting. This will be done if possible.

C85 – 06.18 Minutes

Cllr Shields noted that there appeared to a line missing in Item C.68-05.18 – para 2. She believed that paragraph should read:

“The member of the public asked the Chairman if she had seen the incontrovertible advice from NALC and HALC. Cllr Shields responded that she had not seen the advice and could not give a definitive answer on costs.”

Cllr Shields proposed that with this amendment the Minutes should be approved.

Voting: For 8 Against 0 Abstentions 1

The Minutes were approved as an accurate record of the Annual Meeting of Ledbury Town Council held on 24th May 2018.

Cllr Francis proposed a Vote of Thanks to Mrs Jupp and the Council Office Staff for their support and work during the past few weeks. This was agreed unanimously.

C.86 – 06.18 Chairman’s Report and Correspondence

The Chairman reported that the past month has been a baptism of fire, but that the Council is addressing the issues that have been raised and is making progress.

She has attended 2 informal events on behalf of the Council, a Community Day and together with Cllr Jayne Roberts, she attended the opening of the Malvern Classic Mountain Bike Festival.

C.87 – 06.18 Committee Matters: Economic Development & Planning Committee

The Council considered the Minutes of the meeting held on 31st May 2018 and agreed to accept the recommendations contained therein.

Voting: For 6 Against 0 Abstentions 3

C.88 – 06.18 Committee Matters: Environment & Leisure Committee

- i) The Council received the Minutes of the meeting held on 14th June 2018.

Cllr Hopkins asked to amend a recommendation under Item 9 – Dog Waste Bags.

Cllr Hopkins explained that full information in connection with all the quotes had not been available at the date of the meeting, but it had now been confirmed that the existing supplier of these bags DOES supply biodegradable bags, and as they are considerably cheaper than the alternative agreed at the meeting the Committee wished to amend their decision and accept the quote from the existing supplier. She therefore requested Council to accept the Minutes with *this amendment to the recommendations contained therein*.

Proposal: That Council accept the above amendment to the recommendations under Item 9 – Dog Waste Bags

Voting: For 8 Against 0 Abstentions 1

Proposal: That Council fully fund the repairs to the War Memorial and continue to seek grant funding and sponsorship for this

Voting: Unanimous

Councillor Francis expressed concern about Ledbury Town Council's apparent lack of involvement in events relating to the Christmas lights. Cllr Hopkins confirmed that Cllr Bradford is organising volunteers to assist the Town Traders with this.

Proposal: The Council considered the Minutes of the meeting held on 14th June 2018 and agreed to accept the recommendations contained therein with the amendment to Item 9 agreed above.

Voting: For 7 Against 0 Abstentions 2

- iii) Ledbury Celebration Working Party

The Council noted the Report of the Ledbury Celebration Working Party dated 30th May 2018, that all is on schedule for the Celebration.

It was also noted that Cllr Hopkins attended the meeting on that date.

C.89 – 06.18 Committee Matters: Finance & General Purposes Committee

- i) The Council received the Minutes of the meeting held on 7th June 2018.

Cllr Shields noted that there had in fact been 2 declarations of interest at the meeting, so that section should read:

"Councillor Harvey declared an interest in Items relating to the Judicial Review; Councillor Baker declared an interest in Items involving "Ledbury in Bloom"

It was noted that the heading for Item F.65-06-18 should be GENERAL DATA PROTECTION REGULATION (singular).

Cllr Francis clarified re Item F.63-06.18 that the Subscription for Fields in Trust relates to the Recreation Ground which has been designated a Centenary Field, and therefore this subscription should be maintained.

Proposal: The Subscription for Fields in Trust should be paid

Voting: For 5 Against 0 Abstentions 4

ii) The Council considered the proposed responses to the Annual Governance and Accountability Return 2017/17. These were agreed and the Return signed by the Chairman of the Council and the Clerk of the meeting.

iii) The Council considered the Ledbury Town Council Acceptable Use (IT) Policy document.

Proposal: The Ledbury Town Council Acceptable Use (IT) Policy be adopted

Voting: unanimous

The chair requested that a vote of thanks to Cllr Hopkins for preparing the document was recorded, noting that such a policy was long overdue.

C.90 – 06.18 Judicial Review

The Chairman noted that there was some truth in the rumours circulating about this, as it appears that some documents are missing from the Council's files.

The Council is taking steps to obtain copies of these documents from their solicitors, doing all it can to mitigate the costs of this, before considering whether any further action is possible and/or sensible financially for the Council.

Further discussions will take place in closed session, but the Chairman emphasised that any final decisions will be made in open session at a future meeting.

C.91 – 06.18 Councillors Statements of Declaration and Interests

The Chairman noted that these statements should be reviewed annually by all Councillors, and reminded those serving to do this.

Cllr Warmington noted that under changes to the rules relating to these statements, councillors who own their own homes now need to declare that fact.

C.92 – 06.18 Review and Adoption of County Council Code of Conduct

After reviewing the document, which has never been formally adopted by Ledbury Town Council it was proposed to do this.

Proposal: The Herefordshire Council Councillor Code of Conduct be adopted by Ledbury Town Council

Voting: unanimous

C.93 – 06.18 Neighbourhood Plan

Cllr Warmington stated that, as Chair of the Economic and Planning Committee, he was prepared to act as Ledbury Town Council representative to answer questions regarding the Progression to Examination Report.

Cllr Eakins proposed that Cllr Howells be the representative, in view of his longstanding involvement with the development of the plan.

Proposal: Cllr Warmington and Cllr Howells be jointly appointed to act as Ledbury Town Council representatives to answer questions regarding the Progression to Examination Report.

Voting: unanimous

C.94 – 06.18 Herefordshire Councillors' Reports

There have been no meetings on which to report since the last meeting of Ledbury Town Council

C.95 – 06.18 Outside Bodies

There have been no contacts with outside bodies on which to report since the last meeting of Ledbury Town Council

C.96 – 06.18 Representation on Outside Bodies

HALC

Cllr Francis explained that he wishes to step down as the representative of Ledbury Town Council on HALC as he is not planning to stand for re-election in 2019.

The Chairman expressed the Council's thanks for Cllr Francis's past service and present forethought, and suggested that other Councillors should consider whether they would have the interest in and time available for this role.

C.97 – 06.18 Confirm Town Council Policies

The Council considered items deferred from the Annual Council Meeting relating to General Council Policies.

Mr Gwilym Rippon, as Clerk to the meeting, raised some points in relation to the items listed in Appendix B as follows:

Item 4 The wording of this Proposal is incorrect. It should read: "In the absence of a qualified Clerk for Full Council Meetings, a councillor shall be appointed by the meeting to act as the *Proper Officer* for that particular meeting and also for any actions following on from decisions taken at that meeting."

Item 5 Mr Rippon has templates for these documents which he will make available to the Council to enable them to consider them at the next meeting

Items 6&7 New Standing Orders have just been introduced for Local Councils. Mr Rippon will ensure Ledbury Town Council has copies.

Item 12 General Power of Competence

Ledbury Town Council will retain its eligibility for this until its next Annual Meeting – in this case May 2019 – under Article 7.12 of the Explanatory Memorandum to Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012:

Once a resolution has been passed, a parish council remains eligible up until its next relevant annual meeting, whether or not the conditions relating to electoral mandate and qualified clerk continue to be met (compliance with these conditions is judged at the time a resolution is passed). This provides certainty for councils undertaking activities in reliance on the general power, whilst ensuring that they do not lose the incentive to continue to meet the conditions once they have initially become eligible. It also provides certainty for third parties in their dealings with parish councils as to the extent of a particular council's powers.

For this reason Items 13, 14 and 15 on the list of Items Deferred Fall."

It was noted that the heading "Review of the Council's Procedures for handling request made under the Freedom of Information Act 2000 and Data Protection Act 1998" should be amended to include the General Data Protection Regulation 2016.

Proposal: That Ledbury Town Council circulate a Press and Media Policy, appointing Councillor Shields, as Chairman of the Council, as Interim Press Spokesperson for LTC

Voting: unanimous

C.98 – 06.18 General Correspondence

Cllr Warmington read to the meeting the letters received from Lloyds and TSB Banks in response to the Council's objections to branch closure (Lloyds) and request for a Night Safe (TSB). He noted that both appeared to be "standard" negative responses

C.99 – 06.18 Exclusion of Members of the Public

Public Bodies (Admission to Meeting) Act 1960 Section 1 extended by Local Government Act 1972 Section 100. In order to consider confidential legal, financial and employment matters the Chairman proposed to exclude members of the public. The proposal was seconded by Cllr Hopkins and duly carried.

Proposal: To exclude members of the public from the rest of the meeting

Voting: For 7 Against 1 Abstentions 1

The meeting following the closed session closed at 10.30 pm.